



CITY COUNCIL REGULAR MEETING

Thursday, March 03, 2022 at 7:30 PM

AGENDA

In compliance with the Americans with Disabilities Act, individuals needing special accommodations / during this meeting should notify the City of Dillingham at 907-842-5212 at least three working days before the meeting.

MEETING INFORMATION

Council Workshop / COVID 19 / 5:30 - 6:30

Council Workshop / Capital Improvement Projects / 6:30 - 7:30

**CITY COUNCIL REGULAR MEETING
CITY HALL COUNCIL CHAMBERS / 7:30 p.m.**

Limited Seating Available - Masks Required

141 Main Street, Dillingham, AK 99576 (907) 842-5212

This meeting will also be available at the following online location:

<https://us02web.zoom.us/j/88290159116?pwd=RHQrS0lVckphMzhha0srZDhRL1BwZz09>

Meeting ID: 882 9015 9116; participant #, passcode: 484370

Or dial (346) 248-7799, or (669) 900-6833

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Minutes of February 10, 2022, Regular Council Meeting

APPROVAL OF CONSENT AGENDA

2. Adopt Resolution 2022-07; A Resolution of the Dillingham City Council Amending the Bank Signature Card and Investment Signature Authority Forms Due to a Change in City Staff

APPROVAL OF AGENDA

STAFF REPORTS

3. Department Reports
4. Committee Reports

PUBLIC HEARINGS

CITIZEN'S COMMENTS (Prior Notice or Agenda Items)

ORDINANCES AND RESOLUTIONS

5. Introduce Ordinance 2022-03; An Ordinance of the Dillingham City Council Amending Title 4 of the Dillingham Municipal Code to Adopt an Excise Tax on Importation of Marijuana
6. Introduce Ordinance 2022-04; An Ordinance of the Dillingham City Council Amending Title 4 of the Dillingham Municipal Code Levying an Excise Tax on Seafood Products Imported for Processing in Dillingham
7. Adopt Resolution 2022-08; A Resolution of the Dillingham City Council Approving a FY2023 Capital Improvement Plan and the FY2023 Legislative Priorities List
8. Adopt Resolution 2022-09; A Resolution of the Dillingham City Council Extending the Expiration Date of Ordinance 2020-22(S)
9. Adopt Resolution 2022-10; A Resolution of the Dillingham City Council Establishing Guidelines to Help Reduce the Person-To-Person Transmission of the COVID-19 Virus

UNFINISHED BUSINESS

Citizen Committee Appointments

- Senior Advisory Commission, four seats
- Friends of the Landfill, one seat
- Port Advisory Committee, three seats
- Library Advisory Board, one seat

No letters of interest received.

NEW BUSINESS

10. Bristol Bay Bud Company, LLC, Retail Marijuana Store License Renewal

CITIZEN'S DISCUSSION (Open to the Public)

COUNCIL COMMENTS

MAYOR'S COMMENTS

ADJOURNMENT

11. Informational Items



CITY COUNCIL REGULAR MEETING

Thursday, February 10, 2022 at 7:00 PM

MINUTES

CALL TO ORDER

A regular meeting of the Dillingham City Council was held on Thursday, February 10, 2022, at the Dillingham City Council Chambers and via video conferencing, in Dillingham, Alaska. Mayor Ruby called the meeting to order at 7:06 p.m.

ROLL CALL

Mayor Ruby was present.

Council members present and establishing a quorum (a quorum being four):

Aksel Buholm	Perry Abrams	Chris Napoli
Michael Bennett	Kaleb Westfall	

Council members absent:

Curt Armstrong

APPROVAL OF MINUTES

- Minutes of January 6, 2022, Regular Council Meeting
- Minutes of January 25, 2022, Special Council Meeting

MOTION: Aksel Buholm moved and Kaleb Westfall seconded the motion to approve the January 6, 2022, regular council minutes, and January 25, 2022 special council minutes in block.

VOTING Yea: Council Member Buholm, Council Member Napoli, Council Member Abrams, Council Member Westfall, Council Member Bennett

APPROVAL OF CONSENT AGENDA

- Adopt Resolution 2022-04; A Resolution Of The Dillingham City Council Amending The Bank Signature Card And Investment Accounts Signature Authority Forms Due To A Change In Council Members

MOTION: Kaleb Westfall moved and Perry Abrams seconded the motion to approve the consent agenda.

VOTING Yea: Council Member Buholm, Council Member Napoli, Council Member Abrams, Council Member Westfall, Council Member Bennett

APPROVAL OF AGENDA

MOTION to amend and approve the agenda made by Kaleb Westfall, seconded by Michael Bennett. Add item 10 under New Business; Discussion of Removal of COVID Mitigation and Emergency Authorized Measures

VOTING Yea: Council Member Buholm, Council Member Napoli, Council Member Abrams, Council Member Westfall, Council Member Bennett

STAFF REPORTS

4. Department Reports

- Submission on the State of Alaska CAPSIS system for city projects is underway.
- 2.7 million dollar grant for lost revenue has been awarded.
- Public Safety is short staffed due to COVID. Police presence will be maintained.
- Heavy equipment issues continue to be a challenge for Public Works.
- Agent Pullon was noted for his assistance in a recent public safety incident.

5. Committee Reports

Code Review Committee

- To do list reviewed.
- Dillingham Liquor Store, and Bristol Bay Bud license renewals reviewed. Recommendation for both; City to waive their right to protest.

Finance & Budget Committee

- Draft ordinance for marijuana tax, and fish processor tax being developed.
- Noted difference between sales tax and excise tax; voter approval and council control.

PUBLIC HEARINGS

There was no public hearing.

CITIZEN'S COMMENTS (Prior Notice or Agenda Items)

There were no citizen comments.

ORDINANCES AND RESOLUTIONS

6. Adopt Resolution 2022-05; A Resolution Of The Dillingham City Council Waiving Section 3.95 Of The City's Personnel Regulations To Authorize Hiring Patty Buholm As The Planning Director With The City Of Dillingham While Her Husband, Aksel Buholm, Serves On The City Council

MOTION: to adopt Resolution 2022-05 made by Kaleb Westfall, seconded by Michael Bennett.

- Aksel Buholm noted this resolution has a personal financial impact.
- Remarked Patty knows the community, has good relationship with State and Tribal entities and will be an excellent hire.

VOTING Yea: Council Member Napoli, Council Member Abrams, Council Member Westfall, Council Member Bennett

ABSTAINED: Council Member Buholm

UNFINISHED BUSINESSCommittee Appointments

Code Review Committee

Finance & Budget Committee

Mayor Ruby recommended Michael Bennett to the Code Review Committee and Aksel Buholm to the Finance & Budget Committee.

MOTION: to concur with Mayor Ruby's recommendation made by Michael Bennett, seconded by Perry Abrams.

VOTING Yea: Council Member Buholm, Council Member Napoli, Council Member Abrams, Council Member Westfall, Council Member Bennett

7. Letters of Interest: School Facility Committee, Planning Commission

School Facility Committee, one seat
 Senior Advisory Commission, four seats
 Friends of the Landfill, one seat
 Port Advisory Committee, three seats
 Planning Commission, one seat
 Library Advisory Board, one seat

Mayor Ruby recommended Erin Ohlson to the School Facility Committee.

MOTION: to concur with Mayor Ruby's recommendation made by Chris Napoli, seconded by Kaleb Westfall.

VOTING Yea: Council Member Buholm, Council Member Napoli, Council Member Abrams, Council Member Westfall, Council Member Bennett

Mayor Ruby recommended Kaleb Westfall be reappointed to the Planning Commission.

MOTION: to concur with Mayor Ruby's recommendation made by Kaleb Westfall, seconded by Perry Abrams.

VOTING Yea: Council Member Buholm, Council Member Napoli, Council Member Abrams, Council Member Westfall, Council Member Bennett

NEW BUSINESS

8. Dillingham Liquor Store License Renewal Application

MOTION: to waive the City's right protest to made by Chris Napoli, Seconded by Kaleb Westfall.

- The State of Alaska license renewal process and right to protest was reviewed.

VOTING Yea: Council Member Buholm, Council Member Napoli, Council Member Abrams, Council Member Westfall, Council Member Bennett

9. Strategic Planning Update

- Bill Dann with Professional Growth Systems will be in Dillingham for strategic planning March 4th and 5th.
- Session 1 will prioritize council objectives / projects.
- Session 2 will assign projects and outline task / assignments.
- Preparatory work will be emailed prior to work sessions.
- A third session will be scheduled for department priorities.

10. Discussion of Removal of COVID Mitigation and Emergency Authorized Measures

- Ordinance 2020-22(S) expires March 4, 2022. Allows City Manager ability to respond to changing circumstances timely with Emergency Orders. Council maintains authority, and can amend at any time.
- Need to determine what moving forward will look like.
- Add COVID as an item on the March agenda.
- Clarify if previous legislation needs to be repealed.
- Noted need to work together and have open discussions.
- CDC language currently vague, and subject to different interpretations.
- Interim Manager noted local case count highest since his arrival.

- Citizens on both sides of the issue continue to feel very strongly.
- Need for businesses to conduct business in a safe, efficient, and effective way.
- Local health care providers continue to urge safety protocols; masks, hygiene, and distancing.

CITIZEN’S COMMENTS (Open to the Public)

There were no citizen comments.

COUNCIL COMMENTS

Kaleb Westfall:

- Requested regarding a School Board / City Council joint meeting.
- Inquired if there are any shovel ready projects.
- Thanked the Officer who put in extra time and deescalated a situation.

Perry Abrams:

- Noted the Public Works Direction position is critical to fill.

Aksel Buholm:

- Inquired about the status of the City owned real property list he requested.

MAYOR’S COMMENTS

- Stated a joint SB / CC meeting is being planned for March 24, 2022.
- Thanked Interim Manager Mark Lynch, noting appreciation for his help.
- Commented an RFP for a grant writer is being worked on.
- A moment of silence was observed for those lost since the last meeting.

ADJOURNMENT

Mayor Ruby adjourned the meeting at 8:35 p.m.

Mayor Alice Ruby

[SEAL]

ATTEST:

Lori Goodell, City Clerk

Approval Date: _____

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2022-07

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AMENDING THE BANK SIGNATURE CARD AND INVESTMENT ACCOUNTS SIGNATURE AUTHORITY FORMS DUE TO A CHANGE IN CITY STAFF

WHEREAS, Robert Mawson was hired as the City Manager on March 1, 2022; and

WHEREAS, the signature cards for the City’s accounts at Wells Fargo Bank will need to reflect the change in personnel; and

WHEREAS, the signature authority forms for the City’s investments will need to be reflect the changes in City Council;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that the following persons are authorized to give instructions on behalf of the City of Dillingham on the funds that are now and shall be deposited in the above mentioned investment institutions..

- | | |
|-------------------|------------------|
| Robert Mawson | City Manager |
| Alice Ruby | Mayor |
| Chris Napoli | Council Member |
| Michael Bennett | Council Member |
| Aksel Buholm | Council Member |
| Neil C. Armstrong | Council Member |
| Kaleb Westfall | Council Member |
| Perry Abrams | Council Member |
| Anita Fuller | Finance Director |

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on March 3, 2022.

Alice Ruby, Mayor

ATTEST: [SEAL]

Lori Goodell, City Clerk

Department Reports



MEMORANDUM

DATE: 02/24/2022
TO: Mark Lynch, Interim City Manager
FROM: Kelsa Brandenburg, Executive Assistant/HR
SUBJECT: February Department Staff Report

STAFF REPORT

New Employees:

Branden Kozachenko – Buildings and Grounds Assistant
Patty Buholm – Planning Director

Resignations / Terminations / Layoffs:

Branden Kozachenko – Buildings and Grounds Assistant
Steve German – Heavy Equipment Operator

Transfers:

Position Vacancies:

Public Works Director
Corrections Officer
Police Officer
Dispatcher II
Heavy Equipment Operator
Buildings & Grounds Foreman
Buildings & Grounds Assistant
Accounting Tech III – Taxes/Collections
Fleet Mechanic
Senior Center Driver
Executive Assistant/HR



MEMORANDUM

DATE: February 25, 2022
TO: City Manager
FROM: Anita Fuller, Finance Director
SUBJECT: Finance Department Staff Report

STAFF REPORT

Statistics: February as of 2/25/2022

Payroll run: 2

Cash Receipts: \$552,129.28

All Payments: \$428,344.85 (includes \$164,619.39 for payroll)

2022 Business License Renewals received: 292

Important deadlines:

15th of each month utility payments due; last day of month utility bills created and sent

January 1: last day to file business license renewals without \$75 fine

February 1: Last day to file personal property tax assessment returns without \$50 late fee

February 15: Failure to pay real property tax letters sent

March 1: Last day for file personal property tax assessment returns. Notices not received will be fined a force file fee of up to \$400.

March 15: Property tax assessment to be mailed

Audit

- FY21 Audit final work began 10/26/2021 and is ongoing

Staffing changes

- Account Tech III – Taxes/Collections position became open 01/07/2022
- Account Tech IV – Cameron Malstrom hired for remote support at 14 hours per week

Grant Reporting

- NTS & NSIP reporting is completed for Q1 & Q2
- Notice of Award for LGLR grant has been received in the amount of \$2,786,321.10. Funds must be obligated by 12/31/2024 and expended 06/30/2026. Grant agreement is in process.
- ARPA Grant application filed requesting \$650,000 in revenue loss. Funds will be used to apply towards Public Safety wages and/or Alternate emergency operations center phase II.

Collections

- Foreclosure listing for 2018 Action have passed the period of redemption (5 properties at \$23,540). Litigation report to be requested in March.
- Foreclosure listing for 2019 Action have passed the period of redemption (12 properties at \$18,081). Litigation report to be requested in March.
- Foreclosure notice date 02/15/2022 for potential 2022 Action have been mailed. (81 properties at \$235,459). Foreclosure list will be provided at March F&B meeting for review then provided to April Council meeting before public notice is made.

Budget

- FY22 Budget Amendment #2 schedule TBA
- FY23 Budget schedule TBA

Revenue and Expense for January 2022 –

Information provided for percentages below 43% or above 73%

General Fund Revenues

- All taxes are reported 1 month behind. 50% is an expected range.
- Transient Lodging is above expected a77% and continues to stay high.
- Real property tax is recognized at 100%; however 89% has been collected. On average as last year.
- Personal property tax is recognized at 100%; 91% has been collected. Collection letters have been sent out on all delinquent 2019-2021 real property taxes.
- Property tax penalty and interest is at 112%; which exceeds entire year budget expectation.
- Telephone tax and Raw Fish tax is collected at the end of the year.
- Shared Fisheries tax received COVID Funds increase will be reflected in budget revision.
- Community Sharing has been received and is above expected amount by 12%
- PILT has come in above expected by 3%
- Jail contract revenue is delayed pending quarterly report review.
- Ambulance fees remain below expected average at 13%. All reports have been filed and waiting on insurance payments to be processed.
- Lease & Rental Income matches the rate of income at FY21. Will receive \$22K in June for an annual lease payment
- PERS Forfeiture funds have been mostly expended, funding is reduced from FY21. This will require a budget amendment.

Special Revenues & Other Funds Revenue

- Dock revenue for the season has been entered. Rate is as expected budgeted.
- Harbor revenue is normal as most revenue is collected at the end of the fiscal year.
- Asset Forfeiture Fund revenue is in recovery from negative investment balances.
- Senior Center grant reporting is completed. Revenue is in process.
- Senior Center non-grant revenue is below expected. Continued COVID precautions is reducing potential revenue.
- Debt Services – Bond investment entry seen on last report was determined to be for FY21. Budget revision may be needed pending a possible reimbursement from the state that was unexpected.
- Debt service revenue for the school bond was not budgeted and will require a budget revision.

- Equipment Replacement Insurance – budget revision required, insurance replacement of equipment
- Mary Carlson Estate investment income is still in recovery and has a negative balance.

Transfers

- Landfill – Transfers reduced building and landfill fire expenses moved to capital project funding.
- Ambulance Reserve – Transfer is based on 10% of ambulance fees received – reduced revenue results in a reduced transfer.
- Equipment replacement – No purchase has been made at this time.
- Capital projects – Expenditures projected for later in fiscal year.
- Debt Services – Transfers are as expected.
- Port to Harbor – Transfer need is higher than expected due to revenue being low at 28%.

General Fund Expenditures

- Council – Lobbyist has been hired and current budget will meet the council's contract.
- Clerk – Contract funds are scheduled to be spent in spring.
- Administration – funds not spent on new city manager contract yet, grant writer contract of \$50,000 has not been spent.
- Legal – Legal needs will increase and expect to catch up in spring.
- Non-Departmental – Audit is delayed resulting in expenditures are delayed.
- Foreclosure – Foreclosure actions are ready to move forward.
- IT – Expenditures will continue to increase as projects continue.
- Fire Department – Open staff position in first quarter has reduced expenditures.
- Fire Department checking – No expenditures at this time.
- EOC – No employees as budgeted; anticipate budget amendment.
- Public Works Administration – No PW Admin for a most of the year and PW Director shared with Port has reduced expenditures.
- City School – payment already made for 3rd quarter.

Special Revenues & Other Funds Expenditures

- Asset Forfeiture funds – budget exceeded for copier purchase.
- Debt Services SRF Loans – payments have not started. Contact is being made to the state to verify status.
- Debt Services for bonds are as scheduled.
- Equipment replacement – Admin vehicle and landfill fire equipment replacement.

Grant and Bond Revenues/Expenditures

- COVID CARES – Emergency Communication equipment replacement completed
- COVID ARPA – Funds increased from original budget by \$246,933. Expenditures to be paid by 06/30/2022 and will be matched to public safety wages.
- BBEDC Intern program is mainly funded for spring and summer months.
- FireHall – Need to add revenue from insurance proceeds and increase expenditures to meet repair from firehall water damage.

Capital Project Revenues/Expenditures

- Insurance Proceeds– Reduced to share with equipment replacement from landfill fire. Funds will be kept in reserve until project begins.
- Capital projects not started.

	<u>Budget - FY21</u>	<u>01/31/22</u> YTD	<u>Percent</u>	<u>01/31/21</u> YTD	<u>INC/(DEC)</u>
General Fund Revenues					
General Sales Tax	\$ 2,500,000	\$ 1,701,816	72%	\$ 1,569,432	\$ 132,384
General Sales Tax - Remote	500,000	89,334	44%	83,643	
Alcohol Sales Tax	260,000	132,036	51%	134,119	(2,082)
Alcohol Sales Tax - Remote	-	89		-	89
Transient Lodging Sales Tax	85,000	65,344	77%	44,562	20,783
Gaming Sales Tax	65,000	37,429	58%	30,645	6,784
Tobacco Excise Tax	370,000	173,230	47%	189,237	(16,007)
Penalty & Interest - Sales Tax	20,000	11,217	56%	13,160	(1,943)
Total Sales Tax	3,800,000	2,210,495	58%	2,064,798	140,007
Real Property Tax	2,084,565	2,078,512	100%	2,129,671	(51,159)
Personal Property Tax	479,356	477,738	100%	508,047	(30,309)
Penalty & Interest - Property Tax	65,000	72,617	112%	62,426	10,191
Total Property Taxes	2,628,921	2,628,867	100%	2,700,144	(71,277)
Telephone Gross Receipts State Tax	65,000	-	0%	65,065	(65,065)
Shared Fisheries	475,000	772,264	163%	474,820	297,445
Raw Fish Tax	9,000	-	0%	-	-
Community Sharing	75,700	84,575	112%	75,783	8,793
Payment in Lieu of Taxes (PILT)	460,000	473,299	103%	484,326	(11,027)
State Jail Contract	535,367	267,684	50%	272,684	(5,000)
Ambulance Fees	55,000	7,173	13%	17,341	(10,168)
Lease & Rental Income	35,000	8,470	24%	8,400	70
Admin Overhead	220,625	132,909	60%	102,798	30,112
PERS on Behalf	231,326	120,821	52%	138,686	(17,865)
PERS Forfeiture Fund	67,033	12,316	18%	58,380	(46,064)
Other Revenues	202,200	90,351	45%	100,475	(10,124)
Total	2,431,251	1,969,861	81%	1,798,756	171,106
Total	\$ 8,860,172	\$ 6,809,224	77%	\$ 6,563,698	\$ 239,835
Special Revenue & Other Funds Revenue					
Water	233,224	137,041	59%	131,425	5,616
Sewer	464,124	283,762	61%	277,726	6,036
Landfill	295,429	178,059	60%	201,681	(23,622)
Port - Dock	735,042	492,909	67%	544,858	(51,950)
Port - Harbor	170,580	46,989	28%	46,909	80
Asset Forfeiture Fund	2,000	0	0%	17	(17)
E-911 Service	65,000	39,043	60%	28,989	10,055
Senior Center (Non-Grant)	54,746	20,993	38%	18,504	2,488
Senior Center (Grant)	131,000	33,482	26%	73,479	(39,997)
Library (Grants)	100,379	57,512	57%	47,058	10,455
Debt Service	30,000	237,125	790%	53,742	183,383
Equipment Replacement Insurance	-	13,943		-	13,943

City of Dillingham
 Unaudited Revenues and Expenditures As of January 31, 2022

Data Collected on 2/3/20
 Section . Item 3.

	<u>Budget - FY21</u>	<u>01/31/22</u> <u>YTD</u>	<u>Percent</u>	<u>01/31/21</u> <u>YTD</u>	<u>INC/(DEC)</u>
Mary Carlson Estate	4,000	(1,601)	-40%	3,405	(5,006)
Total	\$ 2,285,524	\$ 1,539,257	67%	\$ 1,427,792	\$ 111,465
Transfers			18,081		
<i>From General Fund to Other Funds</i>					
Water	19,731	-	0%	-	-
Landfill	481,367	174,510	36%	38,652	135,859
Senior Center	167,689	82,544	49%	79,231	3,313
Ambulance Reserve	49,500	717	1%	-	717
Equipment Replacement	-	42,720		-	42,720
Capital Projects	140,981	5,201	4%	372,703	(367,502)
Debt Service SRF Loans	47,400	-	0%	-	-
Debt Service School Bond	1,066,250	691,250	65%	854,433	(163,183)
Debt Service Firehall Bond	46,000	13,000	28%	13,500	(500)
Debt Service Streets Bond	206,750	68,375	33%	70,750	(2,375)
<i>From Dock Fund to Harbor Funds</i>					
Port - Harbor	70,942	86,117	121%	64,040	22,077
Port - Harbor - Ice Machine	-	-	0%	-	-
Port - Harbor - Bathhouse	14,000	9,992	71%	6,927	3,065
<i>From Department to Department</i>					
Transfer from E911	55,468	29,427	53%	-	29,427
Total	\$ 2,366,078	\$ 1,203,854	51%	\$ 1,500,236	\$ (296,382)
Total Revenues & Transfers	\$ 13,511,774	\$ 9,552,334	71%	\$ 9,491,726	\$ 54,918

City of Dillingham
 Unaudited Revenues and Expenditures As of January 31, 2022

Data Collected on: 2/3/20
 Section . Item 3.

	<u>Budget - FY21</u>	<u>01/31/22</u> YTD	<u>Percent</u>	<u>01/31/21</u> YTD	<u>INC/(DEC)</u>
EXPENDITURES:					
General Fund Expenditures					
City Council	\$ 45,330	\$ 5,995	13%	\$ 19,956	\$ (13,961)
City Clerk	175,228	67,904	39%	62,821	5,084
Administration	497,280	199,647	40%	169,088	30,559
Finance	758,498	407,143	54%	341,888	65,255
Legal	60,000	18,265	30%	9,622	8,644
Insurance	262,000	148,838	57%	155,432	(6,594)
Non-Departmental	118,800	42,174	35%	63,387	(21,214)
Planning	274,666	114,586	42%	114,610	(24)
Foreclosures	6,000	380	6%	1,873	(1,493)
IT	260,969	94,475	36%	48,068	46,407
Meeting Hall above Fire Station	800	373	47%	420	(48)
Public Safety Administration	202,644	109,879	54%	70,084	39,795
Dispatch	554,688	294,276	53%	210,284	83,992
Patrol	1,044,686	508,848	49%	332,019	176,829
Corrections	715,440	330,262	46%	322,466	7,796
DMV	55,797	29,505	53%	29,471	35
Animal Control Officer	113,140	59,730	53%	60,141	(411)
Fire	370,877	99,414	27%	102,175	(2,761)
Fire Department Donation	15,000	0	0%	105	(105)
EOC	52,107	16,674	32%	6,327	10,348
Public Works Administration	399,294	63,198	16%	102,600	(39,402)
Building and Grounds	312,217	145,258	47%	129,761	15,497
Shop	579,165	297,583	51%	279,577	18,007
Street	476,673	273,371	57%	271,587	1,785
Library	155,802	80,207	51%	69,014	11,193
City School	1,300,000	975,000	75%	975,000	-
Transfers to Other Funds	2,225,668	1,078,318	48%	1,429,269	(350,951)
Total	\$ 11,032,769	\$ 5,461,303	50%	\$ 5,377,044	\$ 84,259

	<u>Budget - FY21</u>	<u>01/31/22</u> YTD	<u>Percent</u>	<u>01/31/21</u> YTD	<u>INC/(DEC)</u>
<u>Special Revenue Funds Expenditures</u>					
Water	252,955	130,900	52%	121,383	9,517
Sewer	291,200	210,169	72%	117,263	92,906
Landfill	776,796	354,910	46%	278,587	76,323
Port - Dock	735,042	455,919	62%	469,539	(13,619)
Port - Harbor	255,522	144,803	57%	124,378	20,425
Asset Forfeiture Fund	5,000	5,880	118%	-	5,880
E-911 Service	55,468	29,427	53%	-	29,427
Senior Center (Non-Grant)	213,981	102,650	48%	107,936	(5,286)
Senior Center (Grant)	139,454	75,403	54%	95,516	(20,112)
Library (Grants)	100,379	47,803	48%	51,962	(4,158)
Mary Carlson Estate	2,146	1,248	58%	1,336	(89)
Ambulance Reserve Fund	20,000	9,600	48%	261,715	(252,115)
Debt Service SRF Loans	47,400	-	0%	-	-
Debt Service School Bond	1,066,250	928,375	87%	908,175	20,200
Debt Service Firehall Bond	46,000	13,000	28%	13,500	(500)
Debt Service Streets Bond	236,750	68,375	29%	70,750	(2,375)
Equipment Replacement	35,000	56,663	162%	344	56,319
Total	\$ 4,279,343	\$ 2,635,126	62%	\$ 2,622,383	\$ 12,743
	\$ 15,312,112	\$ 8,096,429	53%	\$ 7,999,427	\$ 97,002
Net Increase (Decrease) to Fund Balances	\$ (1,800,338)	\$ 1,455,906		\$ 1,492,299	\$ (42,084)

City of Dillingham
 Unaudited Revenues and Expenditures As of January 31, 2022

Data Collected on 2/3/20
 Section . Item 3.

	<u>Budget - FY21</u>	<u>01/31/22</u> YTD	<u>Percent</u>	<u>01/31/21</u> YTD	<u>INC/(DEC)</u>
Grant & Bond Revenues					
ANTHC-Lagoon	155,777	227	0%	6,679	(6,452)
State Public Safety	-	1,646		23,700	(22,054)
COVID - CARES	472,784	472,784	100%	2,844,435	(2,371,651)
COVID - ARPA	284,842	531,775	187%	-	531,775
State MMG 28308-Water Imp	-	-		-	-
SRF Loan - Lagoon Aeration	670,000	-	0%	-	-
SRF Loan - Waterfront	88,125	-	0%	-	-
SRF Loan - Water	-	645		431,399	(430,754)
SRF Loan - Wastewater	130,000	-	0%	-	-
SRF Loan - Landfill	59,621	5,320	9%	2,922	2,399
State CARES Public Safety	-	-		12,986	(12,986)
State SART	-	-		800	(800)
Southern Region EMS	-	360		360	-
Curyung-Ice Machine	2,000	1,435	72%	1,675	(240)
Alaskan Leaders Fisheries PS Camera Repair	-	-		2,000	(2,000)
BBEDC Intern Program	133,193	22,747	17%	9,818	12,930
BBEDC Training Reimb	-	-		8,526	(8,526)
BBEDC Pass Thru	-	6,000		-	-
Denali Commission-Sewer Relocate	-	-		-	-
Bond Investment Income	-	256		1,327	(1,071)
Streets	-	-		-	-
FireHall	-	-		-	-
Total	\$ 1,996,342	\$ 1,043,194	52%	\$ 3,378,727	\$ (2,341,533)

Grant & Bond Expenditures					
ANTHC-Lagoon	155,777	-	0%	11,457	(11,457)
State Public Safety	-	1,856		1,049	807
CARES	472,784	472,780	100%	1,860,321	(1,387,541)
State MMG 28308-Water Imp	-	-		693,200	(693,200)
SRF Loan - Lagoon Aeration	670,000	-	0%	-	-
SRF Loan - Waterfront	88,125	-	0%	-	-
SRF Loan - Water	-	-		-	-
SRF Loan - Wastewater	130,000	-	0%	-	-
SRF Loan - Landfill	59,621	8,364	14%	35,536	(27,172)
State CARES Public Safety	-	-		12,986	(12,986)
State SART	-	-		1,600	(1,600)
Southern Region EMS	-	-		-	-
Curyung-Ice Machine	2,000	2,019	101%	3,438	(1,420)
Alaskan Leaders Fisheries PS Camera Repair	-	-		2,000	(2,000)
BBEDC Intern Program	133,193	22,747	17%	8,222	14,525
Streets	-	-		2,678,316	(2,678,316)

	<u>Budget - FY21</u>	<u>01/31/22</u> <u>YTD</u>	<u>Percent</u>	<u>01/31/21</u> <u>YTD</u>	<u>INC/(DEC)</u>
FireHall	-	85,755		487,108	(401,353)
Total	\$ 1,711,500	\$ 593,521	35%	\$ 5,853,759	\$ (5,260,238)
	\$ 284,842	\$ 449,673	158%	\$ (2,475,032)	\$ (7,601,771)

City of Dillingham
 Unaudited Revenues and Expenditures As of January 31, 2022

Data Collected on 2/3/2022
 Section . Item 3.

	<u>Budget - FY21</u>	<u>01/31/22 YTD</u>	<u>Percent</u>	<u>01/31/21 YTD</u>	<u>INC/(DEC)</u>
Capital Project Funds Revenues					
Investment Income	-	-		-	-
Insurance Proceeds	350,000	325,016	93%	-	325,016
Total	\$ 350,000	\$ 325,016	93%	\$ -	\$ 325,016
Capital Project Funds Expenditures					
Public Safety Building	7,000	-	0%	-	-
Streets	-	-		-	-
Water Improvements	-	-	0%	373,987	(373,987)
WasteWater Improvements	-	-		-	-
Sewer Lagoon Relocation	109,664	-	0%	-	-
Other Lift Station	-	-		-	-
Landfill New Cell	-	-		-	-
Landfill Shop Fire	350,000	9,663	3%	-	-
Landfill Groundwater Well	24,317	5,201	21%	-	5,201
Bingman-Harbor cleanup	167,480	-	0%	-	-
Total	\$ 658,461	\$ 14,864	2%	\$ 373,987	\$ (368,785)
	\$ (308,461)	\$ 310,151	-101%	\$ (373,987)	\$ 693,801

	Budget	Actual
General Fund Revenue	\$ 8,860,172	\$ 6,809,224
Special Fund Revenue	\$ 2,285,524	\$ 1,539,257
Transfers In	\$ 2,366,078	\$ 1,203,854
Grant and Bond Revenue	\$ 1,996,342	\$ 1,043,194
CIP Revenue	\$ 350,000	\$ 325,016
	\$ 15,858,116	\$ 10,920,544
General Fund Expenditures	\$ 11,032,769	\$ 5,461,303
Special Fund Expenditures	\$ 4,279,343	\$ 2,635,126
Grant and Bond Expenditures	\$ 1,711,500	\$ 593,521
CIP Expenditures	\$ 658,461	\$ 14,864
	\$ 17,682,073	\$ 8,704,814
Net Increase (Decrease) to Fund Bal	\$ (1,823,957)	\$ 2,215,730

	<u>Fund Bal.</u> <u>6/30/2020</u> <u>Audited</u>	<u>Fund Change</u> <u>6/30/2021</u> <u>Unaudited</u>	<u>FY'22</u> <u>Revenue</u>	<u>FY'22</u> <u>Expenditures</u>	<u>Add or (-)</u> <u>FY22 Fund Bal</u>	<u>Fund Bal</u> <u>6/30/2021</u> <u>Unaudited</u> Section . Item 3.
General Fund	5,555,980	158,057	6,838,651	5,461,303	1,377,347	7,091,385
Streets Project	3,078,649	(2,977,878)	256	-	256	101,027
Planning Capital Project	264,537	1,579	330,217	14,864	315,353	581,469
Debt Service	-	(53,742)	1,009,750	1,009,750	-	(53,742)
Special Revenue Fund						
Water & Sewer	552,780	198,757	420,803	341,069	79,734	831,272
Landfill	(14,281)	13,706	352,570	354,910	(2,341)	(2,916)
Port - Dock	1,218,057	58,529	492,909	455,919	36,989	1,313,575
Port - Harbor	13,256	1,496	143,098	144,803	(1,705)	13,047
E-911 Service	268,809	25,783	39,043	29,427	9,616	304,209
Asset Forfeitures Fund	27,733	29	0	5,880	(5,879)	21,883
Reward Fund	400	-	-	-	-	400
Senior Center	11,099	(3,538)	137,018	178,053	(41,035)	(33,474)
Library (Grants)	(804)	5,861	57,512	47,803	9,709	14,765
Public Safety	-	-	2,006	1,856	150	150
Local Support	1,170	-	22,747	22,747	-	1,170
Covid Support	-	-	472,784	472,780	3	3
Capital Project Fund						
Ambulance Reserve Capital Project	544,853	(244,480)	717	9,600	(8,883)	291,490
Equipment Replacement Capital Project	68,327	(6,675)	42,720	56,663	(13,943)	47,709
School Project	(1,626)	-	-	-	-	(1,626)
Firehall Project	787,325	(666,785)	-	85,755	(85,755)	34,785
Dock and Harbor Capital Project	-	-	1,435	2,019	(584)	(584)
Public Safety Capital Project	-	-	-	-	-	-
Wastewater System Improvements	-	-	227	-	227	227
Water Improvement	-	-	-	-	-	-
SOA Loans Capital Projects	-	(5,025)	5,965	8,364	(2,399)	(7,424)
Denali Commission Project	-	-	-	-	-	-
Landfill Committed Funds	172,044	-	-	-	-	172,044
Permanent Fund						
Mary Carlson Estate	367,955	615	(1,601)	1,248	(2,849)	365,721
Undesignated - VEEP						
Total	12,916,263	(3,493,711)	10,368,826	8,704,814	1,664,012	11,086,564



MEMORANDUM

DATE: February 25, 2022
TO: Mark Lynch, Interim City Manager
FROM: Sonja Marx, Librarian
SUBJECT: Department Report

STAFF REPORT

Since the time the last library staff report was submitted to the City Council, I have been on vacation with my family. We were enjoying warm sunshine elsewhere, while Dillingham experienced lots of snow; and I mean lots of snow! Due to the weather conditions in Dillingham, the library was closed on Tuesday February 1st, along with Thursday February 3rd. In my absence, the library staff did a tremendous job keeping the library open and serving the patrons of this community. I want to thank Jenice, Lane and Jonas for being such dedicated City of Dillingham employees. They are a young group, but they are faithful and do a great job at the library!

The Dillingham Library Advisory Board still has an open seat to fill. Anyone interested may submit a letter to Mayor Alice Ruby requesting to serve on Seat A for the LAB.

It is now time for us to select a vendor for our internet services for e-rate funding, along with applying for the many grants the Dillingham Public Library depends on each year for its services & materials. These grants include IMLS, PLA, BBEDC, etc., which are all due in April. And with all the snow we still see around us, it is hard to imagine that spring & summer time are just around the corner. This means it is also time to prepare for our annual Summer Reading Program! Time marches on into March.

Library Stats report January 24th - February 20th, 2022:

Patron Visits: 171 Computer Use: 31 Wireless Use: 200 Story Hour: 0
Other Visits (including Classes): 0 Museum Use: 3 Movies Shown: 0
AWE Station Use: 0 Volunteer Hours Logged: 1

Next Library Advisory Board meeting is scheduled for March 22, 2022 at 5:30 pm.

Library will be closed Friday, March 25th for Beaver Round-Up and Monday, March 28th for Seward's Day.



MEMORANDUM

DATE: 02/24/22
TO: Interim City Manager
FROM: Scott Runzo FDC
SUBJECT: February monthly report

STAFF REPORT

EMS calls:

- 17 EMS calls

Fire calls:

- 1 Report of flames showing from chimney, NCA building at airport - boiler backfire

Fire EMS activity:

- Working on EMTs for summer seasonal employment. This is a major need for the summer but we are projecting these positions will be needed year round at some level. In the past the summer positions were funded in part by BBEDC and we are applying for this same program for this year. Need to adjust salary and pay schedule so we can be competitive in the market. Last year no individuals applied for the position at the rate it was advertised. Waiting on approval on how to move forward.
- The hospital has approached us to lease our reserve ambulance #3. We only use this ambulance if there is a large emergency or when the other two ambulances have to be taken out of service. We would like to move forward with this and need to move within the proper channels.
- We have had two EMS training sessions with our new Medical Director after not having one for any for over a year now. Re-establishing this state required relationship is significant for the city's EMS department.



MEMORANDUM

DATE: February 25, 2022
TO: Mark Lynch, Interim City Manager
FROM: Patty Buholm
SUBJECT: February Monthly Report

STAFF REPORT

Staff Change Over I started working as the Planning Director and Grants Manager on 2/14/2022. There appear to be many projects that were in the works when I started. A lot of my time has been orientation, as well as catching up with unfinished business or items that have been submitted after the last employee left this position. Although it will take some time to get up to speed on the projects that are currently in motion, I am working with Interim City Manager, Mark Lynch on the current state of the projects.

Planning Commission

The Planning Commission usually meets on the second Wednesday of the month, a meeting has not been conducted since November 2021. A tentative date of March 16, 2022 has been proposed to the Planning Commission as I needed the additional time to prepare for and conduct this meeting. I intend on conducting the meetings monthly on the second Wednesday of each month after this initial delayed meeting.

Permitting

- Land Use Permits: One (1) land use permit was denied due to lack of information on the application and lack of payment for the processing fee of \$25.00
- Eagle Point Subdivision: I have been working to complete the City's process of this Subdivision. Most the items were completed, however it does have a few last items needed prior to submitting to the Planning Commission for approval.
- Land Leases: Land Leases for the Harbor are being researched and a newer updated process will need to be implemented. This is currently being researched and have worked extensively with the City Manager.

Meetings

- I have met with the POLARIS Group whose main focus is on Erosion Control, and Food Sustainability within the City of Dillingham. At this time, nothing is required or requested from the City but will keep in contact for these two items.

Projects:

- The Aerated Lagoon Facility Improvements Project is something that I have been working very closely with the Engineers and the City Manager to put out for bid.



MEMORANDUM

DATE: 2-23-22
TO: Interim-City Manager Mark Lynch
FROM: Chief Daniel Pasquariello
SUBJECT: Public Safety Department Report **March 2022**

STAFF REPORT

Reporting period 1/25/22 to 2/23/22

Covid outbreak at DPD!

- The Police department has 20 employees on paper. There are currently 4 vacant positions (*1 police officer, 1 dispatcher, 2 corrections officers*). So, there are actually 16 employees at DPD.
- Three of our rotational police officers went to the Public Safety Academy in Sitka to attend a three week Re-Certification academy. Officer Judd Hack, Officer Tanner Nickels, and Officer Katie Lutz all graduated from the academy and are eligible to become Alaska certified with APSC once they have worked at DPD for a year. So, with the 3 police officers in Sitka there were actually only 13 employees on the ground at DPD.
- During this reporting period 8 employees tested positive for the Covid -19 virus (*2 police officers, 2 dispatchers, 2 corrections officers, 1 DMV, 1 animal control*). Per the COD covid personnel policy they had to quarantine and could not work for ten days. So, this left only a handful of DPD employees to protect the city 24 hours a day, 7 days a week.
- Dispatch was covered during the covid outbreak by Dispatcher Jojo Yukluk and Dispatcher Kathy Yukluk-Solis. Both of them worked multiple 12 hour shifts, for days on end. In order to give these two hard-working employees a day off Corrections Sergeant Aquila Kapotak spent a couple shifts a week performing double-duty working as a dispatcher, and watching the jail at the same time.
- The jail was covered during the covid outbreak by Corrections Sergeant Aquila Kapotak and CO Matrona Jenkins. Both of them worked multiple 12 hour shifts, for days on end. In order to give these hard-working employees days off Chief Dan Pasquariello and

Officer Martin Gardiner spent four shifts a week performing double-duty working as cops, and watching the jail.

- During the covid outbreak, rotational police officer Daniel Gonzalez-Fawcett stayed in Dillingham an extra week to help with patrol coverage.
- During the covid outbreak we had a two week Sexual Assault trial. The cop/COs had to prepare the defendant for transport to/from the court several times a day. The case officer on the trial was former Officer Suzie Newman, who now works for the BBAHC child advocacy center. DPD won the case and the defendant was found guilty by the jury.
- ***The city is lucky to have such dedicated employees that are willing to work long hours, sacrifice days off, and perform tasks not in their job description in order to keep Dillingham safe. They should be recognized and thanked for their extra effort and hard work.***



A patrol car suffered engine problems and would not go faster than 10 mph. It was taken to the City Shop where the mechanic found the cause of the problem. A fat mouse had crawled into engine, died, and its body was preventing a valve from fully closing. The mechanic posted the photos on a Ford blog sight and the post went viral.



MEMORANDUM

DATE: 2-22-22
TO: City Manager
FROM: Jean Barrett / Public Works / Port
SUBJECT: Department Report

STAFF REPORT

This month is going to be about our equipment we have, the lack of equipment and my thoughts on what the City of Dillingham needs to purchase to allow the public works department to do their job. We are expected to keep things running on a shoestring, both budgetary and equipment wise. I feel we are near the point of not being able to operate or do basic maintenance, due to the state and age of our equipment.

Landfill

The landfill tends to be where we send old equipment to die. We try to band aid equipment together to try to get by and maybe make a dent in what is in front of us. Needless to say we aren't making much headway. Dead or broken equipment at the landfill include the following:

Cat 960 loader, this loader was resurrected from the dead, worked for a couple of months and has been down since late fall. This is a late 80s, early 90s model machine.

Case 821 C Loader This loader was brought out to the landfill a couple of years back and has had a long list of issues, its latest issue was that it was parked near the shop building at the time of the fire, wiring was melted and it hasn't run since. This is a late 90s machine.

Case skid steer This is a recent purchase, a replacement for the Bobcat we lost in the fire of 2020.

Cat D5 dozer This is in running order but needs work also, for instance the tension joints on the tracks need replacing. This is a 90s model also

Cat trash compactor this was a second hand purchase, it has had its issues over the years, currently this is awaiting parts

The Excavator This is an early 90s model and at present time it is operable.

Pickup truck The landfill lost its 90s model F150 in the fire, we need a replacement currently we have one of the antiquated Astro vans for running around and to the cell.

City shop / Streets/ Water, Wastewater

- Public Works is so short of running usable equipment it has been very difficult to keep up with the fury of "Old Man Winter." We are down to 1 Grader, a loader and plow truck. If any one of them go down we are going to be in a world of hurt.

- **160H Grader** we are waiting for front end parts for this. This machine, per a NC Machinery tech is close to timed out and in need of an engine replacement and while this is happening it is recommended to have a transmission replacement also. I had in the FY2022 budget \$100,000.00 to do this work. I suggest that we take that \$100,000.00 and use it as a down payment on a new 160 model grader and sell this one where is as is. This is a late 1990s model.
- **160M Grader** this grader is running, and we have had only a few minor issues with this machine. We are working hard to keep it running.
- **Shop truck** this is still a fairly new vehicle, the shop had to give it up for a few months to the Water/Waste Water department when their truck broke down.
- **Streets** It is important to know that the streets department has 1 vehicle for it to use, it is a late 90s model flatbed with a sander and a worn out plow.
- **Water Waste Water** we bought this department a new truck last fall just prior to the last barge, without it we would have been running one vehicle for several departments.

Port

- We need to trade in the Hyster 800 for a 1050 model. The fishing industry has gone to all 40' freezer vans and we need to have a forklift that will handle 80,000 lbs. and the 800 is just too small. I am hoping to hear back from Pape industries about coming to Dillingham to give both Hysters a spring tuning, I will have them give me an estimate for trading in one of the 800s towards a purchase of a new 1050.

The following list is a minimum for the Streets, Water / Waste Water Department and Landfill to continue serving the people of Dillingham

- ¾ ton pickup truck with plow and 100 gallon fuel tank for the landfill
- New loader, similar to the Volvo 110 the city has currently, equipped with a dirt bucket and a snow bucket and possibly a one way plow to clear the landfill snow in the wintertime. Also it would need foam filled tires to eliminate flats
- We NEED at least 2 trucks for shop use, they both should be set up with plows and sanders, the sanders and plows would be taken off in the summer months so that the truck could be used for other work. These could also be flatbeds.
- We need to make a decision on a new grader, the 160H is at least 15 years old and has had a fair amount of issues this winter as I stated we currently have \$98K in the budget for major equipment.

Equipment already in the budget for this year

- Box Blade for streets for snow removal
- Flail Mower for brush clearing. Split between streets and Landfill
- We have close to enough money in the water/waste water budget for another vehicle, if we can find one at the or close to the same price as the one we got in September



DATE: February 24, 2022
TO: City Manager
FROM: Ida R. Noonkesser, Director
SUBJECT: Senior Center Department Report

STAFF REPORT

During the month of January, the Senior Center served 400 home delivered meals to 30 individuals. Our ride service is still suspended at this time.

We have not had a driver since January 17th, so at this time, I am doing the delivery of lunches to the Elders. We have one applicant for the driver position and we are working through the hiring process of reference checks and interviews.

It has been a difficult winter without full-time employees, especially with the extra demands of COVID mitigation. It is a challenge to keep everything running short-handed, but so far we are on time with reporting to the state and services are being delivered.

The cook and I enjoy working for the elders, even though at times it is a struggle to get everything done and meeting regulations for food service. We work together to get things done and she has been a pleasure to work with. She does an awesome job.

I have applied for an apprentice to act as the cook's helper through BBEDC, but no one has applied for the position. I will try and apply again this spring to see if we can get some extra help and provide training in food service to another resident.

Committee Reports



CODE REVIEW COMMITTEE MEETING

Tuesday, January 11, 2022 at 5:30 PM

MINUTES

CALL TO ORDER

The Code Review Committee met on Tuesday, January 11, 2022, in the Dillingham City Council Chambers, and via video conferencing, in Dillingham, AK. Council Member Chris Napoli chaired the meeting and called the meeting to order at 5:30 p.m.

ROLL CALL

Committee Members present and establishing a quorum (a quorum being four):

Mayor Alice Ruby	Chris Napoli	Kaleb Westfall
Lori Goodell	Mark Lynch	

Committee Members Absent:
Aksel Buholm –excused

APPROVAL OF MINUTES

- Minutes of December 14, 2021

MOTION: Alice Ruby moved and Mark Lynch seconded the motion to approve the minutes of December 14, 2021.

VOTE: The motion passed unanimously.

APPROVAL OF AGENDA

MOTION: Mark Lynch moved and Kaleb Westfall seconded the motion to approve agenda.

VOTE: The motion passed unanimously.

UNFINISHED BUSINESS

- Sales Tax Exemption regarding Leases and Casual and Isolated sales
 - Definition examples from AML, Nenana, and other cities were reviewed.
 - A definitive way to quantify, and not be subjective is best.
 - Information is based off sales, not profit.
 - Need sales tax reporting from all business, including exempted sales. This gives a complete representation and assists with future decision making.
 - Consider identifying preferred result, then match policy to achieve desired outcome. Make policy equitable for all businesses.
 - Additional information requested; research what other like sized and / or similar economic activity communities are doing; i.e., Nome, Unalaska, Bethel, and S.E. areas.
- List Potential Partners
 - Determine capital projects, then identify partners.
 - The CIP list will be used as a basis for this list.

- Develop spreadsheet to track projects and partners.
 - Reconnect with Chris Hladick to revisit needs.
4. Review To Do List
- No changes to the list noted.

NEW BUSINESS

5. 1405 Dillingham Liquor Store License Renewal Application
- Staff review shows no issues.

MOTION: Alice Ruby moved to recommend to council the city waive their right to protest this application, seconded by Lori Goodell.

VOTE: The motion passed unanimously.

PUBLIC COMMENT/COMMITTEE COMMENTS

- Suggested listing goals and working toward them when working on the list of partners.
- Noted the City Manager is chasing funding for infrastructure needs.

ADJOURNMENT

The meeting adjourned at 6:47 p.m.

Chris Napoli, Chair

ATTEST:

Lori Goodell, City Clerk

Approval Date: February 10, 2022



FINANCE AND BUDGET COMMITTEE

Monday, January 17, 2022 at 5:30 PM

MINUTES

CALL TO ORDER

The Finance and Budget Committee met on Monday, January 17, 2022, in the City Council Chambers, Dillingham, AK, and via Zoom video conference call. Curt Armstrong called the meeting to order at 5:35 p.m.

ROLL CALL

Committee members present and establishing a quorum (a quorum being four):

Alice Ruby	Mark Lynch	Curt Armstrong
Perry Abrams	Anita Fuller	

APPROVAL OF MINUTES

- Minutes of December 20, 2021, Finance & Budget Committee Meeting

MOTION: Alice Ruby moved and Perry Abrams seconded the motion to approve the minutes of December 20, 2021.

VOTING: the motion to approve the minutes passed by unanimous consent.

APPROVAL OF AGENDA

MOTION: Alice Ruby moved and Perry Abrams seconded the motion to approve the agenda.

VOTING: the motion to approve the agenda passed by unanimous consent.

STAFF REPORTS

- Staff Report

- Account Tech III position vacated.
- Staff from Carmen Jackson’s firm on site next week. They will be working on completion of audit items.
- FY22 Budget Amendment No. 2 is in process.
- Funds to offset balance for emergency communication system to be explored.

NEW BUSINESS

- Revenue Options

Marijuana
DMC Exemptions
Fish Tax

- Marijuana: It has been determined the most efficient way to increase taxation on marijuana is a wholesale excise tax (THC containing products), similar to tobacco. Taxation on importing a product not a sale of product. Vendor education will be necessary. 8 – 12% excise tax was discussed. Requested forms be easy to use. Waste and shrinkage, rather

than returns are dealt within the industry. Concerns about increased prices and the black market were expressed. Both local marijuana vendors will be contacted.

MOTION: Alice Ruby moved and Perry Abrams seconded the motion that staff draft an ordinance for the next meeting based on estimated 10%, brought back to the committee for review.

VOTING: the motion passed by unanimous consent.

- Fish Tax: 4.2% average from communities researched. 4% processor tax, implemented as an excise tax, recommended by the City Manager. Dillingham does have a tax for raw fish in code approved by voters. Language can be updated to incorporate SCOTUS Wayfair decision. A flat excise tax could also be considered.

MOTION: Perry Abrams moved and Alice Ruby seconded the motion that staff draft an ordinance for the next meeting to implement an excise fish tax at 4% brought back to the committee for review.

VOTING: the motion passed by unanimous consent.


- DMC Exemptions: there is nothing new to report.

PUBLIC/COMMITTEE COMMENT(S)

- Committee was thanked for their time and effort.
- Excise tax was noted as a good direction to move forward.
- Public was thanked for their attendance and participation.

ADJOURNMENT

The meeting adjourned at 6:57 p.m.


Neil C. Armstrong, Chair

ATTEST:



Lori Goodell, City Clerk

Approved: February 24, 2022

CODE ORDINANCE

Requested by: Finance Committee
Introduced: March 3, 2022
Public Hearing: April 7, 2022
Adopted: April 7, 2022

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING TITLE 4 OF THE DILLINGHAM MUNICIPAL CODE TO ADOPT AN EXCISE TAX ON IMPORTATION OF MARIJUANA

BE IT ENACTED BY THE DILLINGHAM CITY COUNCIL:

Section 1. Classification. This is a code ordinance.

Section 2. Amendment of Title 4. Title 4 of the Dillingham Municipal Code is hereby amended by adding a new Chapter 4.26 to read as follows:

Chapter 4.26

EXCISE TAX ON MARIJUANA

Sections:

- 4.26.010 Definitions.**
- 4.26.020 Tax on all Marijuana.**
- 4.26.030 Intent and purpose of chapter and taxpayer.**
- 4.26.040 Exemptions.**
- 4.26.050 Registration required to acquire Marijuana exempt of tax for resale outside the city—Eligibility of applicant.**
- 4.26.060 Expiration and renewal of registration.**
- 4.26.070 Suspension or revocation of registration.**
- 4.26.080 License required for dealers in Marijuana —Issuance.**
- 4.26.090 License fee.**
- 4.26.100 Expiration and renewal of licenses.**
- 4.26.110 Transfer of license.**
- 4.26.120 Refund of tax or license fee.**
- 4.26.130 Display of license—Surrender of license—Suspension or revocation of license.**

- 4.26.140 Tax returns.**
- 4.26.150 Involuntary returns.**
- 4.26.160 Amended tax returns.**
- 4.26.170 Application of payments.**
- 4.26.180 Prohibited acts and penalties.**
- 4.26.190 Tax lien.**
- 4.26.200 Interest on unpaid tax.**
- 4.26.210 Taxpayer, licensee, or other person remedies.**
- 4.26.220 Inspection and maintenance of documents and records.**
- 4.26.230 Administrative regulations.**
- 4.26.240 Confidentiality of records.**

4.26.010 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

“Brought into or acquired” includes all manners, ways, and modes of bringing into or obtaining Marijuana in the city.

“Buyer” means a person who brings into or acquires in the city any Marijuana for his own consumption.

“Department” means the city finance department.

“Distributor” means a person who brings Marijuana or causes Marijuana to be brought into the city, and who sells or distributes them to others for resale.

“Inventory count” means the effective date and details of a count by description, including the trade name and brand, purchase price and total quantity on-hand, of all Marijuana.

“Marijuana” means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate; "marijuana" does not include fiber produced from the stalks, oil or cake made from the seeds of the plant, sterilized seed of the plant that is incapable of germination, the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products, or industrial hemp as defined in AS 03.05.100 ;

“Person” includes an individual, company, partnership, joint venture, joint agreement, association (mutual or otherwise), corporation, estate, trust, business trust, receiver or trustee, syndicate, or political subdivision of this state, or combination acting as a unit including individuals who are employees or officers of any such entities who are under a duty to perform an act concerning which

a violation of this chapter could occur. It is the intent of this chapter that such persons be personally liable for unremitted taxes.

“Place of business” means a place where Marijuana is sold, or where they are brought or kept for the purpose of sale or consumption, including a vessel, vehicle, airplane, or train.

“Purchase” means the acquisition of ownership or possession of Marijuana from any source.

“Retail” means a sale to a consumer or to any person for any purpose other than for resale.

“Retailer” means a person who is engaged in the business of selling Marijuana at retail to consumers.

“Sale” includes a sale, barter, exchange, and every other manner of transferring the ownership of personal property.

“Tax” means the Marijuana excise tax assessed pursuant to this chapter.

“Tax return” means the monthly report to be submitted to the department as required by this chapter.

“Wholesale price” means the price paid by a distributor or retailer for Marijuana.

4.26.020 Tax on all Marijuana.

An excise tax of ten (10) percent of the wholesale price is levied on all Marijuana brought into the city. The tax is levied effective May 1, 2022.

4.26.030 Intent and purpose of chapter and taxpayer.

- A. It is the intent and purpose of this chapter to collect the tax from the person who:
 - 1. Brings or causes any Marijuana to be brought into the city;
 - 2. Makes, manufactures, or fabricates any Marijuana in the city;
 - 3. Ships or transports Marijuana into the city; or
 - 4. Commits, or is complicit in, an act of tax evasion resulting in the city being deprived of the tax due under this chapter.
- B. Notwithstanding anything to the contrary contained in this chapter, the taxpayer shall be those persons described in this section and no others.

4.26.040 Exemptions.

- A. Resale Outside the City. Provided all persons otherwise subject to this chapter comply with its requirements, any retailer or distributor who brings Marijuana into the city for resale outside of the city shall be allowed a tax credit based on the wholesale price of the Marijuana.

4.26.050 Registration required to acquire Marijuana exempt of tax for resale outside the city—Eligibility of applicant.

- A. Except as otherwise provided herein, no person may acquire Marijuana in the city exempt of the tax unless that person has registered with the department in accordance with this chapter. No person shall claim any deduction under this chapter unless the Marijuana

for which any deduction is claimed has been sold or transferred to a person registered with the department in accordance with this chapter prior to such sale or transfer.

1. Any person whose principal place of business is located outside the city and who acquires Marijuana in the city for resale outside the city at his or her principal place of business must apply for registration with the department to acquire Marijuana in the city exempt of the tax provided such person has a valid state of Alaska business license with a marijuana license and relevant line of business code or equivalent thereon.

2. A business having more than one location outside the city shall apply with the department to register each separate location that will or does receive a tax-exemption for Marijuana acquired directly from a retailer or distributor in the city.

B. Application for registration to bring , make, ship or transport Marijuana in the city exempt of the tax shall be on a form provided by the department, and shall include the following information and such other information as the department may require:

1. The applicant's name and mailing address;
2. A copy of the applicant's current state of Alaska business license, including a marijuana license and the line of business (LOB) code or equivalent;
3. The business name and location(s) where Marijuana will be sold;
4. The applicant's signature, firmly binding the applicant to an agreement that, in the event the department revokes the applicant's registration in accordance with Section 4.26.070, the applicant will become ineligible to register under this section for a period of two years, beginning with the date of revocation;
5. The applicant's signature confirming that the applicant fully understands the relevant compliance requirements of this chapter;
6. Each signature shall be by a person or agent having such authority to sign and bind the applicant and shall be under penalty of prosecution for unsworn falsification.

C. All persons registered under this section shall maintain compliance with all relevant state of Alaska laws and administrative requirements related to the registered business, including but not necessarily limited to: business license, marijuana license, and any related required periodic reporting.

D. All persons applying for registration under this section shall be current with all financial obligations due to the city.

E. A registration under this section is valid from the date the department approves registration until December 31st that year.

F. The department may refuse to register an applicant if there is reasonable cause to believe that:

1. The applicant has structured its business organization to avoid ineligible status;
2. The applicant has structured its business to avoid payment of amounts due under this chapter; or

3. The applicant is responsible for any act or omission by any person which withholds, misstates or provides false or misleading information required by the department.

G. A person whose registration is revoked becomes ineligible to register under this section for a period of two years, beginning with the date of revocation.

H. A natural person whose acts result in revocation of registration becomes ineligible to register under this section.

I. The department shall maintain and publish a current listing of businesses registered under this section for use by a distributor or retailer to confirm if a person is eligible to purchase Marijuana exempt of the tax imposed by this chapter.

4.26.060 Expiration and renewal of registration.

A. Registration under Section 4.26.050 expires on December 31st. A person, upon application to the department, may, on or before December 31st, renew registration for one calendar year from the expiration date.

1. If there is a change in ownership of the registered business, registration shall automatically expire.

2. If the person who signed the application ceases to have the authority to bind the registered business, then registration shall automatically expire.

3. If the name of the registered business is changed or the registered business is moved to another location, the registration shall automatically expire. Upon application to the department, registration may be renewed without fee for the new name and/or new location of the business for the balance of the twelve-month term of registration.

4. If a person who is ineligible to register under Section 4.26.050 becomes an owner, partner, member, officer, director, or manager of a registered business, registration of that business shall automatically expire.

4.26.070 Suspension or revocation of registration.

The department may suspend or revoke a person’s registration under Section 4.26.050 for any violation of this chapter by the officers, directors, owners, members, or employees of the applicant business.

4.26.080 License required for dealers in Marijuana —Issuance.

A. No person may sell, purchase, possess, or acquire Marijuana in the city as a manufacturer, distributor, retailer, or vending machine operator, without a license issued under this chapter.

B. The department, upon application and payment of the fee, shall issue a license to the applicant. A copy of the applicant’s active state of Alaska business license with a marijuana license is required and must accompany the application. The application must include the following information:

1. The applicant’s name and address;

- 2. The name under which the Marijuana business will be conducted;
- 3. The applicant's Marijuana business categories as a manufacturer, distributor, or retailer;
- 4. Other information required on the department's application form.

C. The department may refuse to issue a license if there is reasonable cause to believe that the applicant has willfully withheld information requested to determine the applicant's eligibility to receive a license, or if there is reasonable cause to believe that information submitted in the application is false or misleading and is not made in good faith.

D. A license required by this chapter is in addition to any other license required by law.

E. A license issued under this chapter shall include:

- 1. The name and address of the licensee and name of licensed business;
- 2. The type of business to be conducted;
- 3. The address at which the business is conducted; and
- 4. The year for which the license is issued.

4.26.090 License fee.

For each license issued under this chapter, and for each renewal, the fee is fifty (\$50.00) dollars per calendar year. This license shall be in addition to the regular business license required under Dillingham Municipal Code (DMC).

4.26.100 Expiration and renewal of licenses.

A license issued under this chapter expires on December 31st of each respective year. A licensee, on application to the department accompanied by the renewal fee, may, before the expiration of the license, renew the license for one year from the expiration date of the license. If the licensee moves the business to another location within the city, the licensee shall, upon application to the department, be reissued a license for the new location for the balance of the unexpired term. A person whose license is lost, stolen, or defaced shall immediately file an application with the department for reissuance of the license for the balance of the unexpired term.

4.26.110 Transfer of license.

A license issued under this chapter is not assignable or transferable. However, in the case of death, bankruptcy, receivership or incompetency of the licensee, or if the business of the licensee is transferred to another person by operation of law, the department may in its discretion extend the license for a limited time to the executor, administrator, trustee, or receiver, or the transferee of the licensee.

4.26.120 Refund of tax or license fee.

A. The department shall not refund the license fee paid pursuant to this chapter upon the surrender or revocation of a license after the beginning of the license year. Upon application, the department may refund a license fee that is paid or collected in error.

- B. If a remittance by a licensee exceeds the amount due, and the department, on audit of the account in question, is satisfied that this is the case, the department shall, upon written request of the licensee, refund the excess to the licensee without interest.
- C. Any claim for refund filed more than one year after the due date of the tax is forever barred.

4.26.130 Display of license—Surrender of license—Suspension or revocation of license.

- A. A license issued under this chapter must be prominently displayed at the licensee's place of business.
- B. A licensee shall surrender a license within ten days after:
1. A revocation of a license;
 2. A cessation of business;
 3. Change of ownership of; or
 4. A change of a place of business.
- C. The department may suspend or revoke a license issued under this chapter:
1. For violation of this chapter or a regulation of the city adopted pursuant to this chapter;
 2. If a licensee ceases to act in the capacity for which the license was issued; or
 3. If the licensee fails to submit their taxes due in a timely manner as required by code.
- D. No person whose license is suspended or revoked shall bring Marijuana into the city or permit Marijuana to be sold during the period of the suspension or revocation on the premises occupied or controlled by that person. No disciplinary proceeding or action is barred or abated by the expiration, transfer, surrender, renewal, or extension of a license issued under this chapter.

4.26.140 Tax returns.

- A. On or before the last day of each calendar month a licensee shall submit to the department a tax return, upon forms provided by the department, for each license, and submit payment of taxes due for the preceding month.
1. The return shall be signed under penalty of perjury by the licensee or his agent and must include:
 - a. The name and address of the licensee;
 - b. The name and address of the person filing the return, if different from the licensee;
 - c. The number of the license issued under this chapter;
 - d. The name under which the business is being conducted;

- e. The wholesale price of all Marijuana brought into or acquired in the city during the preceding month from any source whatsoever;
- f. The names of persons from whom Marijuana was brought into or acquired in the city during the preceding month from any source whatsoever;
- g. Deductions claimed for any Marijuana, specified in the return in response to subsections (A)(1)(e) and (f) of this section, for which the tax has been paid previously by another person;
- h. The amount of tax due on the wholesale price of nonexempt Marijuana manufactured, brought into or acquired in the city during the preceding month; and
- i. Other information and supporting documentation which may be required by the department with the return.

B. Each licensee shall report all Marijuana sales for which an exemption is claimed as a deduction on its monthly tax return to the department and shall provide a copy of an invoice or other document satisfactory to the department supporting each sale of exempt product.

C. A tax return must be filed even if there were no Marijuana manufactured, brought into or acquired in the city during the preceding month.

D. The taxes imposed under this chapter and the return required by this section must be received by the department or postmarked on or before the last day of each calendar month following the month covered by the return.

4.26.150 Involuntary returns.

If a licensee fails to file a return as required by this chapter, or when the department finds that a return is not supported by the records to be maintained pursuant to this chapter, the department may prepare and file a return on behalf of the licensee. Involuntary returns filed under this section may be premised upon any information that is available to the department, including, among other things, comparative data for similar businesses. A licensee for whom an involuntary return is filed under this section shall be subject to liability for the tax stated in the return, as well as subject to the penalties and interest provided for in this chapter. A return prepared by the department is, prima facie, good and sufficient for all legal purposes. However, nothing prevents the licensee from presenting evidence on an appeal to rebut the presumed sufficiency of a return prepared by the department, nor does the presumption of sufficiency alter the parties' respective burdens of proof once the licensee has presented evidence to rebut that presumption.

4.26.160 Amended tax returns.

A. Any tax return filed hereunder may be amended by the licensee within one year after the due date of the tax return being amended. No amendment by the licensee shall be allowed after this one-year period.

B. Any tax return prepared and filed by the department on behalf of the licensee may be amended by the licensee within one year of the date filed by the department. No amendment by the licensee shall be allowed after this one-year period.

4.26.170 Application of payments.

Any payment submitted to the department for any taxes, penalties, interest, or cost due under any provision of this chapter or any return or any finding or determination by the department under this chapter shall be credited to the monthly tax period for which remitted, first to the payment of costs and then to penalties, interest, and taxes in that order.

4.26.180 Prohibited acts and penalties.

- A. No person may, in violation of or without complying with the provisions of this chapter:
1. Import Marijuana into the city;
 2. Sell, transfer or acquire Marijuana in the city; or
 3. Participate in the importation of Marijuana into the city or in the sale, transfer, or acquisition of Marijuana within the city.
- B. If a person fails to pay the full amount of the tax due and/or file a tax return or report required under this chapter by the due date, a penalty of ten percent of the taxes due shall be assessed.
1. The penalty shall be computed on the unpaid balance of the tax liability as determined by the department.
 2. The penalties provided for in this section shall be in addition to all other penalties and interest provided for under this chapter.
- C. If a properly filed amended return reduces the total tax liability or the tax required to be paid, or the department reduces the tax liability, the related penalty will be reduced accordingly.
- D. All penalties and remedies enumerated in this chapter are cumulative.

4.26.190 Tax lien.

- A. If any person who is liable to pay a tax or license fee under this chapter neglects or refuses to pay the tax or license fee after demand, the amount, including interest, additional amounts, or assessable penalty together with costs, is a lien in favor of the city upon all property and rights to property, real or personal, belonging to that person.
- B. A notice of lien for amounts described in this section may be recorded in the office of the district recorder, Bristol Bay Recording District, Third Judicial District and in the State Recorder's Office UCC Central File System; however, failure to so record said interests shall not be construed as a waiver or abrogation of any and all priorities, rights and interests of the city at law and in equity. Upon full satisfaction of payment of all charges, interest, penalties and costs due and owing to the city, the city shall file a certificate discharging the lien.
- C. In an action to enforce a lien, the court shall allow as part of the costs all money paid for drawing the lien and for filing and recording the lien claim, and a reasonable attorney fee for the foreclosure of the lien.

4.26.200 Interest on unpaid tax.

In addition to any penalties imposed by this chapter, interest at the rate of six percent per annum shall be charged on the unpaid balance of delinquent taxes.

4.26.210 Taxpayer, licensee, or other person remedies.

Any person aggrieved by any action of the department in issuing, suspending, revoking, or refusing to issue any license or registration for exemption under this chapter or in fixing the amount of taxes, penalties, interest, or costs under this chapter should provide written protest notice to the department. The city will rule on each protest within thirty days of receipt of the notice by the city.

4.26.220 Inspection and maintenance of documents and records.

A. Every person subject to this chapter shall keep a complete and accurate record of all Marijuana manufactured, purchased, sold, brought into, transported outside of for the purpose of sale, or acquired in the city by such person.

1. Except in the case of a manufacturer, the records shall include a statement containing the name and address of the person from whom Marijuana was purchased or acquired, the date of delivery, the quantity of Marijuana, the trade name and brand, and the price paid for the Marijuana purchased.

2. Each invoice or other documentation of the sale of Marijuana within the city shall state whether the tax imposed under this chapter has been paid.

3. Persons subject to this chapter shall keep such other documents and records as the department prescribes.

4. All documents and records required by this section shall be preserved by persons subject to this chapter for three years. All records and documents required by this chapter to be kept or retained are subject to inspection within the city upon demand by the department.

B. A licensee transferring or selling Marijuana to a Section 4.26.050 registrant must keep a record of all Marijuana transferred or sold to such person.

C. The finance director may, during business hours, enter the business premises of a licensee where Marijuana are kept or stored, so far as it may be necessary for the purpose of examining such products and the related business records.

4.26.230 Administrative regulations.

The finance director, or designee, may adopt regulations providing for the application and interpretation of this chapter and providing methods and forms for reporting and collecting the tax imposed by this chapter.

4.26.240 Confidentiality of records.

A. All tax returns, documents, records, and/or reports filed with the department pursuant to the provisions of this chapter and all data obtained from such tax returns, documents, records, and/or reports are confidential and may not be released for inspection by any person except the finance department; provided, however, that such data may be released upon court order.

B. It is the duty of the finance director to safely keep tax returns, documents, records, and/or reports and all data taken therefrom secure from public and private inspection except as provided by this chapter.

C. This section does not prohibit the department from compiling and publishing statistical evidence concerning the data submitted; provided, that no identification of particular tax returns, documents, records, and/or reports is made. Nothing in this section shall be deemed to prohibit the finance director from examining the tax returns, documents, records, and/or reports; provided, that no information obtained from specific or identifiable tax returns shall be made available to persons other than those authorized to review them under subsection A of this section.

Section 3. Amendment to Section 1.20.040. That Dillingham Municipal Code Section 1.20.040 - Minor offense fine schedule is amended to by the addition of new language to read as follows:

Code Section	Offense	Penalty/Fine
4.26.050	Failure to register as a dealer in marijuana products.	\$500
4.26.140	Failure to file marijuana excise tax return.	\$500
4.26.220	Falsifying marijuana excise tax records.	\$500
4.26.220	Failure to allow inspection of records.	\$500

Section 4. Effective Date. This ordinance is effective May 1, 2022.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on April 7, 2022.

Alice Ruby, Mayor

[SEAL]

ATTEST:

Lori Goodell, City Clerk

CODE ORDINANCE

Requested by: Finance Committee
Introduced: March 3, 2022
Public Hearing: April 7, 2022
Adopted: April 7, 2022

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2022-04

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING TITLE 4 OF THE DILLINGHAM MUNICIPAL CODE LEVYING AN EXCISE TAX ON SEAFOOD PRODUCTS IMPORTED FOR PROCESSING IN DILLINGHAM

WHEREAS, the City of Dillingham has historically devoted substantial public resources for construction, operation and maintenance of public infrastructure intended to support commercial fisheries catching and processing salmon landed in waters of Bristol Bay adjacent to Dillingham; and

WHEREAS, much of the infrastructure supporting Bristol Bay commercial fishing was constructed with federal and state grants which do not provide for ongoing maintenance or replacement funds; and

WHEREAS, it is anticipated that there will be a need to improve infrastructure related to commercial fishing and that state and federal grant funds will not be as available as they were in the past; and

WHEREAS, all other municipalities of similar size and with similar fishing related infrastructure needs in the general Bristol Bay area levy a tax on raw fish including, the Bristol Bay Borough, the Lake and Peninsula Borough and the cities of Togiak, Egegik and Pilot Point; and

WHEREAS, the estimated taxable value of commercial salmon harvested in or adjacent to Dillingham and imported into the City of Dillingham for processing is estimated to range between \$15,000,000 and \$25,000,000 annually; and

WHEREAS, the Dillingham City Council believes it to be in the best interests of the residents of Dillingham to adopt a seafood processing excise tax to raise revenue so the City may continue to adequately support the fishing industry and for other public purposes.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF DILLINGHAM:

Section 1. Classification. This is a code ordinance.

Section 2. Amendment of Title 4. Title 4 of the Dillingham Municipal Code is hereby amended by adoption of a new Chapter 4.27, Seafood Processing Excise Tax, to read as follows:

Chapter 4.27

SEAFOOD PROCESSING EXCISE TAX

Sections:

4.27.010	Definitions
4.27.020	Levy of Tax
4.27.030	Registration Required
4.27.040	Tax Rate
4.27.050	Exemptions
4.27.060	Collection and Administration
4.27.070	Enforcement and Penalties
4.27.080	Excise Tax Return Verification
4.27.090	Confidentiality
4.27.100	Liability for and Collection of Severance Tax
4.27.110	Penalties and Interest

4.27.010 Definitions.

When not clearly otherwise indicated by the context, the following words and phrases, as used in this chapter, have the following meanings:

“City” means City of Dillingham.

“Harvester” means a person, company, corporation, or other entity engaged in the business of severing or harvesting natural resources. It includes persons who harvest seafood products outside the boundaries of the City and transfer those seafood products for delivery and processing at locations within the City provided that the sales made by such harvesters are not already subject to the City Raw Fish Tax. It does not include persons who harvest seafood products for subsistence or sport uses.

“Seafood Processing” or “Processed” means heading, gutting, cleaning, filleting, canning, freezing, glazing, packaging, or otherwise preserving a seafood product.

“Seafood Processor” means any person engaged in seafood processing within the City boundaries, except for personal or subsistence purposes.

“Seafood Products” means any raw finfish, groundfish, shellfish, mollusks and other commercial products of the sea.

4.27.020 Levy of tax.

There is levied, on any Seafood Processor engaged in Seafood Processing in the City, an excise tax on all Seafood Products for which no tax has been collected under the provisions of the City Raw Fish Tax. The tax rate shall be the applicable rate as set forth in subsection 4.27.040.

4.27.030 Registration Required.

All Seafood Processors, except those exempted under section 4.27.050, must register with the City and hold a valid City Business License as set forth in Section 4.16 of DMC.

4.27.040 Tax rate.

The tax levied by this Chapter shall be at the rate set forth in the following table for all Seafood Products processed within the corporate limits of the city.

Species	Tax per pound in dollars
Pink Salmon	\$0.004
Chum Salmon	\$0.012
Coho Salmon	\$0.032
Chinook Salmon	\$0.037
Sockeye Salmon	\$0.044
Halibut	\$0.24
Herring	.0075
All other species	\$0.02

4.27.050 Exemptions.

- A. Seafood Processors who process less than ten thousand pounds of Seafood Products are exempt from taxation under this chapter.
- B. The first ten thousand pounds of Seafood Products subject to this tax purchased from a Harvester by a Seafood Processor not exempt under subsection A are exempt from taxation under this chapter.
- C. Any person who harvests Seafood Products strictly for personal or subsistence use, and does not sell any Seafood Products harvested are exempt from any provision of

4.27.060 Collection and Administration.

- A. Every Seafood Processor who makes payments for a seafood product subject to excise tax shall submit to the City a City of Dillingham annual seafood processing excise tax return, under oath, containing the following information:
 - 1. The number of pounds of Seafood Product purchased from Harvesters during the preceding twelve (12) months;
 - 2. The number of pounds of Seafood Product exempt from tax; and
 - 3. The name and location of the Seafood Processor
- B. The return along with all taxes due the City for the year must be received by the City on or before November 1st for the preceding twelve (12) month period.

- C. This tax constitutes a lien chargeable against all property whether tangible or intangible owned by the Seafood Processor. The lien may be foreclosed by the City in the same manner as any other lien against real or personal property.

4.27.070 Enforcement and Penalties.

- A. The superior court, upon request of the City, shall issue an injunction requiring compliance with the provisions of this chapter.
- B. The City may determine the excise tax on parties who have not filed a return in an amount based on historical data or the best information reasonably available to the City.
- C. A person who fails, refuses, or neglects to file an excise tax return in compliance with this chapter shall, in addition to any other penalties provided by law, be liable for a penalty of ten (10) percent of the tax.

4.27.080 Excise Tax Return Verification.

The City Manager or his/her designee may:

- A. Require a Seafood Processor or harvester, or any agent or employee of this person, to furnish any additional information reasonably necessary to compute the amount of the tax or to determine if a tax is due;
- B. Examine the books, records, and files of any such person;
- C. Conduct hearings and compel the attendance of witnesses and the production of books, records, and papers of any person; and
- D. Make an investigation or hold any inquiry reasonably necessary to a disclosure of facts as to:
1. The amount of pounds of Seafood Product delivered or imported into the City for processing; and
 2. The purchaser of the Seafood Product

4.27.090 Confidentiality.

Information and materials in the possession of the City which disclose the particulars of the business or affairs of then payer of taxes under this chapter will be kept confidential by the City except in connection with an official investigation by the City or other agency enforcing the laws of the City or the State. The City may publish statistics in a manner which prevents identification of particular returns and may publish tax lists showing the names, taxes, penalties, and interest with respect to taxpayers who are delinquent to assist in the collection of taxes.

4.27.100 Liability for and Collection of Excise tax.

The Seafood Processor purchasing Seafood Product taxed under this chapter is liable for the amount of taxes, interest, and penalties due. The tax, together with penalties and interest, may be collected in a personal action brought in the name of the City.

4.27.110 Penalties and Interest.

All taxes due under this chapter but not timely paid as required are subject to a penalty of 10% of the tax due. Interest shall accrue on the tax due including penalties and interest at the rate of 6% per year from the date such taxes are due. Partial payments shall be applied first to accrued penalties, then to interest, and then to principal. A payment is timely paid when mailed to the City postage prepaid bearing a postmark date no later than the due date.

Section 3. Amendment to Section 1.20.040

That Dillingham Municipal Code Section 1.20.040 - Minor offense fine schedule is amended to by the addition of new language to read as follows:

Code Section	Offense	Penalty/Fine
4.27.030	Failure to register as a processor of seafood products.	\$500
4.27.060	Failure to file seafood processor excise tax return.	\$1000
4.27.060	Falsifying seafood processor excise tax records.	\$1000
4.27.080	Failure to allow inspection of records.	\$500

Section 4. Effective Date. This ordinance shall be effective as of XXX 1, 2022.

Section 5. Repeal of Chapter 4.22. Chapter 4.22 of the Dillingham Municipal Code is hereby repealed in its entirety.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on April 7, 2022.

Alice Ruby, Mayor

[SEAL]

ATTEST:

Lori Goodell, City Clerk

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2022-08

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING A FY2023 CAPITAL IMPROVEMENT PLAN AND THE FY2023 LEGISLATIVE PRIORITIES LIST

WHEREAS, Dillingham Municipal Code 2.21.040(D) authorizes the City Manager to prepare a Capital Improvement program to be submitted to the Dillingham City Council; and

WHEREAS, the City Manager has met with the City Lobbyist in preparing the recommended Capital Improvement list; and

WHEREAS, it is the intent of the Dillingham City Council to provide the Governor, the State Legislature, State agencies, the Alaska Congressional Delegation, and other potential funding sources with adequate information regarding the City's capital project funding needs;

NOW, THEREFORE, BE IT RESOLVED that the City of Dillingham 2023 Capital Improvement Plan is hereby adopted as the current official Capital Improvement plan for the City of Dillingham for FY2023; and

BE IT FURTHER RESOLVED that:

- 1. The following capital improvement projects and project funding needs are identified as priorities for the FY2023 State Legislative Request:

Table with 3 columns: Item Number, Project Name, and Amount. Rows include Harbor Float Replacement (\$6,088,085), Harbor Revetments & Breakwater/Emergency Bank Stabilization (\$8,733,244), Alternate Emergency Operations Center Phase II (\$583,470), Public Safety Building Replacement Design & Engineering (\$500,000), Snag Point Erosion Phase II (federal wrda project request) (\$0), and Water System Improvements Phase III (\$5,002,000).

- 2. Projects for the FY2023 Federal Legislative Request will be selected from this list; and
3. The City Manager is hereby instructed to advise appropriate State and Federal representatives and personnel of the City's FY2023 capital project priorities and take appropriate steps to provide necessary background information.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on March 3, 2022.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Lori Goodell, City Clerk

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2022-09

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL EXTENDING THE EXPIRATION DATE OF ORDINANCE 2020-22(S)

WHEREAS, On November 5, 2020, the City Council passed Ordinance No. 2020-22(S), An Ordinance of the Dillingham City Council Authorizing the City Manager to Utilize the Emergency Operations Center to Promulgate and Enforce Regulations to Stop the Spread of COVID-19 in Accordance with the Recommendations in the City of Dillingham COVID-19 Mitigation Plan; and

WHEREAS, Ordinance 2020-22(S) as extended by Resolution 2021-18 expires at 11:59 p.m. on March 4, 2022; and

WHEREAS, daily infection rates in the State of Alaska continue to be in excess of 100, which designates the current statewide alert level at high; and

WHEREAS, due to limited local health care infrastructure it remains wise to consider protective measures to mitigate potential spread of the virus when infection rates rise; and

WHEREAS, The City desires to continue to work with and coordinate local COVID response with the Public Health Center and the Kanakanak Clinic / Hospital, and;

WHEREAS, it is in the best interest of the City of Dillingham to continue to have legislation in place for a process to timely address and mitigate the impact of the COVID-19 pandemic.

NOW, THEREFORE, BE IT RESOLVED the Dillingham City Council declares;

- The coronavirus continues to be a public health threat.
- There remains a need to continue to manage public health concerns with the Emergency Order system established in Ordinance 2020-22(S).

BE IT FURTHER RESOLVED this resolution extends Ordinance No. 2020-22(S) in its entirety, to Friday, April 8, 2022 at 11:59 p.m. unless adjusted by action of the City Council.

PASSED and ADOPTED by the Dillingham City Council on March 3, 2022.

Alice Ruby, Mayor

[SEAL]

ATTEST:

Lori Goodell, City Clerk

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2022-10**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL ESTABLISHING GUIDELINES TO HELP REDUCE THE PERSON-TO-PERSON TRANSMISSION OF THE COVID-19 VIRUS**

WHEREAS, on April 5, 2020 the Dillingham City Council adopted Resolution 2020-11 declaring a public health disaster emergency; and

WHEREAS, transmission of the COVID-19 virus has subsided to a point where it is no longer necessary to maintain a state of emergency; and

WHEREAS, the City of Dillingham recognizes, though reduced, the COVID-19 virus continues to pose a risk to the local public health of residents and visitors to the community; and

WHEREAS, the City of Dillingham does not desire to maintain or extend the declaration of emergency adopted by Resolution 2020-11; and

WHEREAS, the City of Dillingham understands its role in promoting the general health and welfare of its residents and visitors.

NOW, THEREFORE, BE IT RESOLVED:

1. The City will continue to monitor the impacts of COVID-19 in the community through regular consultation with state, regional and local health providers.
2. The City will continue to keep residents informed, by posting the most current COVID-19 medical and health recommendations from the Center for Disease Control (CDC), the State of Alaska Public Health Department and the Bristol Bay Area Health Corporation.
3. The City will continue to support, encourage, and facilitate local access to COVID-19 testing and vaccination opportunities.
4. The City strongly encourages residents, visitors, businesses, and organizations to continue to observe generally accepted guidelines to reduce the spread of COVID-19; including but not limited to:
 - a. getting vaccinated if eligible,
 - b. social distancing or wearing a face mask in public settings,
 - c. maintaining a personal hygiene regiment as recommended by health care providers,
 - d. avoiding contact with others when you are sick,
 - e. if you believe you have contracted and/or been exposed to the COVID-19 virus, get tested.
5. The City of Dillingham encourages all resident and visitors to seek advice from the CDC, State of Alaska Public Health Department, and your health care provider to assist in maintaining the personal health of yourself and your family.

BE IT FURTHER RESOLVED the City will not prohibit adoption of individual policy by local agencies, businesses and facilities implemented to protect their staff and visitors including but not limited to; requiring mandatory masks, social distancing, limiting public access, sanitary procedures, while on their premises.

PASSED and ADOPTED by the Dillingham City Council on March 3, 2022.

Alice Ruby, Mayor

[SEAL]

ATTEST:

Lori Goodell, City Clerk



THE STATE of ALASKA GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

January 24, 2022

Dillingham Attn: Janice Williams Via Email: cityclerk@dillinghamak.us

Table with 2 columns: Field Name and Value. Fields include License Number, License Type, Licensee, Doing Business As, Physical Address, Designated Licensee, Phone Number, and Email Address.

[X] License Renewal Application [] Endorsement Renewal Application

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a "conditional protest" as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board's satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to me the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Sincerely,



Glen Klinkhart, Director
907-269-0350



Alaska Marijuana Control Board
Form MJ-20: Renewal Application Certifications

What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Bristol Bay Bud Company, LLC	License Number:	16915		
License Type:	Retail Marijuana Store				
Doing Business As:	Bristol Bay Bud Company				
Premises Address:	233 Airport Road				
City:	Dillingham	State:	AK	ZIP:	99576

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Heather Allen				
Title:	Managing Partner of HRGS Enterprises, LLC				

Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| | Initials |
| I certify that I have not been convicted of any criminal charge in the previous two calendar years. | <input checked="" type="checkbox"/> HA |
| I certify that I have not committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years. | <input checked="" type="checkbox"/> HA |
| I certify that a notice of violation has not been issued to this license between July 1, 2020 and June 30, 2021. | <input type="checkbox"/> |

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| | Initials |
| I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b). | <input checked="" type="checkbox"/> HA |



Form MJ-20: Renewal Application Certifications

Section 4 – Certifications & Waiver

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

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

HA

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

HA

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

HA

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

HA

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

HA

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

HA

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

HA

I, Heather Allen, hereby waive my confidentiality rights under AS 43.05.230(a) and authorize the State of Alaska, Department of Revenue to disclose any and all tax information regarding this marijuana license to the Alcohol and Marijuana Control Office (AMCO) upon formal request as part of any official investigation as long as I hold, solely, or together with other parties, this marijuana license.

HA

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

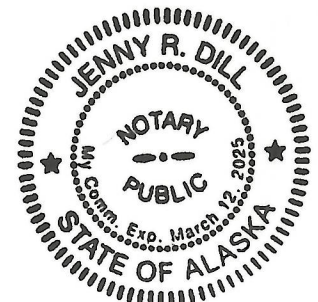
Heather Allen
Signature of licensee

JRD
Notary Public in and for the State of Alaska

Heather Allen
Printed name of licensee

My commission expires: March 12, 2025

Subscribed and sworn to before me this 23rd day of June, 2021.





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

Alaska Marijuana Control Board

Form MJ-20: Renewal Application Certifications

What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 - Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Bristol Bay Bud Company, LLC	License Number:	16915		
License Type:	Retail Marijuana Store				
Doing Business As:	Bristol Bay Bud Company				
Premises Address:	233 Airport Road				
City:	Dillingham	State:	AK	ZIP:	99576

Section 2 - Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Richard Allen
Title:	Partner of HRGS Enterprises, LLC

Section 3 - Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

RA

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

RA

I certify that a notice of violation has **not** been issued to this license between July 1, 2020 and June 30, 2021.

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

RA



Alaska Marijuana Control Board Form MJ-20: Renewal Application Certifications

Section 4 – Certifications & Waiver

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

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

RA

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

RA

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

RA

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

RA

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

RA

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

RA

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

RA

I, Richard Allen, hereby waive my confidentiality rights under AS 43.05.230(a) and authorize the State of Alaska, Department of Revenue to disclose any and all tax information regarding this marijuana license to the Alcohol and Marijuana Control Office (AMCO) upon formal request as part of any official investigation as long as I hold, solely, or together with other parties, this marijuana license.

RA

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

Richard Allen
Signature of licensee

Helen A. Duarte
Notary Public in and for the State of Alaska

Richard Allen
Printed name of licensee



My commission expires: 12-01-2024

Subscribed and sworn to before me this 28th day of June, 2021.



Alaska Marijuana Control Board

Form MJ-20: Renewal Application Certifications

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

What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

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Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Bristol Bay Bud Company, LLC	License Number:	16915		
License Type:	Retail Marijuana Store				
Doing Business As:	Bristol Bay Bud Company				
Premises Address:	233 Airport Road				
City:	Dillingham	State:	AK	ZIP:	99576

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Gorden Isaacs
Title:	Partner of HRGS Enterprises, LLC

Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

I certify that a notice of violation has **not** been issued to this license between July 1, 2020 and June 30, 2021.

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).



Alaska Marijuana Control Board Form MJ-20: Renewal Application Certifications

Section 4 – Certifications & Waiver

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

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

LI

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

LI

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

LI

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

LI

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

LI

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

LI

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

LI

I, Gorden Isaacs hereby waive my confidentiality rights under AS 43.05.230(a) and authorize the State of Alaska, Department of Revenue to disclose any and all tax information regarding this marijuana license to the Alcohol and Marijuana Control Office (AMCO) upon formal request as part of any official investigation as long as I hold, solely, or together with other parties, this marijuana license.

LI

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

Gorden Isaacs
Signature of licensee

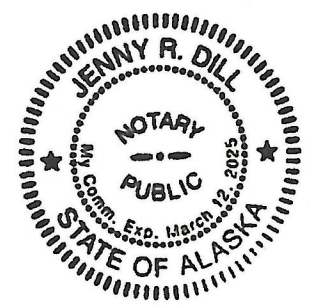
J.R.D.
Notary Public in and for the State of Alaska

Gorden Isaacs

Printed name of licensee

My commission expires: March 12, 2025

Subscribed and sworn to before me this 16th day of June, 20 21.





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

Alaska Marijuana Control Board

Form MJ-20: Renewal Application Certifications

What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Bristol Bay Bud Company, LLC	License Number:	16915
License Type:	Retail Marijuana Store		
Doing Business As:	Bristol Bay Bud Company		
Premises Address:	233 Airport Road		
City:	Dillingham	State:	AK
		ZIP:	99576

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Susan Isaacs
Title:	Partner of HRGS Enterprises, LLC

Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have not been convicted of any criminal charge in the previous two calendar years.

I certify that I have not committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

I certify that a notice of violation has not been issued to this license between July 1, 2020 and June 30, 2021.

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).



Alaska Marijuana Control Board
Form MJ-20: Renewal Application Certifications

Section 4 - Certifications & Waiver

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

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

SD

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

SD

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

SD

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

SD

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

SD

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

SD

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

SD

I, Susan Isaacs, hereby waive my confidentiality rights under AS 43.05.230(a) and authorize the State of Alaska, Department of Revenue to disclose any and all tax information regarding this marijuana license to the Alcohol and Marijuana Control Office (AMCO) upon formal request as part of any official investigation as long as I hold, solely, or together with other parties, this marijuana license.

SD

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

Susan Isaacs

Signature of licensee

J.R.R.

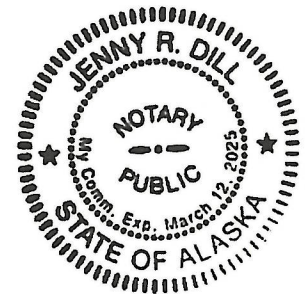
Notary Public in and for the State of Alaska

Susan Isaacs

Printed name of licensee

My commission expires: March 12, 2025

Subscribed and sworn to before me this 16th day of June, 2021.



Received
1/24/2022



City of Dillingham · LIQUOR/MARIJUANA LICENSE APPLICATION REVIEW FORM

License Renewal	License Transfer	New License	Other
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Doing Business As	License Type	Licensee	Physical Address
Bristol Bay Bud Company	Retail Marijuana Store	Bristol Bay Bud Company, LLC	233 Airport Road

This review covers the period January 2021 to January 2022.

Route to FINANCE 1/24/2022 **Respond by:** 2/7/2022 Info. Available as of _____
Date Date Date

ACTIVITY	STATUS
Sales Tax Reports Filed and Payments Submitted	Bal. Due <u>0.00</u> Date/Amt. of Last Payment <u>1/13/22 \$8,649.42</u> No. late payments <u>0</u> Comment:
Real Property Tax Owns the property? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Bal. Due <u>0</u> Date/Amt. of Last Payment _____ No. late payments _____ Comment:
Personal Property Tax (Inventory, Supplies, Office Equipment)	Bal. Due <u>0</u> Date/Amt. of Last Payment _____ No. late payments _____ Comment:
Utility Bill Responsible for utilities? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Bal. Due <u>0</u> Date/Amt. of Last Payment _____ No. late payments _____ Comment:
Most Current DLG Business License	<u>2022</u> <u>12/21/2021</u> License Year Date Applied Comment:
Most Current AK State Bus. License	<u>2021-2022</u> <u>11/21/2020</u> License Year Date Applied Comment:



LIQUOR/MARIJUANA LICENSE APPLICATION REVIEW FORM

Section . Item 10.

Received
1/24/2022

License Renewal	License Transfer	New License	Other
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Doing Business As	License Type	Licensee	Physical Address
Bristol Bay Bud Company	Retail Marijuana Store	Bristol Bay Bud Company, LLC	233 Airport Road

This review covers the period January 2021 to January 2022.

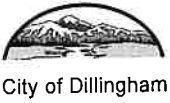
Route to Public Safety 1/24/2022 **Respond by:** 2/7/2022 Info. Available as of _____
Date Date Date

Have there been any adverse reports filed in the past two years? YES NO

If yes, explain in detail and include dates. Use a separate sheet of paper if necessary. :

- Serving to minors (under 21 years of age).
- Intoxicated person on licenses premises.
- Serving alcoholic beverages after hours.
- Pattern of disturbances or fights on the licenses premises.
- Open sale of prohibited drugs on the licenses premises.

Additional comments:



LIQUOR/MARIJUANA LICENSE APPLICATION REVIEW FORM

Section . Item 10.

Received

License Renewal	License Transfer	New License	Other
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Doing Business As	License Type	Licensee	Physical Address

This review covers the period _____ to _____.

Route to PLANNING _____ Respond by: _____ Info. Available as of _____
Date Date Date

1) Does the structure, or use of land or a structure, including parking requirements at the proposed license location conform to Title 18. Explain.

This page is not applicable for a renewal application

2) License Transfer and New Licenses require a public hearing DMC 8.18.020, B. Provide a detail of the Public Notice Requirements.



LIQUOR/MARIJUANA LICENSE APPLICATION REVIEW FORM

Section . Item 10.

Received
1/24/2022

License Renewal	License Transfer	New License	Other
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Doing Business As	License Type	Licensee	Physical Address
Bristol Bay Bud Company	Retail Marijuana Store	Bristol Bay Bud Company, LLC	233 Airport Road

Reviewed by: Code Review Committee February 10, 2022
Date

Recommendation:

No Action

Deny

Explain the reason(s) for a denial of the application:

OTHER:

During the two year period that the license is in effect, state statute allows the local governing body to protest the continued operation of a license during the second year of the biennial license period. This may be done by sending both the Alcohol Marijuana and Control Board and the licensee a protest and the reason for the protest by January 31 of the second year of the license.

OTHER Comment:

Informational items

Committees/Committee Appointments

	Appointments 11/20	Appointments as of 2/22	Committee make-up and/or Comments
Council Member/Staff Committees			
Code Committee	Chris N-Chair, Greg, Aksel, Alice, Lori, Tod	Chris N - Chair, Kaleb, Michael, Alice, Lori, Manager	Mayor, at least 1 Council Member, City Clerk, City Manager
Public Outreach Committee	Council as a whole		Mayor, at least 1 Council Member, City Manager
Finance Committee	Andy-Chair, Curt, Bill, Alice, Anita, Tod	Curt-Chair, Perry, Aksel, Alice, Anita, Manager	Mayor, at least 1 Council Member, City Manager, Finance Officer
Public Committees Advisory to the Council where Council member is appointed			
Port Committee (Mayor Chairs) - appointed by City Council as needed	Alice-Chair, Andy, addtl citizen appointees	Alice-Chair, Kaleb	Mayor, 1 Council Member, other citizens (Dan Dunaway, Robert Heyano, ?, ?)
Senior Advisory Committee - appointed by City Council as needed	None needed at this time	None needed at this time	other citizens
Parks and Rec Committee - appointed by City Council as needed	None needed at this time	None needed	Committee sunsetted
Cemetery Committee - appointed by City Council as needed	None needed at this time	None needed	Committee sunsetted
Marijuana Advisory Committee - appointed by City Council as needed	None needed at this time	None needed	Committee sunsetted
Territorial School Advisory Committee - appointed by City Council as needed	Andy-Chair, PW Director, Manager, Bill Rodawalt, Russell Nelson, David Nicholson	Delay	Inactive
Public Committees upon which the City/Council/Mayor sit/participate			
Alternative School Advisory Committee	None needed at this time	None needed at this time	Dissolved
Curyung Community Wellness Committee	None needed at this time	None needed at this time	Inactive - may have been discontinued
Delta Project/CANDU/other SAFE - city rep appointed by City Council as needed	None needed at this time	None needed at this time	1 City rep, other agency reps, other citizens
Marrulut Eniit Assisted Living (Grandma's House) - City rep appointed by City Council as needed	Chris Napoli	Chris Napoli	all consortium agencies appoint reps (1 City of Dlg), other citizens
Nushagak/Mulchatna Watershed Council - City rep appointed by City Council as needed	None needed at this time	None needed at this time	1 City rep, other organization reps, other community reps
Carlson House Committee - appointed by City Council as needed	None needed at this time	None needed at this time	1 City Council, other individuals that are arts, cultural education and/or preservation or historical education and/or preservation
Community/Cultural Center Committee (joint with Curyung)	None needed at this time	None needed at this time	Inactive
Harvey Samuelsen Community/Cultural Center (joint with Curyung)	None needed at this time	None needed at this time	Inactive - involved agencies (BBNA, City, Curyung, BBHA, etc.)
Cooperative Agency Committees upon which City/Council/Mayor sit			
Facility Committee (School District & City) - appointed by City Council as needed	Alice-Chair, Chris Napoli, citizen rep being recruited	Alice-Chair, Chris Napoli, Erin Ohlson	Mayor, 1 Council member, City Manager, Public Works Director, School Board President, 1 School Board member, Superintendent, School Facilities Manager
MOU Committee (Curyung & City) - city reps appointed by City Council as needed	Alice, Andy	Alice, Curt	Mayor, Council Member, City Manager, Tribal Chief, Tribal Chief, Tribal Administrator
School Strategic Plan	None needed at this time	None needed at this time	If school extends invite
BBNA Economic Development Committee - appointed by BBNA as needed	Alice, Alternate-Manager/Planning Director	Alice, Alternate is Manager or Planning Director	Standing invitation from BBNA, community/organizational reps
Housing Working Group (cooperative with Curyung)	Same as MOU	Same as MOU	Mayor, Manager, Council Member, BBHA Manager, BBHA staff, Curyung Tribal Chief, Curyung Administrator
Others			
Wood Tikchik State Park Advisory Council - citizen appointed by Governor as needed	Paul Liedberg	Paul Liedberg	Council nominate 3 candidates as needed - appointed by Gov
Board of Equalization – council appointments are made prior to meeting of BOE		Alice-chair, Perry, Kaleb, Chris, Curt-Alternate	3 Council Members, Mayor
SWAMC Rep – that organization recognizes the Mayor unless other is appointed	same	same	dictated by SWAMC
AML rep - that organization recognizes the Mayor unless other is substituted	same	same	dictated by AML
SWAMC committees – council/citizen appointed by SWAMC Board as needed (sometimes nominated by Council)	None needed at this time	None needed at this time	dictated by SWAMC
Planning Commission - citizens appointed by City Council as needed	As needed	As needed	dictated by code
Library Board - citizens appointed by City Council as needed	As needed	As needed	dictated by code
BBEDC (Alternate Seat) - appointed by Council as needed	Curt Armstrong	Curt Armstrong	dictated by BBEDC
Pebble Fund Board - citizen nominated by Council as needed	As needed	As needed	nominated by City Council
Senior Advisory Committee - citizens appointed by City Council as needed	As needed	As needed	dictated by code
Dillingham Chamber of Commerce (City Liaison appointed by Council when invited by Chamber)	None needed at this time	None needed at this time	dictated by DCC
Historic Commission - appointed by City Council as needed	None needed at this time	None needed at this time	
Friends of the Landfill	Citizen Appointments as needed	Citizen Appointments as needed	dictated by code

2.18.070 Succession.
 Should the office of **mayor** become vacant or should the **mayor** be absent or unable to perform the duties of the office of **mayor**, the order of interim succession shall be determined as follows:
 A. The council member with the longest total period of tenure in office shall assume the office of **mayor pro tempore**.
 B. Should more than one councilmember have the same total period of tenure in office, that councilmember who received the largest plurality at the last election at which such council members were elected shall assume the office of **mayor pro tempore**. (Ord. 77-6 § 2 (part), 1977; Ord. 84-8, 1984; Ord. 86-8 § 1, 1986.)

Curt Armstrong, Mayor Pro Tempore	
Council Members	First Elected (consecutively)
Armstrong	12/14
Napoli	6/18
Buholm	10/20
Abrams	10/21
Westfall	10/21
Bennett	2/22