

Aleutians East Borough Assembly Meeting

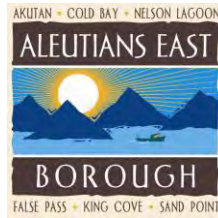


Workshop: Thursday, August 12 , 2021 – 1:00 p.m.

Meeting: Thursday, August 12 , 2021 – 3:00 p.m.

Roll Call & Establishment of a Quorum

Adoption of Agenda



Agenda
Assembly Meeting
(packet available on website www.aleutianseast.org)

Date: Thursday, August 12, 2021
Time: Workshop: 1:00 p.m. Meeting: 3:00 p.m.

Location: By teleconference in each designated community location below:
King Cove AEB office Akutan -city office
Nelson Lagoon Corp. Cold Bay City Office/ Community Center
False Pass-city office Anchorage office – 3380 C St.
Sand Point AEB office-*closed*
due to the surge in Covid cases.

All communities will be provided with conference calling information for the designated location in your community, **if your community location is open to the public**. Public comments on agenda items will take place after the adoption of the agenda. The meeting will also be broadcast on KSDP Public Radio. Additional public comments can be made at the end of the meeting.

If your public location is closed due to Covid, prior to and during the meeting, Public Comments on Agenda items or Public Comments on other issues can be e-mailed to ltanis@aeboro.org, Subject: *August Assembly Meeting*, to be read at the appropriate time during the meeting.

1. Roll Call & Establishment of Quorum.
2. Adoption of the Agenda.
3. Presentation.
 - Pre-Audit Presentation - BDO USA, LLP.
4. Public Comments on Agenda Items.
5. Conflict of Interest.

PLATTING BOARD AGENDA

6. Resolution 22-01, the Aleutians East Borough Platting Board Approving Alaska State Land Survey 2017-46.
7. Adjourn.

ASSEMBLY MEETING AGENDA

8. Minutes.
 - July 8, 2021 Assembly Meeting Minutes.
9. Financial Reports.
 - June Investment Report.

10. Consent Agenda.
 - Resolution 22-06, formally submitting a harbor facility grant application to the State of Alaska, DOT/PF in the amount of \$4,125,000 for the Sand Pt. Harbor Float A Project.
 - Resolution 22-07, thanking Alaska Airlines for providing temporary airline service to the AEB.
 - Resolution 22-10, Assembly Urging the North Pacific Fishery Management Council to Postpone Action on the BSAI Pacific Cod Trawl Catcher Vessel (CV) Program Until In-Person Meetings of the Council Resume.
11. Ordinances. (*Layed on the Table July 8, 2021. Requires action to take off the table.*)
 - **TABLED** Motion to accept and set for Public Hearing Introduction Ordinance 22-01, authorizing the assignment of certain real property leased by the Aleutians East Borough.
 - **TABLED** Motion to accept and set for Public Hearing Introduction Ordinance 22-02, authorizing the sale of a certain real property owned by Aleutians East Borough.
12. Resolutions.
 - Resolution 22-08, authorizing the mayor to negotiate and execute a contract agreement with Professional Growth Systems for strategic planning services in the amount not to exceed \$52,000.
 - Resolution 22-09, authorizing the Mayor to negotiate and execute a contract with F&W Construction to complete the Cold Bay terminal expansion project in an amount not to exceed \$1,000,000 appropriate \$200,000 in AMLIP funds to the project.
13. Old Business.
14. New Business.
15. Reports and Updates.
16. Assembly Comments.
17. Public Comments.
18. Next Meeting Date.
19. Adjournment.

Presentations



Report to Borough Assembly

ALEUTIANS EAST BOROUGH

Audit Planning:
Year Ending June 30, 2021

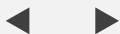
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Contents

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The following communication was prepared as part of our audit, has consequential limitations, and is intended solely for the information and use of those charged with governance (e.g., Borough Assembly) and, if appropriate, management of the Company and is not intended and should not be used by anyone other than these specified parties.



Welcome

July 1, 2021

Borough Assembly
Aleutians East Borough

Professional standards require us to communicate with you regarding matters related to the financial statement audit that are, in our professional judgment, significant and relevant to your responsibilities in overseeing the financial reporting process. This document provides an overview of our plan for the audit of the financial statements, schedule of expenditures of federal awards and schedule of state financial assistance of Aleutians East Borough, the Borough, as of and for the year ended June 30, 2021, including a summary of the nature, scope, and timing of the planned audit work.

We are pleased to be of service to the Borough and look forward to discussing our audit plan, as well as other matters that may be of interest to you.
Respectfully,

BDO USA, LLP

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Executive Summary

Responsibilities

BDO USA, LLP, as your auditor, is responsible for forming and expressing an opinion(s) about whether the financial statements, the schedule of expenditures of federal awards and schedule of state financial assistance that have been prepared by management, with your oversight, are prepared, in all material respects, in conformity with accounting principles generally accepted in the United States of America. In addition, our audit will be conducted in accordance with standards for financial audits contained in the *Government Auditing Standards*, issued by the Comptroller General of the United States, Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements of Federal Awards* (Uniform Guidance) and *State of Alaska Audit Guide and Compliance Supplement for State Single Audits* (State Audit Guide). The audit of the financial statements does not relieve you of your responsibilities and does not relieve management of their responsibilities. The engagement letter, a copy of which has been provided to you, includes specific details regarding the auditor's and management's responsibilities.



Audit Strategy

Overall, our audit strategy is to assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design further audit procedures responsive to assessed risks. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. In connection with our audit, we will obtain a sufficient understanding of the Borough's internal control to plan the audit of the financial statements. However, such understanding is required for the purposes of determining our audit procedures and not to provide any assurance concerning such internal control. In addition, Government Auditing Standards require that we also plan and perform the audit to obtain reasonable assurance about whether the Borough has complied with applicable laws, regulations and the terms and conditions of the federal and state awards that may have a direct and material effect on each of Borough's major federal and state programs.

We focus on areas with higher risk of material misstatement (whether due to error or fraud). Our audit strategy includes consideration of:

- ▶ prior year audit results together with current year preliminary analytical review, including discussions with management and those charged with governance regarding the Borough's operations,
- ▶ inherent risk within the Borough,
- ▶ recent developments within the industry, regulatory environment, and general economic conditions,
- ▶ recently issued and effective accounting and financial reporting guidance,
- ▶ the Borough's significant accounting policies and procedures, including those requiring significant management judgments and estimates and those related to significant unusual transactions,
- ▶ the control environment and the possibility that the control system and procedures may fail to prevent or detect a material error or fraud,
- ▶ Information about systems and the computer environment in which the related systems operate,
- ▶ a continual assessment of materiality thresholds based upon qualitative and quantitative factors affecting the Borough, and
- ▶ internal control over compliance with requirements that could have a direct and material effect on a major federal and state program in order to determine our auditing procedures.

Planned Scope

Based upon our initial assessment, our planned scope for the audit is described below:

- ▶ The areas indicated below relate to significant risks identified during our risk assessment procedures and include a brief description of how we propose to address them:
 - Management Override of Controls
 - Revenue Recognition
 - Fraud Risk
 - Other Matters, including Significant Unusual Transactions

- ▶ Overview of the nature of the audit of group financial statements:
 - The audit of the Borough requires financial presentation for all components of the reporting entity. The reporting entity is comprised of the Borough, itself (its funds and accounts) as well as its “component unit” as defined by GAAP. This collection of the individual reporting entity comprises the “Group”. The Borough audit is considered the “Group Audit”.
 - Included within the reporting entity is The Aleutians East Borough School District. The component unit will also be audited by BDO USA, LLP (Anchorage Office); however, this audit involves other partners and audit team members. As part of our planned audit strategy, we will initiate required communications with that audit team to include confirmation of their independence with respect to the entire group, identification of related parties of those component entities, identification of audit risks, and other required communication.

- ▶ We will plan and perform the audit of the financial statements for the year ended June 30, 2021, in accordance with *Government Auditing Standards* (GAS).



Planned Scope

- ▶ We will consider the Borough's internal control over financial reporting as a basis for designing audit procedures for the purpose of expressing our opinion(s) on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Borough's internal control.
- ▶ We will perform tests of compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions is not an objective of our audit.
- ▶ We will plan and perform the audit of the Schedule of Expenditures of Federal Awards (SEFA) and Schedule of State Financial Assistance (SSFA) for the year ended June 30, 2021, in accordance with GAS, the Uniform Guidance and State Audit Guide and will issue an in relation to opinion.
- ▶ We will consider internal control over compliance with requirements that could have a direct and material effect on a major federal and state program in order to determine our auditing procedures for the purpose of expressing an opinion on compliance and to test and report on internal control over compliance in accordance with the Uniform Guidance and State Audit Guide.



Overall Audit Timeline

The following represents our anticipated schedule with regard to our audit of the financial statements of the Borough:

	Aug	Sep	Oct	Nov	Dec
Planning					
Interim Fieldwork	✓				
Year-End Fieldwork			✓	✓	
Release Reports on Financial Statements					✓

Independence

Our engagement letter to you dated March 30, 2021, describes our responsibilities in accordance with professional standards and certain regulatory authorities with regard to independence and the performance of our services. This letter also stipulates the responsibilities of the Borough with respect to independence as agreed to by the Borough. Please refer to that letter for further information.



Client Service Team

As a matter of policy, we attempt to provide continuity of service to our clients to the greatest extent possible. Where engagement team rotation is necessary, we will discuss this matter with you and determine the appropriate individual to be assigned to the engagement based on particular experience, expertise, and engagement needs.

We are pleased to be of service to the Borough and look forward to answering questions you may have regarding our audit plan as well as other matters that may be of interest to you.



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Appendix



Implementation of New GASB Standards

New GASB Standards

In light of the COVID-19 Pandemic, the GASB issued Statement No. 95, *Postponement of the Effective Dates of Certain Authoritative Guidance*, to provide relief to governments. This Statement, which was effective upon the issuance date of May 8, 2020, postponed the effective dates of certain provisions in Statements that were first effective for reporting periods beginning after June 15, 2018. The effective dates of certain provisions contained in the following pronouncements were postponed by one year:

- ▶ Statement No. 89, *Accounting for Interest Cost Incurred before the End of a Construction Period*
- ▶ Statement No. 91, *Conduit Debt Obligations*
- ▶ Statement No. 92, *Omnibus 2020*
- ▶ Statement No. 93, *Replacement of Interbank Offered Rates*

The effective date of Statement No. 87, *Leases*, has been postponed by 18 months.

Earlier application of the standards is encouraged and is permitted to the extent specified in each pronouncement as originally issued.

GASB Statement No. 87, *Leases*

Effective Dates	Date per Pronouncement (as amended)	Date as amended per GASB Statement No. 95
	Fiscal Years Beginning After 12/15/2019	Fiscal Years Beginning After 6/15/2021

- ▶ Requires recognition of certain lease assets and liabilities for leases that are currently classified as operating leases.
- ▶ New definition of a lease - a contract that conveys the right to use another entity's nonfinancial asset for a period in an exchange or exchange-like transaction.
- ▶ Eliminates the distinction between operating and capital leases.
- ▶ Excludes short-term leases, leases that transfer ownership and service concession arrangements that are covered by GASB Statement No. 60.
- ▶ Lessees would recognize a lease liability and an intangible right-to-use lease asset which would be amortized in a systematic and reasonable manner over the shorter of the lease term or the useful life of the underlying asset.
- ▶ Lessors would recognize a lease receivable and deferred inflow of resources which would be recognized as revenue in a systematic and rational manner over the term of the lease.

GASB Statement No. 89, Accounting for Interest Cost Incurred Before the End of a Construction Period

Effective Dates	Date per Pronouncement	Date as amended per GASB Statement No. 95
	Reporting Periods Beginning After 12/15/2019	Reporting Periods Beginning After 12/15/2020

- ▶ Upon implementation, in financial statements using the economic resources measurement focus (business-type activities and enterprise funds) interest incurred during construction should be recognized as an expense of the period.
- ▶ Interest costs on construction-in-progress will be capitalized only to the implementation date of this Statement. The provisions of this Statement are to be applied prospectively and will therefore not require a restatement of any balances.
- ▶ In financial statements using the current financial resources measurement focus (governmental funds), interest incurred during construction should be recognized as an expenditure (no change).
- ▶ If a government has regulated operations as defined by paragraph 476 of GASB Statement No. 62, this Statement does not eliminate or remove the requirement to capitalize qualifying interest costs as a regulatory asset.

GASB Statement No. 91, *Conduit Debt Obligations*

Effective Dates	Date per Pronouncement	Date as amended per GASB Statement No. 95
	Reporting Periods Beginning After 12/15/2020	Reporting Periods Beginning After 12/15/2021

- ▶ Clearly defines the characteristics of a conduit debt obligation and establishes that a conduit debt obligation is not a liability of the issuer.
- ▶ An issuer should recognize a liability associated with an additional commitment or voluntary commitment to support debt service if certain recognition criteria are met.
- ▶ As long as a conduit debt obligation is outstanding, an issuer that has made an additional commitment should evaluate at least annually whether the recognition criteria are met. An issuer that has only made a limited commitment should evaluate whether those recognition criteria are met when an event occurs that cause the issuer to evaluate its willingness or ability to support the obligor's debt service through a voluntary commitment.
- ▶ Standard addresses accounting for arrangements where capital assets are constructed or acquired with the proceeds of a conduit debt obligation and used by third-party obligors in the course of their activities.
- ▶ Standard enhances note disclosures related to conduit debt.

GASB Statement No. 92, *Omnibus 2020*

Effective Dates	Date per Pronouncement	Date as amended per GASB Statement No. 95
	Key Provisions Effective as Noted Below	Except for Provisions Effective upon Statement Issuance, all other Provisions are Delayed One Year

Key Provisions of the Statement are as follows:

► Effective Upon Statement Issuance- February 5, 2020:

- The effective date for interim financial reporting of Statement No. 87, Leases, and Implementation Guide No. 2019-3, Leases, is for fiscal years beginning after December 15, 2019.
- Clarifies that for public entity risk pools, amounts recoverable from reinsurers or excess insurers related to paid claims and claims adjustment expenses may be reported as a reduction of expenses.
- The terms derivative and derivatives should be replaced with derivative instrument and derivative instruments, respectively.

► Effective for Fiscal Years Beginning After June 15, 2020:

- Clarification of the reporting of intra-entity transfers of assets between a government employer or noncontributing entity to a defined benefit pension or other postemployment (OPEB) plan that are within the same reporting entity.

► Effective for Reporting Periods Beginning After June 15, 2020:

- Clarification that a government that reports a fiduciary activity for assets that are accumulated for purposes of providing pension or OPEB through certain defined benefit plans should recognize liabilities in accordance with Statement No. 84.

► Effective for Government Acquisitions Occurring in Reporting Periods Beginning After June 15, 2020:

- In a government acquisition, liabilities and assets related to the acquired entity's asset retirement obligations (AROs) should be measured using the accounting and financial reporting requirements of Statement No. 83, when the AROs fall within the scope of that standard.

GASB Statement No. 93, *Replacement of Interbank Offered Rates*

Effective Dates	Date per Pronouncement	Date as amended per GASB Statement No. 95
	Effective as Noted Below	Paragraphs 13 and 14 are Effective for Fiscal Years Beginning After June 15, 2021

► Effective for Reporting Periods Beginning After June 15, 2020:

- Provides exceptions for certain hedging derivative instruments to the hedge accounting termination provisions when an IBOR is replaced as the reference rate of the hedging derivative instrument's variable payment.
- Clarifies the hedge accounting termination provisions when a hedged item is amended to replace the reference rate.
- Clarifies that the uncertainty related to the continued availability of IBORs does not, by itself, affect the assessment of whether the occurrence of a hedged expected transaction is probable.
- Identifies a Secured Overnight Financing Rate and the Effective Federal Funds Rate as appropriate benchmark interest rates for the qualitative evaluation of the effectiveness of an interest rate swap.
- Clarifies the definition of reference rate, as it is used in Statement 53, as amended.
- Provides an exception to the lease modifications guidance in Statement 87, as amended, for certain lease contracts that are amended solely to replace an IBOR as the rate upon which variable payments depend. (paragraphs 13 and 14)

► Effective for Reporting Periods Ending After December 31, 2021:

- Removes LIBOR as an appropriate benchmark interest rate for the qualitative evaluation of the effectiveness of an interest rate swap (paragraph 11b).

GASB Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*

Effective Dates	Date per Pronouncement
	Fiscal Years Beginning After June 15, 2022

- ▶ For the Public-Private and Public-Public Partnerships (P3s) that meet the definition of a service concession arrangement (SCA), this Statement carries forward the financial reporting requirements for SCAs that were included in Statement 60, with modifications to apply the more extensive requirements related to recognition and measurement of leases to SCAs.
- ▶ For P3s that meet the definition of a lease, the guidance in Statement No. 87 should be applied, if existing assets of the transferor that are not required to be improved by the operator as part of the P3 arrangement are the only underlying P3 assets and the P3s do not meet the definition of an SCA.
- ▶ This Statement provides specific guidance for all other P3s from the perspective of both a government that transfers rights to another party and governmental operators that receive those rights.
- ▶ The Statement requires governments to account for Availability Payment Arrangement (APAs) in which ownership of the asset transfers by the end of the contract as a financed purchase of the underlying infrastructure or other nonfinancial asset. It also requires a government to report an APA that is related to operating or maintaining a nonfinancial asset as an outflow of resources (for example, expense) in the period to which payments relate

GASB Statement No. 96, *Subscription Based Information Technology Arrangements*

Effective Dates	Date per Pronouncement
	Fiscal Years Beginning After June 15, 2022

- ▶ Addresses accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users. Standard is based on the standards established in Statement No. 87, Leases.
- ▶ Defines a SBITA as a contract that conveys control of the right to use a SBITA vendor's IT software, alone or in combination with tangible capital assets (the underlying IT assets), as specified in the contract for a period of time in an exchange or exchange-like transaction.
- ▶ Requires governments with SBITAs to recognize a right-to-use subscription asset—an intangible asset—and a corresponding subscription liability (with an exception for short-term SBITAs—those with a maximum possible term of 12 months).
- ▶ Provides guidance related to outlays other than subscription payments, including implementation costs, and requirements for note disclosures related to a SBITA.

GASB Statement No. 97, Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Plans Deferred Compensation Plans

Effective Dates	Date per Pronouncement
	Effective as Noted Below

► Effective Upon Statement Issuance – June 23, 2020:

- Requires that for purposes of determining whether a primary government is financially accountable for a potential component unit, except for a potential component unit that is a defined contribution pension plan, a defined contribution OPEB plan, or an other employee benefit plan (for example, certain Section 457 plans), the absence of a governing board should be treated the same as the appointment of a voting majority of a governing board if the primary government performs the duties that a governing board typically performs.
- Requires that the financial benefit burden criteria in Statement No. 84, Fiduciary Activities, be applicable to only defined benefit pension and OPEB plans administered through a trust.

► Effective for Fiscal Years Beginning After June 15, 2021

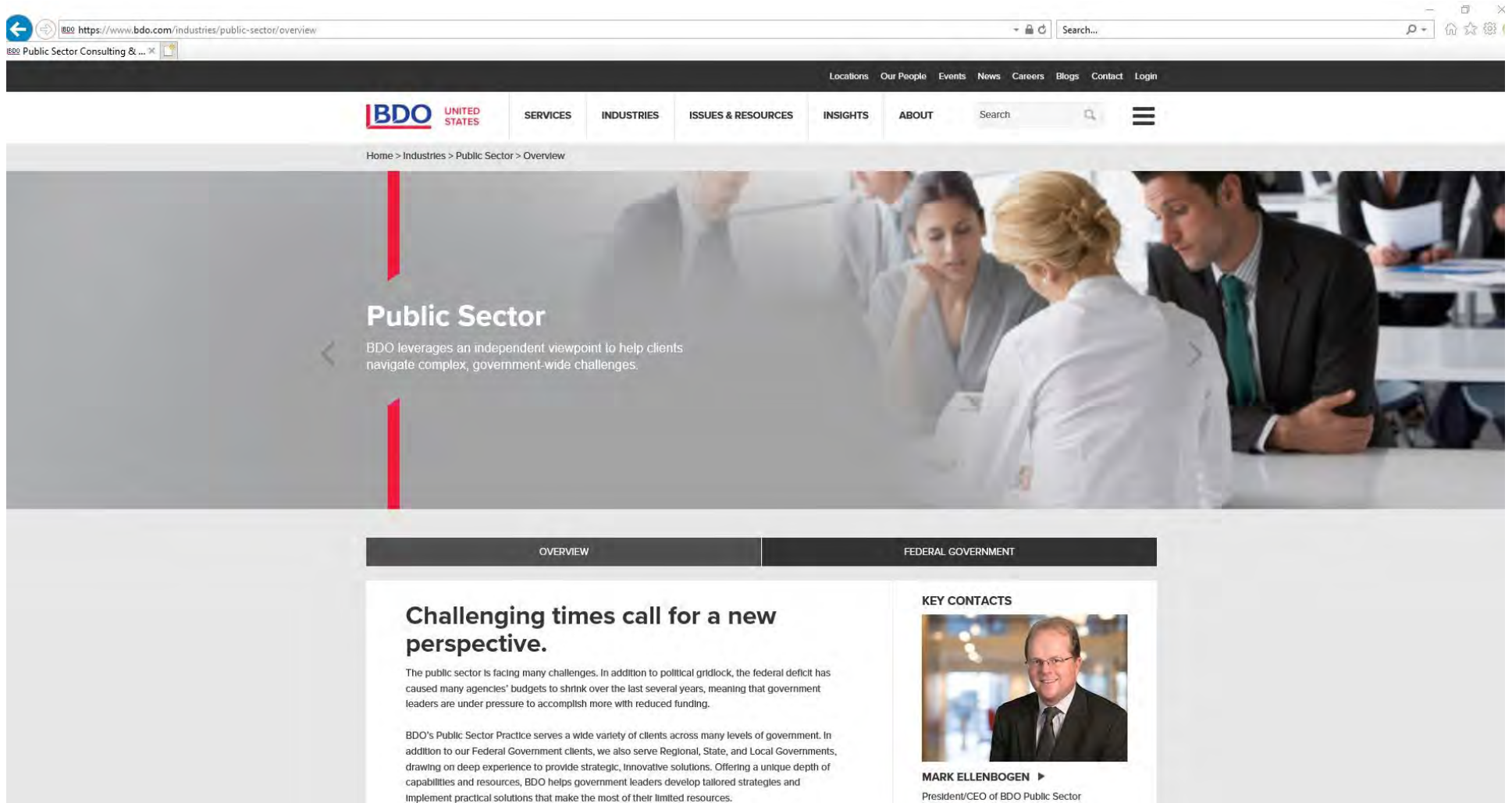
- Requires that a Section 457 plan be classified as either a pension plan or an other employee benefit plan depending on whether the plan meets the definition of a pension plan.
- Requires that a Section 457 plan that meets the definition of a pension apply all accounting and financial reporting requirements relevant to pensions.
- Clarifies that Statement 84, as amended, should be applied to all Section 457 plans to determine whether those arrangements should be reported as fiduciary activities.



Industry Resources

Industry Risk and Resources

- ▶ BDO's industry focus is part of who we are and how we serve our clients and has been for over a century. We demonstrate our experience through knowledgeable professionals, relevant client work and participation in the industries we serve.
- ▶ Our industry practices bring perspective on trends, opportunities, issues and regulations that frame our services and approach to address your needs and your industry.



The screenshot displays the BDO United States website's 'Public Sector' overview page. The browser's address bar shows the URL <https://www.bdo.com/industries/public-sector/overview>. The website's navigation bar includes links for Locations, Our People, Events, News, Careers, Blogs, Contact, and Login. The main header features the BDO logo and a menu with Services, Industries, Issues & Resources, Insights, and About. A search bar is also present. The page content is titled 'Public Sector' and includes a sub-header: 'BDO leverages an independent viewpoint to help clients navigate complex, government-wide challenges.' Below this, there are two tabs: 'OVERVIEW' and 'FEDERAL GOVERNMENT'. The 'OVERVIEW' tab is active, showing a section titled 'Challenging times call for a new perspective.' which discusses the public sector's challenges and BDO's role. To the right, under 'KEY CONTACTS', there is a photo of Mark Ellenbogen, President/CEO of BDO Public Sector.

Home > Industries > Public Sector > Overview

Public Sector

BDO leverages an independent viewpoint to help clients navigate complex, government-wide challenges.


OVERVIEW FEDERAL GOVERNMENT

Challenging times call for a new perspective.

The public sector is facing many challenges. In addition to political gridlock, the federal deficit has caused many agencies' budgets to shrink over the last several years, meaning that government leaders are under pressure to accomplish more with reduced funding.

BDO's Public Sector Practice serves a wide variety of clients across many levels of government. In addition to our Federal Government clients, we also serve Regional, State, and Local Governments, drawing on deep experience to provide strategic, innovative solutions. Offering a unique depth of capabilities and resources, BDO helps government leaders develop tailored strategies and implement practical solutions that make the most of their limited resources.

KEY CONTACTS




MARK ELLENBOGEN ▶
President/CEO of BDO Public Sector

Accounting, Audit and Other Compliance Considerations for Public Sector Entities Related to COVID-19

The global pandemic is having unprecedented impacts on federal, state, local, tribal and territory governments. Our [COVID-19 resource center](#) helps organizations stay abreast of the latest developments and mitigate risk during this time of uncertainty. For government organizations, the stakes are high as agencies and elected officials work overtime to flatten the curve, save lives and ensure the safety of the American people.

While circumstances are changing daily, our FAQs for the Public Sector answer the most frequently asked questions by government organizations, along with resources to help them respond and plan around each on.



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Public Comment on Agenda Items

Conflict of Interests

PLATTING BOARD MEETING

Memo: Meeting of the Aleutians East Borough Platting Board

Re: Approval of ASLS 2017-46

Date: August 5, 2021

From: Ernie Weiss

AEB Municipal Code section 40.05.105(a) states that “in the event that the Aleutians East Borough Planning Commission is unable to meet, then the Aleutians East Borough Assembly shall act as the Aleutians East Borough Platting Board.”

Platting Board Resolution 22-01 expresses the approval by the Platting Board of Alaska State Land Survey 2017-46, and sets final approval by the Assembly for the September meeting.

Background

On January 31, 1995, the total AEB Municipal Land Entitlement was certified at 7633 acres. As part of the AEB Municipal Entitlement, the AEB selected nearly 2400 acres along Sandy River, which was finally approved in 2005. In order to move to final conveyance and patent, municipal entitlement lands must first be surveyed.

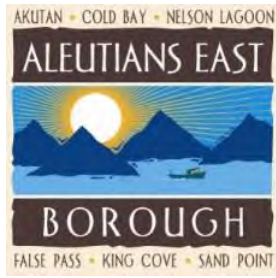
In response to an AEB request, the State of Alaska Department of Natural Resources issued survey instructions on April 12, 2018 for ASLS 2017-46 (Sections 3,4 & 5 of Township 046S, Range 070W, Meridian S) approx. 1873 acres, and for ASLS 2017-47 (Section 5 of Township 046S, Range 069W, Meridian S) approx. 540 acres.

We finalized a contract in July 2018 with McClintock Land Associates to accomplish the surveys, and the field work for the surveys occurred later that summer.

While DNR has reviewed and accepted ASLS 2017-46 as presented, there was some debate over meanders of the river in ASLS 2017-47 that created islands. McClintock believes we are close to reaching a resolution with DNR on this question to soon move to DNR acceptance of 2017-47.

Recommendation

Recommend the Platting Board adopt Resolution 22-01 and set final approval by the Assembly at the next regular meeting.



RESOLUTION 22-01

A RESOLUTION OF THE ALEUTIANS EAST BOROUGH PLATTING BOARD

Approving Alaska State Land Survey 2017-46

WHEREAS, in the event that the Aleutians East Borough Planning Commission is unable to meet, the Aleutians East Borough Assembly shall act as the Aleutians East Borough Platting Board; per AEB Municipal Code section 40.05.105, and

WHEREAS, the Aleutians East Borough contracted with McClintock Land Associates in 2018 to survey municipal land selections near Sandy River, towards the eventual result of final conveyance from the State, and

WHEREAS, State of Alaska Department of Natural Resources issued survey instructions in 2018 for AEB municipal land selections near Sandy River of three contiguous sections totaling 1873 acres known as Alaska State Land Survey (ASLS) 2017-46, and a fourth separate section totaling 540 acres known as ASLS 2017-47, and

WHEREAS, ASLS 2017-46 has been reviewed by the State of Alaska Department of Natural Resources and is ready for Borough approval.

NOW THEREFORE BE IT RESOLVED, the Aleutians East Borough Platting Board approves ASLS 2017-46 and forwards to the Aleutians East Borough Assembly for final approval.

Approved and Adopted this 12th day of August, 2021.

Alvin D. Osterback, Presiding Officer

Tina Anderson, Clerk



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Natural Resources

DIVISION OF MINING, LAND & WATER
Survey Section

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Anchorage, Alaska 99501-3576
Main: 907.269.8523
TDD: 907.269.8411
Fax: 907.269.8914

PLATTING AUTHORITY PLAT APPROVAL STATUS

Platting Authority: _____

Platting Authority File #: _____

DNR File #: _____

I have reviewed the final plat for _____ and have determined that the plat requires no further correction at this time and is ready for signatures. DNR will be notified if further corrections or additions are required by the platting authority after the final plat mylars have been signed and submitted for approval and recording.

X _____
Platting Officer

Date

Comments:

Screen Shot of ADL 226711 from DNR's 'Mapper' program, AEB Municipal Land Entitlement selections near Sandy River.



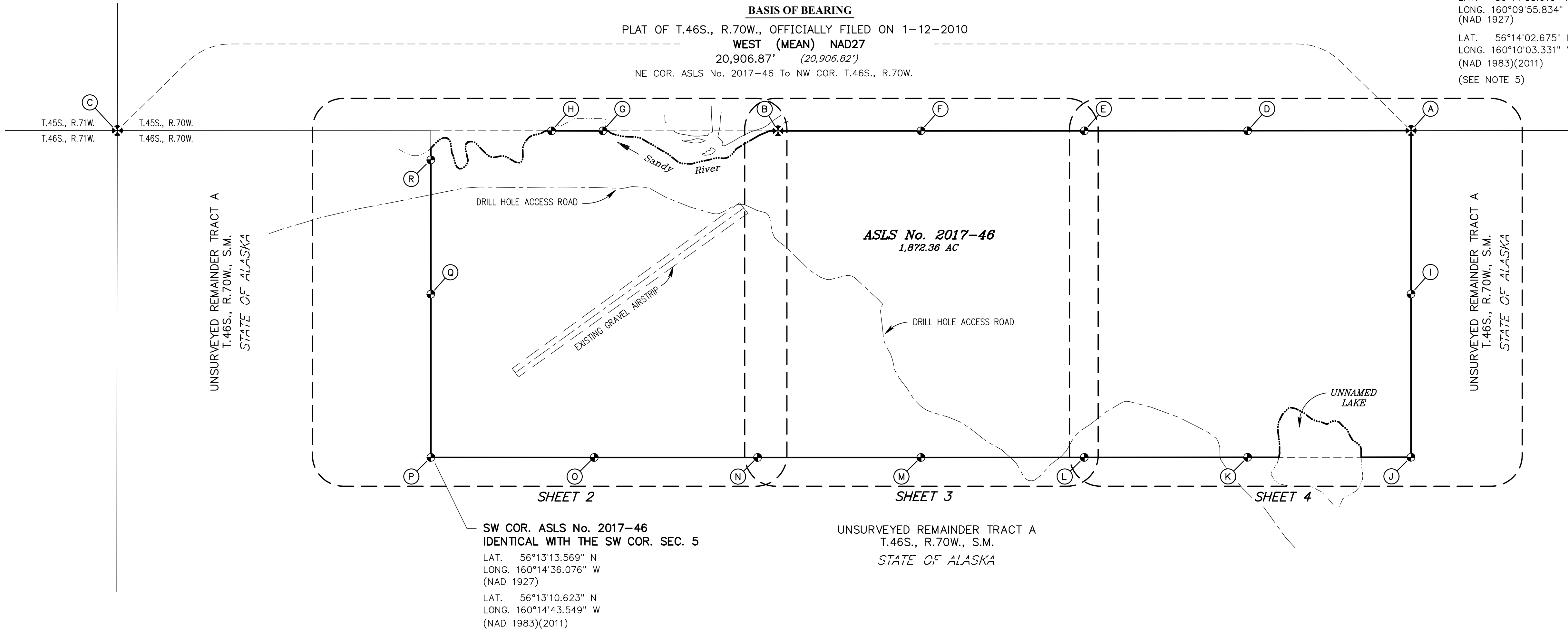
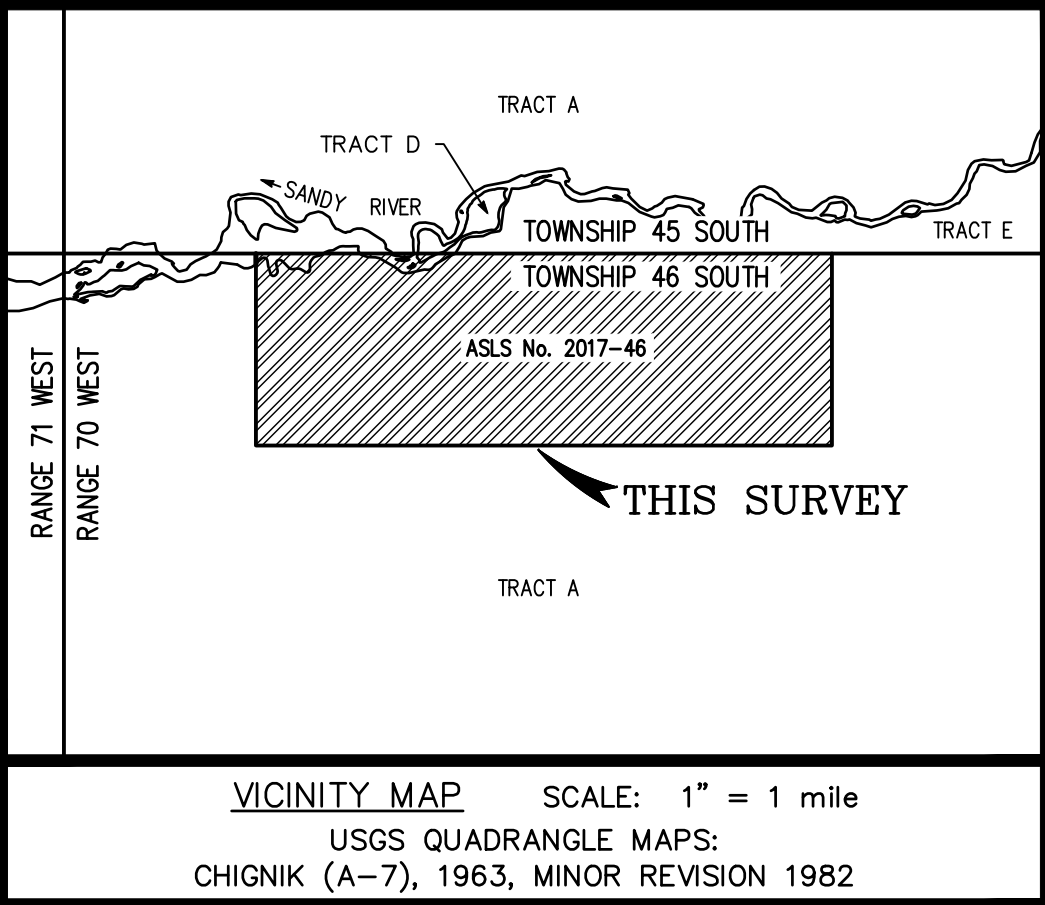
T.45S., R.70W., S.M.
STATE OF ALASKA

BASIS OF BEARING

PLAT OF T.46S., R.70W., OFFICIALLY FILED ON 1-12-2010
WEST (MEAN) NAD27
20,906.87' (20,906.82')
NE COR. ASLS No. 2017-46 To NW COR. T.46S., R.70W.

BASIS OF COORDINATES

NE COR. ASLS No. 2017-46
IDENTICAL WITH THE NE COR. SEC. 3
LAT. 56°14'05.616" N
LONG. 160°09'55.834" W
(NAD 1927)
LAT. 56°14'02.675" N
LONG. 160°10'03.331" W
(NAD 1983)(2011)
(SEE NOTE 5)



NOTES

- THIS SURVEY WAS ACCOMPLISHED IN ACCORDANCE WITH AS 29.65 AND MS1 2017-46.
- ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARINGS AND DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
- THE ERROR OF CLOSURE FOR THIS SURVEY IS NOT GREATER THAN 1:5000.
- THE NATURAL MEANDERS OF THE LINE OF ORDINARY HIGH WATER FORM THE TRUE BOUNDS OF ASLS 2017-46. THE APPROXIMATE LINE OF OHW AS SHOWN, IS FOR AREA COMPUTATIONS ONLY, WITH THE TRUE CORNERS BEING ON THE EXTENSION OF THE SIDE LINES AND THEIR INTERSECTION WITH THE NATURAL MEANDERS.
- THE BASIS OF COORDINATES IS THE NE COR OF ASLS No. 2017-46, IDENTICAL WITH THE NE COR OF SEC 3, T.46S., R.70W., S.M. THE GEODETIC POSITION WAS DETERMINED FROM GPS STATIC OBSERVATIONS AND WAS BASED ON NGS OPUS REPORT JULY 19, 2018. THE NAD27 (NORTH AMERICAN DATUM OF 1927) GEODETIC COORDINATE WAS OBTAINED USING NADCON5, A NGS NORTH AMERICAN DATUM CONVERSION PROGRAM.
- IN ACCORDANCE WITH THE FINAL FINDING AND DECISION, DATED JUNE 8, 2005 FOR ADL No. 226711; A 100' WIDE RIPARIAN BUFFER FROM THE ORDINARY HIGH WATER MARK OF SANDY RIVER (ANADROMOUS RIVER # 315-12-10100) IS RESERVED TO THE STATE. RESIDENTIAL STRUCTURES, FENCES, AND OTHER NON-WATER-DEPENDENT STRUCTURES THAT WILL OBSTRUCT PASSAGE ARE PROHIBITED. VEGETATION MUST REMAIN SUBSTANTIALLY INTACT AND ACTIVITIES WITHIN THIS BUFFER MUST BE COMPATIBLE WITH THE OBJECTIVES OF PROTECTING FISHERIES, WILDLIFE AND HABITAT. CONTACT ADNRR FOR GUIDANCE ON WHAT LIMITED DEVELOPMENT MAY BE ALLOWED IN THIS BUFFER.
- IN ACCORDANCE WITH THE PRELIMINARY FINDING AND DECISION, DATED SEPTEMBER 12, 2004 FOR ADL 226711; A 100' WIDE BUILDING SETBACK UPLAND OF AND COINCIDENT TO THE ORDINARY HIGH WATER OF THE SANDY RIVER IS RESERVED TO THE STATE.
- IN ACCORDANCE WITH AS 38.05.127, A 50' PUBLIC ACCESS EASEMENT 50' UPLAND FROM THE ORDINARY HIGH-WATER LINE OF ALL NAVIGABLE WATERS IS RESERVED TO THE STATE.
- IN ACCORDANCE WITH AS 38.05.127, A PUBLIC ACCESS EASEMENT ON THE BED AND 50' UPLAND FROM THE ORDINARY HIGH-WATER LINE OF ALL PUBLIC WATERS IS RESERVED TO THE STATE.
- IN ACCORDANCE WITH THE PRELIMINARY FINDING AND DECISION, DATED SEPTEMBER 12, 2004 FOR ADL 226711; A 50' WIDE BUILDING SETBACK FROM THE ORDINARY HIGH WATER LINE OF THE LAKE IN THE SOUTHEAST CORNER OF SECTION 3 IS RESERVED TO THE STATE.
- IN ACCORDANCE WITH THE PRELIMINARY FINDING AND DECISION, DATED SEPTEMBER 12, 2004 FOR ADL 226711; A 100' WIDE PUBLIC ACCESS EASEMENT, 50' EACH SIDE, SHALL BE COINCIDENT WITH THE CENTERLINE OF SANDY RIVER AIRSTRIP.
- IN ACCORDANCE WITH THE PRELIMINARY FINDING AND DECISION, DATED SEPTEMBER 12, 2004 FOR ADL 226711; A 100' WIDE PUBLIC ACCESS EASEMENT, 50' EACH SIDE, SHALL BE COINCIDENT WITH THE CENTERLINE OF DRILL HOLE ACCESS ROAD.
- SEE SHEET 5 FOR MONUMENT CAP MARKINGS AND DESCRIPTIONS.
- SEE SHEET 2 AND 4 FOR MEANDER LINE DATA.

APPLICANT CERTIFICATE

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE APPLICANT AS SHOWN HEREON. I HEREBY APPROVE THIS SURVEY AND PLAT.

ADL No. 226711

ANNE BAILEY, ADMINISTRATOR
ALEUTIANS EAST BOROUGH

DATE

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____,
20____, BY _____.

NOTARY FOR THE STATE OF ALASKA

MY COMMISSION EXPIRES: _____

BOROUGH APPROVAL CERTIFICATE

THE ALEUTIANS EAST BOROUGH HEREBY APPROVES THE SURVEY AND PLAT SHOWN HEREON.

NAME: _____

DATE

TITLE: _____

FOR THE ALEUTIANS EAST BOROUGH PLATTING AUTHORITY

TAX CERTIFICATE

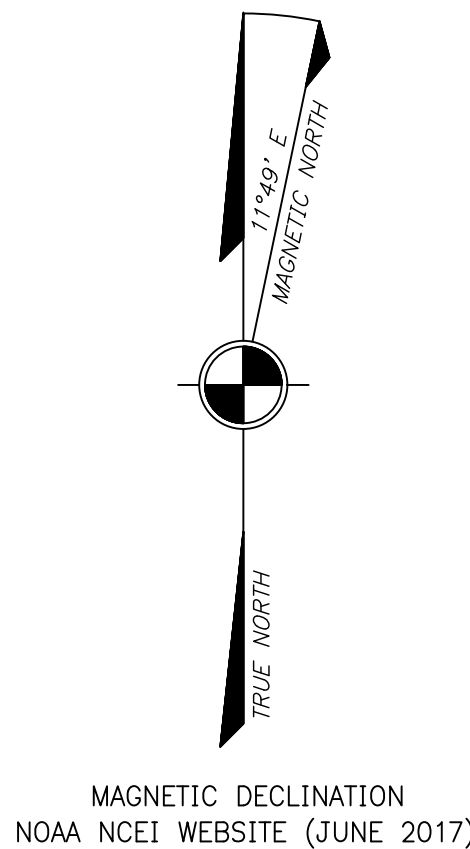
THIS SUBDIVISION LIES OUTSIDE OF ANY TAXING AUTHORITY, AT THE TIME OF FILING.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

WILLIAM MCCLINTOCK
REGISTERED LAND SURVEYOR (LS 5480)
MCCLINTOCK LAND ASSOCIATES, INC. (AECC596)

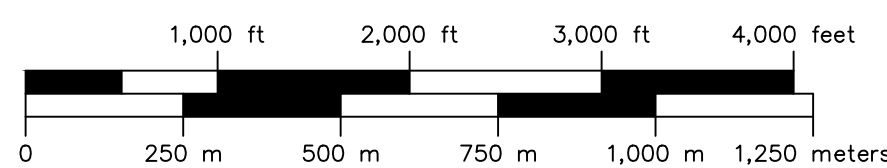
DATE



LEGEND

- GLO/BLM MONUMENT RECOVERED (SEE SHEET 5)
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- XX XX XX MEASURED DATA
- (XX XX XX) RECORD DATA PER PLAT OF T46S R.70W., OFFICIALLY FILED ON 1-12-2010
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- UNSURVEYED LINE
- MEANDER LINE
- CENTERLINE
- EASEMENT
- EDGE GRAVEL
- MONUMENT DESIGNATOR

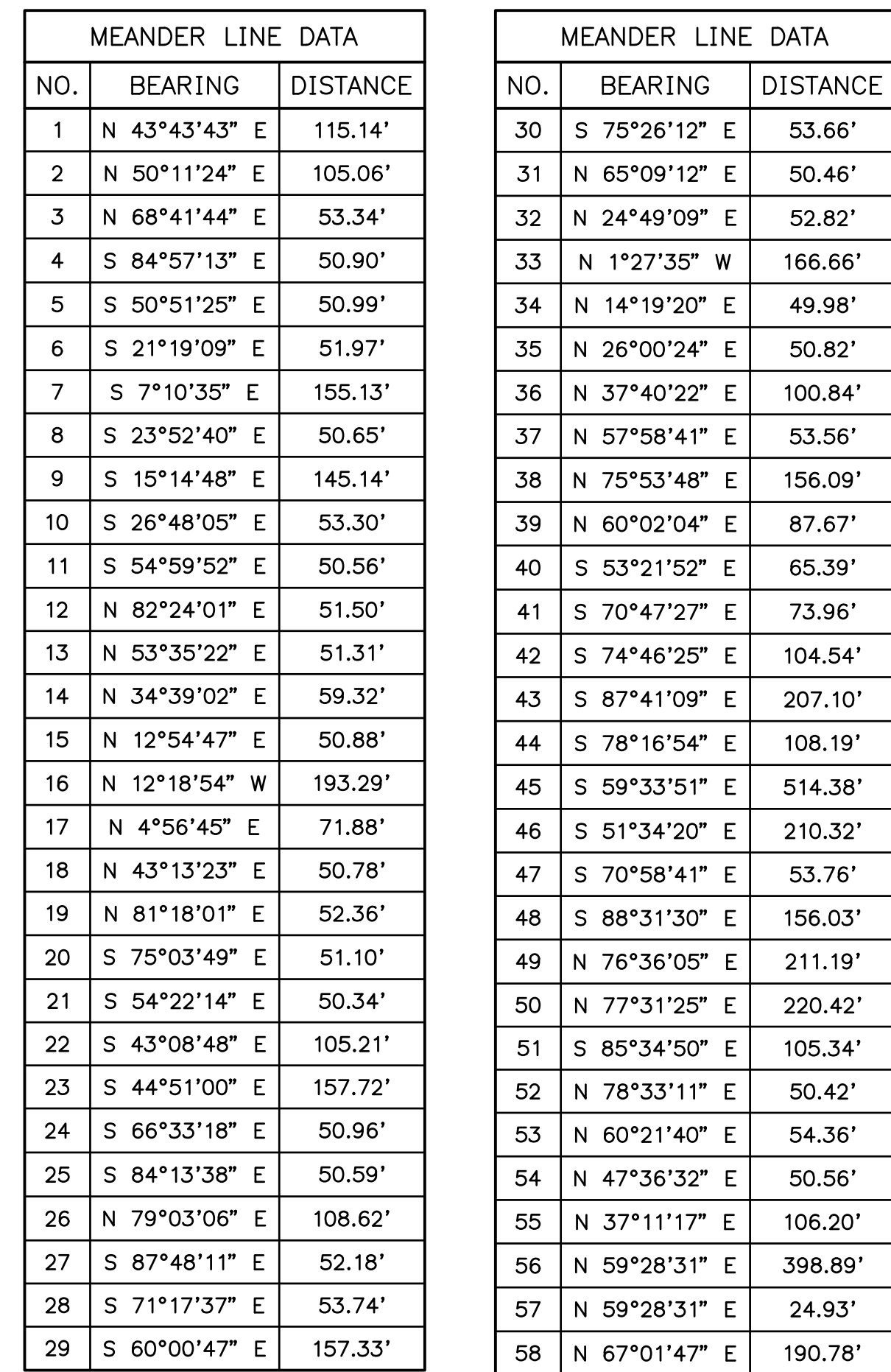
SCALE



1 METER = 3.2808333 U.S. SURVEY FEET, 1 U.S. ACRE = 0.4047 HECTARE

DATE OF SURVEY:	NAME OF SURVEYOR: MCCLINTOCK LAND ASSOCIATES, INC. (AECC596) 16942 NORTH EAGLE RIVER LOOP RD EAGLE RIVER, ALASKA 99577 (907) 694-4499
BEGINNING: 7-13-18 ENDING: 7-20-18	
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING, LAND & WATER ANCHORAGE, ALASKA ALASKA STATE LAND SURVEY NO. 2017-46 A SUBDIVISION OF TRACT A, TOWNSHIP 46 SOUTH, RANGE 70 WEST SEWARD MERIDIAN, ALASKA LOCATED WITHIN UNSURVEYED SECTIONS 3, 4 AND 5, TOWNSHIP 46 SOUTH, RANGE 70 WEST, SEWARD MERIDIAN, ALASKA CONTAINING 1,872.96 ACRES, MORE OR LESS ALEUTIAN ISLANDS RECORDING DISTRICT	
DRAWN BY: MPF	APPROVAL RECOMMENDED
DATE: 01-13-21	STATEWIDE PLATTING SUPERVISOR DATE
SCALE: 1" = 1,000'	CHECKED BY: MPF FILE NO. ASLS 20170046

INDEX SHEET
SHEET 1 OF 5



Access Road Line Table		
LINE NO.	BEARING	DISTANCE
L85	N78°39'33"E	538.72'
L86	N86°01'30"E	261.42'
L87	S89°09'55"E	524.52'
L88	N89°29'13"E	832.08'
L89	S89°07'01"E	477.36'
L90	S88°14'24"E	479.74'
L91	N78°49'39"E	154.21'
L92	S86°35'59"E	260.36'
L93	S60°51'53"E	341.36'
L94	S68°31'07"E	417.66'
L95	S74°03'56"E	369.51'
L96	S82°30'12"E	51.81'
L97	N84°58'34"E	50.66'
L98	N65°04'05"E	146.26'
L99	S56°23'08"E	107.14'
L100	N67°25'19"E	54.05'
L101	N84°13'51"E	101.28'
L102	S78°14'12"E	51.16'
L103	S64°58'37"E	211.22'
L104	S74°51'42"E	8.73'

LEGEND

GLO/BLM MONUMENT RECOVERED (SEE SHEET 5)

PRIMARY MONUMENT SET THIS SURVEY (SEE SHEET 5)

MEASURED DATA

RECORD DATA PER PLAT OF T465 R.70W.,
OFFICIALLY FILED ON 1-12-2010

SURVEYED LINE

UNSURVEYED LINE

MEANDER LINE

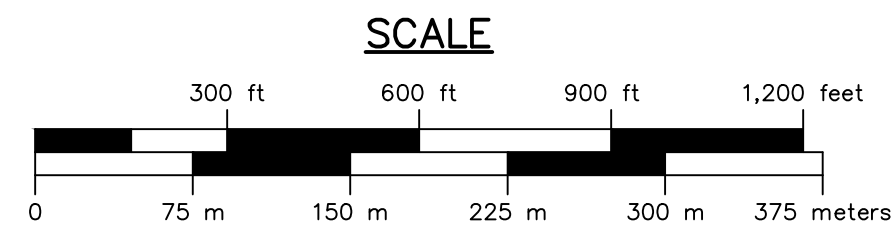
CENTERLINE

EASEMENT

EDGE GRAVEL

TIE LINE

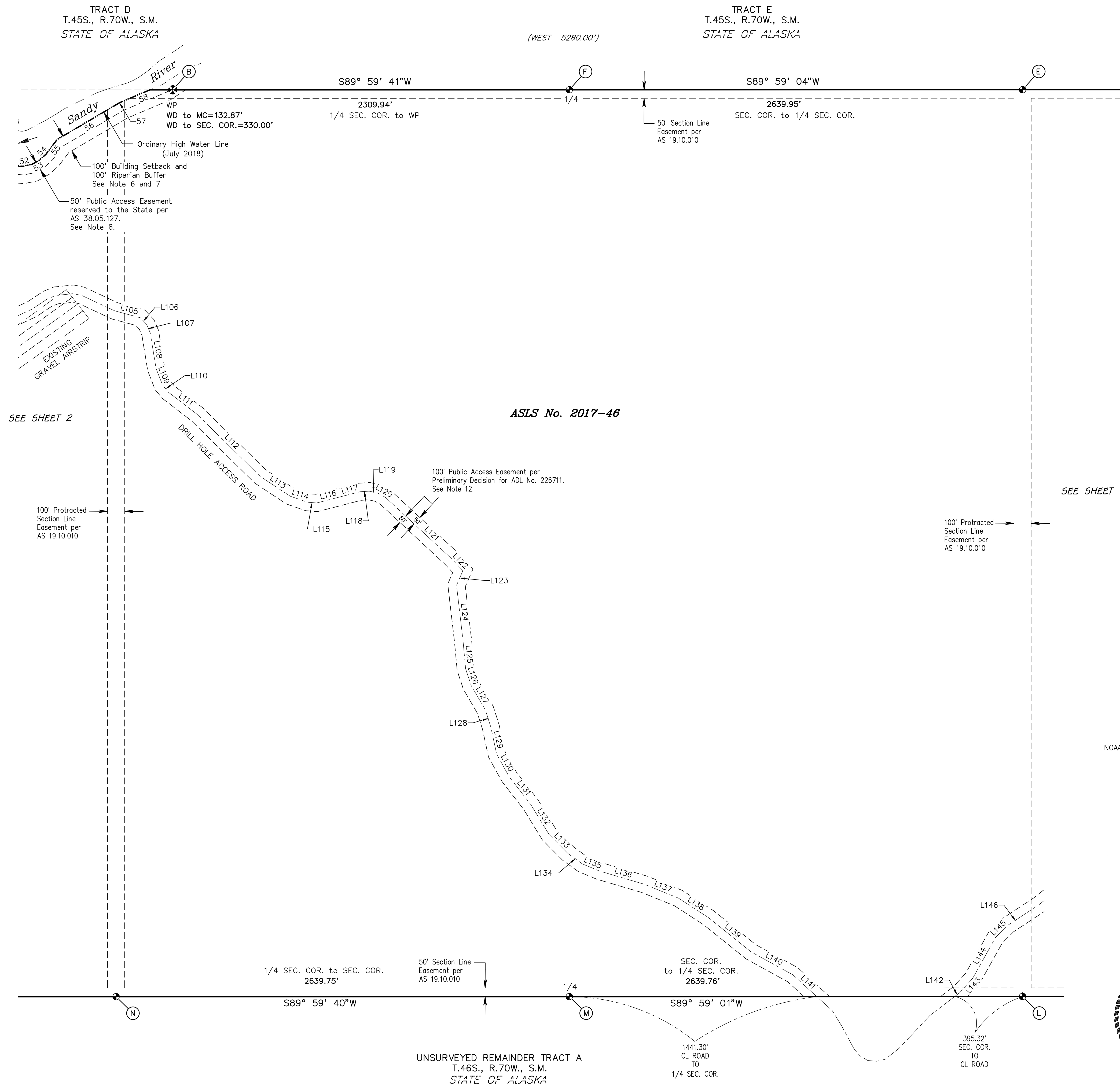
MONUMENT DESIGNATOR



1 METER = 3.2808333 U.S. SURVEY FEET, 1 U.S. ACRE = 0.4047 HECTARE

DATE OF SURVEY:		NAME OF SURVEYOR: McCLINTOCK LAND ASSOCIATES, INC. (AECC596) 16942 NORTH EAGLE RIVER LOOP RD EAGLE RIVER, ALASKA 99577 (907) 694-4499	
BEGINNING:	7-13-18		
ENDING:	7-20-18		
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING, LAND & WATER ANCHORAGE, ALASKA			
ALASKA STATE LAND SURVEY NO. 2017-46			
A SUBDIVISION OF TRACT A, TOWNSHIP 46 SOUTH, RANGE 70 WEST SEWARD MERIDIAN, ALASKA LOCATED WITHIN UNSURVEYED SECTIONS 3, 4 AND 5, TOWNSHIP 46 SOUTH, RANGE 70 WEST, SEWARD MERIDIAN, ALASKA CONTAINING 1,872.96 ACRES, MORE OR LESS ALEUTIAN ISLANDS RECORDING DISTRICT			
DRAWN BY: MPF		APPROVAL RECOMMENDED	
DATE: 01-13-21		STATEWIDE PLATTING SUPERVISOR _____	DATE _____
SCALE: 1" = 300'	CHECKED BY: MPF	FILE NO. ASLS 20170046	





Access Road Line Table		
LINE NO.	BEARING	DISTANCE
L105	S74°51'42"E	146.19'
L106	S43°37'30"E	53.60'
L107	S23°02'09"E	53.23'
L108	S9°16'41"E	210.06'
L109	S21°23'58"E	106.07'
L110	S40°00'14"E	52.47'
L111	S52°26'11"E	208.49'
L112	S45°29'27"E	518.36'
L113	S56°36'18"E	208.90'
L114	S70°49'12"E	106.35'
L115	S85°21'17"E	53.30'
L116	N75°26'11"E	155.44'
L117	N75°33'16"E	104.85'
L118	N86°07'36"E	53.91'
L119	S77°32'08"E	52.25'
L120	S60°21'41"E	51.45'
L121	S47°08'55"E	519.42'
L122	S43°32'08"E	100.83'
L123	S23°24'30"W	93.12'
L124	S6°40'39"E	325.50'
L125	S5°17'35"E	163.61'

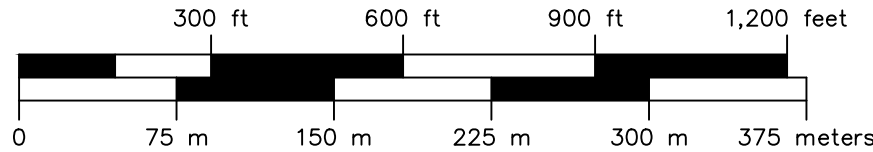
Access Road Line Table		
LINE NO.	BEARING	DISTANCE
L126	S18°28'21"E	103.36'
L127	S30°12'02"E	163.05'
L128	S17°44'01"E	105.53'
L129	S12°05'05"E	160.17'
L130	S28°56'15"E	152.33'
L131	S37°54'21"E	202.97'
L132	S31°27'36"E	204.76'
L133	S44°49'10"E	158.17'
L134	S54°10'15"E	101.76'
L135	S67°21'53"E	109.13'
L136	S73°33'15"E	272.25'
L137	S67°52'32"E	213.32'
L138	S57°00'10"E	209.32'
L139	S51°12'20"E	317.39'
L140	S61°13'47"E	277.98'
L141	S47°41'44"E	188.49'
L142	N52°33'05"E	36.11'
L143	N42°04'59"E	114.17'
L144	N29°12'27"E	270.53'
L145	N45°19'30"E	104.80'
L146	N56°37'05"E	100.18'

NOTES

SEE SHEET 2 FOR MEANDER TABLE

- LEGEND
- ✕ GLO/BLM MONUMENT RECOVERED (SEE SHEET 5)
 - PRIMARY MONUMENT SET THIS SURVEY (SEE SHEET 5)
 - XX XX XX MEASURED DATA
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 - MEANDER LINE
 - CENTERLINE
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 - - - EDGE GRAVEL
 - - - TIE LINE
 - ⓕ MONUMENT DESIGNATOR

SCALE



1 METER = 3.2808333 U.S. SURVEY FEET, 1 U.S. ACRE = 0.4047 HECTARE

DATE OF SURVEY:	NAME OF SURVEYOR:
BEGINNING: 7-13-18	McCLINTOCK LAND ASSOCIATES, INC. (AECC596)
ENDING: 7-20-18	16942 NORTH EAGLE RIVER LOOP RD
	EAGLE RIVER, ALASKA 99577
	(907) 694-4499
STATE OF ALASKA	
DEPARTMENT OF NATURAL RESOURCES	
DIVISION OF MINING, LAND & WATER	
ANCHORAGE, ALASKA	
ALASKA STATE LAND SURVEY NO. 2017-46	
A SUBDIVISION OF TRACT A, TOWNSHIP 46 SOUTH, RANGE 70 WEST SEWARD MERIDIAN, ALASKA	
LOCATED WITHIN UNSURVEYED SECTIONS 3, 4 AND 5, TOWNSHIP 46 SOUTH, RANGE 70 WEST, SEWARD MERIDIAN, ALASKA	
CONTAINING 1,872.96 ACRES, MORE OR LESS ALEUTIAN ISLANDS RECORDING DISTRICT	
DRAWN BY: MPF	APPROVAL RECOMMENDED
DATE: 01-13-21	STATEWIDE PLATTING SUPERVISOR DATE
SCALE: 1" = 300'	CHECKED BY: MPF FILE NO. ASLS 20170046



SEE SHEET 3

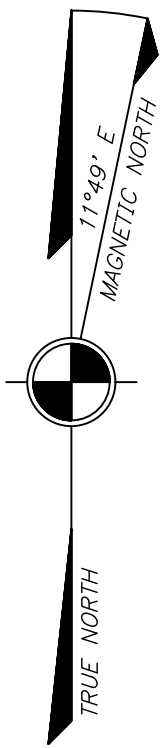
ASLS No. 2017-46

Access Road Line Table		
LINE NO.	BEARING	DISTANCE
L147	N56°37'05"E	112.31'
L148	N51°31'53"E	313.97'
L149	N59°23'41"E	319.08'
L150	N71°17'02"E	52.04'
L151	S88°32'30"E	52.52'
L152	S75°34'40"E	369.51'
L153	S69°48'15"E	487.98'
L154	S63°09'04"E	322.67'
L155	S62°26'53"E	208.25'
L156	S53°13'19"E	156.10'
L157	S35°09'50"E	50.48'
L158	S16°31'16"E	106.93'
L159	S1°34'12"E	156.77'
L160	S13°07'24"E	9.12'

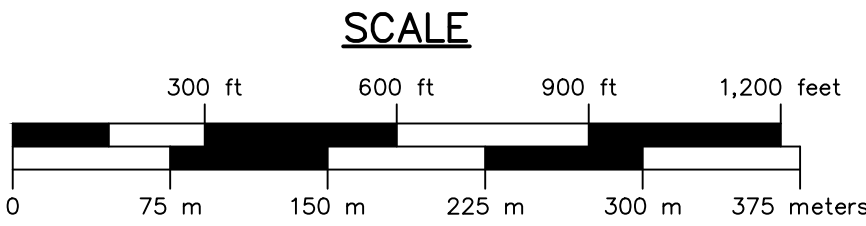
MEANDER LINE DATA		
NO.	BEARING	DISTANCE
59	N 0°14'09" W	136.36'
60	N 20°14'18" W	50.72'
61	N 48°53'41" W	78.93'
62	N 54°54'28" W	78.56'
63	N 30°37'03" W	81.06'
64	N 25°40'54" W	103.24'
65	N 47°55'16" W	102.52'
66	N 43°21'14" W	77.68'
67	N 72°25'54" W	54.99'
68	S 84°30'43" W	52.95'
69	S 63°59'12" W	106.21'
70	N 65°53'30" W	53.40'
71	N 70°38'27" W	53.77'

MEANDER LINE DATA		
NO.	BEARING	DISTANCE
72	N 83°41'13" W	80.52'
73	N 59°16'30" W	79.07'
74	N 52°45'26" W	137.95'
75	N 60°17'04" W	160.27'
76	N 77°18'07" W	78.30'
77	S 73°52'50" W	54.22'
78	S 43°56'39" W	131.85'
79	S 26°01'45" W	133.05'
80	S 9°15'13" W	108.66'
81	S 6°45'15" E	266.16'
82	S 0°52'40" W	107.97'
83	S 6°51'19" E	25.87'
84	S 11°24'30" W	70.50'

- LEGEND
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 - MONUMENT DESIGNATOR



MAGNETIC DECLINATION
NOAA NCEI WEBSITE (JUNE 2017)



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DRAWN BY: MPF	APPROVAL RECOMMENDED	
DATE: 01-13-21	STATEWIDE PLATTING SUPERVISOR DATE	
SCALE: 1" = 300'	CHECKED BY: MPF	FILE NO. ASLS 20170046

Minutes

CALL TO ORDER

Mayor Alvin D. Osterback called the Aleutians East Borough Assembly meeting to order by teleconference on February 11, 2021 at 3:00 p.m.

ROLL CALL

Mayor Alvin D. Osterback	Present
Chris Babcock	Present
Carol Foster	Present
Warren Wilson	Absent-excused
Josephine Shangin	Present
Paul Gronholdt	Present
Brenda Wilson	Present
Denise Mobeck	Present

Advisory Members:

Dailey Schaack, Cold Bay	Present
Samantha McNeley, Nelson Lagoon	Present
Tom Hoblet, False Pass	Absent

A quorum was present.

Staff Present:

Roxann Newman, Finance Director
Jacki Brandell, Finance Assistant
Tina Anderson, Clerk
Anne Bailey, Administrator
Mary Tesche, Assistant Administrator
Ernie Weiss, Natural Resources Director
Charlotte Levy, Assistant Natural Resources Director
Glennora Dushkin, Administrative Assistant
Laura Tanis, Communications Director
Emil Mobeck, Maintenance Director

Adoption of the Agenda:

CAROL moved to approve the agenda with the removal of Resolution 22-02 from the Consent Agenda to be placed under Resolutions. Second by JOSEPHINE.

Hearing no objections agenda will stand as amended.

Community Roll Call and Public Comments on Agenda Items:

For the purpose of protecting the public health there are no public meeting locations. Public comments can be e-mailed in to the Communications Director, Laura Tanis, to be read at the proper time. Also broadcast on KSDP radio.

City of Cold Bay Mayor Harold Kremer submitted the following public comments regarding Ordinance 22-01 and 22-02:

We would like to address the school building situation in Cold Bay. We understand that the building has been "sold". Our concern is that once the school building is "sold" there will not be a place to hold school in the future. We are asking the Borough to take this into consideration. The children of Cold Bay deserve to have a school building/facilities for their education. At this present time the children of Cold Bay do not have access to a gym for PE activities or an outdoor playground. Before the school building changes hands we would like the Borough to begin construction on a replacement facility. We thank you in advance for your consideration.

AEBSD Superintendent Patrick Mayor submitted the following comments regarding Ordinance 22-01 and 22-02:

I am writing this letter to inquire about the proposed sale of the Cold Bay School, as well as the future of providing a public education to the students of Cold Bay.

Upon review of the AEB meeting agenda for July 8, 2021, it appears that the Assembly is voting on an ordinance to authorize negotiations for the sale of Cold Bay School. As the Superintendent of the Aleutians East Borough School District, I am concerned about the aforementioned proposed sale, especially as it relates to providing a public education to the students of Cold Bay, present and future.

As a school district and a borough our educational futures are intrinsically linked. The borough assumes the responsibility, statutorily, by building and maintaining school facilities. Conversely, the school district designs and provides the educational programs within the borough's facilities. Thus, each entities responsibility is mutually dependent upon the other.

While it is certainly acknowledged that the school was closed to students in 2015 upon the recommendation of the previous AEBSD administration, I do not believe that the intent on the part of the AEBSD was ever for the school to be sold or demolished. That would have amounted to a decision being made that would impact future families and students. In fact, the absence of a school since 2015 has in all likelihood impacted whether young families would even consider moving to Cold Bay, and absent a school, this pattern will likely continue.

One thing we know for sure is that there are pre-school aged students that will soon need a place to receive a public education and if there is no school that will present a significant challenge. If the school is sold, what plans does the borough have to provide a school to meet community needs?

I would like to propose a joint meeting between the borough assembly and the school board to discuss the future educational needs of the Cold Bay community before an irreversible decision is made. In that way, we can work together to ensure the community needs will be best served. Please let me know what timeframe would be acceptable for a joint meeting.

Conflict of Interests:

Mayor Osterback asked for any potential **Conflict of Interests** to discuss. There were no conflicts on agenda items.

Minutes, May 13, 2021:

MOTION

CAROL moved to approve the May 13, 2021 Assembly Meeting Minutes and second by BRENDA.

Hearing no more **MOTION CARRIED**.

Minutes, May 27, 2021:

MOTION

DENISE moved to approve the May 27, 2021 Special Assembly Meeting Minutes and second by BRENDA.

AMENDMENT

Paul amended the May 27, 2021 Minutes. Last page to include in his comments, "and he also supports *most of the items*"

Hearing no more **MOTION CARRIED with amendment**.

April, May 2021 Financial Reports:

MOTION

PAUL moved to approve the April, May Financial Report and second by BRENDA.

Administrator Bailey said April and May financials on track on almost everything. April Raw Fish tax at 92.4% of 5-year average. May Financial, Raw Fish Tax is \$415,000, which is 166% of 5-year average.

PAUL asked if we will be closer to 95% of budgeted amount, at the end of fiscal year. Bailey said will be close to what we predicted in June, 2020.

ROLL CALL

Yeas: Chris, Josephine, Denise, Brenda, Paul, Carol. Advisory: Dailey, Samantha.

Nay: None.

MOTION CARRIED

YEAS: 6

NAYS: 0

April and May Investment Reports:

Reports in packet.

CONSENT AGENDA

- Resolution 22-01, authorizing the mayor to negotiate and execute a services agreement with BDO USA, LLP to provide professional auditing services for FY2021, in an amount not to exceed \$72,500.
- Resolution 22-03, authorizing the Mayor to negotiate and execute a Memorandum of Agreement between the Aleutians East Borough and the City of King Cove regarding maintenance of the King Cove Access Road during Fiscal Year 2022.

MOTION

PAUL moved to approve the Consent Agenda and second by BRENDA.

Resolution 22-01 authorizes to extend the agreement with BDO USA, LLP for auditing services. In 2018 AEB issued a RFP with an option to continue for the next three years. Determined that BDO is the most responsive. Recommend exercising the option to extend. Does not include travel and out-of-pocket costs so an additional \$10,000 has been added to the audit amount to cover those expenses. If approved, BDO will immediately begin the audit for CARES Act funds.

Resolution 22-03 authorizes a MOA with the City of King Cove to perform road maintenance, and allow use of AEB owned grader and newly purchased excavator to do maintenance on AEB road and use of equipment on other roads. \$100,000 is available in the FY22 budget. Recommend approval.

ROLL CALL.

Yeas: Denise, Chris, Carol, Josephine, Paul, Brenda. Advisory: Samantha, Dailey.

Nay: None

YEAS: 6

NAYS: 0

MOTION CARRIED

ORDINANCES

Introduction Ordinance 22-01, authorizing the assignment of certain real property leased by the Aleutians East Borough.

MOTION

JOSEPHINE moved to accept Ordinance 22-01 and set for Public Hearing at the August Regular Assembly meeting. Second by DENISE.

Administrator Bailey said the Cold Bay School closed in 2015 and has remained unoccupied. AEB owns the building and the State of Alaska owns the property, leased by AEB. The Assembly passed Resolution 17-06 authorizing the Mayor to dispose of the building. AEB issued a RFIP to government agencies, and native tribes and councils. The City of Cold Bay requested the building but reconsidered. AEB reissued a RFIP July, 2018 and no submissions were received by August, 2018. In February 2019, AEB issued a RFIP to private and public entities and received one response from Aleutian Services, which fell through late 2019. In March, 2021 AEB reissued RFIP and received two responses. The AEB reviewed and went with the local bid, Gould Construction.

Some uses recommended by Gould are office space, classroom space for home schooled children, emergency shelter for airline passengers, gym use, temporary lodging. If Gould Construction changes intended use, Gould would work directly with the State of Alaska, AEB would not be involved. In order to transfer, an assignment of lease needs to occur outlined in Ordinance 22-01. Ordinance 22-02 authorizes the sale as is, where is, in the amount of \$10 less than fair market value. Administration feels the sale benefits the community and AEB. This has been on the Strategic Plan since 2017 and has been before the Assembly for four year.

In regards to future school concerns, the AEB does own Lot 5, Block 10 for a potential new school site, if AEBSD needs a school in Cold Bay. In the interim AEB could rent space in the community center while a new school is being built.

PAUL is uncomfortable with the building/lease going to a private business and not a public entity; and there are two public comments about this particular item and suggests postponing a decision.

MOTION TO TABLE

PAUL moved to LAY ON THE TABLE the motion *to accept Ordinance 22-01 and set for Public Hearing* until the August 12, 2021 regular scheduled meeting. Second by CHRIS.

ROLL CALL TO LAY ON THE TABLE

Yeas: Chris, Brenda, Carol, Josephine, Denise, Paul. Advisory: Dailey, Samantha.

Nay: None

YEAS: 6

NAYS: 0

MOTION CARRIED

Introduction Ordinance 22-02, authorizing the sale of a certain real property owned by Aleutians East Borough.

MOTION

PAUL moved to accept Ordinance 22-02 and set for Public Hearing at the August Regular Assembly meeting. Second by CHRIS.

MOTION TO TABLE

CHRIS moved to LAY ON THE TABLE the motion *to accept Ordinance 22-02 and set for Public Hearing* until the August 12, 2021 regular scheduled Assembly meeting. Second by PAUL.

ROLL CALL MOTION

Yeas: Carol, Paul, Denise, Josephine, Brenda, Chris. Advisory: Dailey, Samantha.

Nay: None

YEAS: 6

NAYS: 0

RESOLUTIONS

Resolution 22-04, Phase 2 of the AEB Reopening Plan:

MOTION

CAROL moved to approve Resolution 22-04 and second by JOSEPHINE.

Administrator Bailey said Resolution 22-04 authorizes Phase 2, reopening of the AEB offices. The offices have been closed to the public since April 8, 2021, due to Covid-19. Assembly approved Phase 1 to allow Assembly members to attend Assembly meetings in the AEB offices. Phase 2 supersedes Phase 1, and goes into effect August 1, allowing the public and Assembly access to offices. There is some suggested protocol in that they should not come in when sick and recommendation to be vaccinated, follow state and local recommendations and remain social distanced inside buildings.

PAUL said Sand Point businesses and offices are already open and Sand Point is ready to move on. He supports moving forward with Phase 2 with an amendment.

AMENDMENT

PAUL moved to amend last WHEREAS, to read, effective upon adoption of the resolution and REMOVE *August 1, 2021*.

MOTION FAILS lack of a second.

JOSEPHINE asked if all AEB offices should be addressed separately, if local protocols in the communities are different. Mayor Osterback said this only pertains to AEB offices. Opening of the offices is up to the mayor and the emergency ordinance allows teleconferencing from individual locations, which expires July 28.

PAUL feels it is incumbent upon the AEB to be consistent with whatever we do. Right now not that consistent with community. Sand Point community members he has talked to are ready to go back to normal.

CHRIS supports Phase 2 of re-opening on August 1. Peter Pan in King Cove is still in lockdown. He has no problem with a couple more weeks.

CAROL supports Phase 2 also. If a community has a COVID outbreak, the Mayor has the ability to close the offices and is comfortable with that.

BRENDA noted her concerns with the increased positive cases of the DELTA variant. We have a large vaccination rate in our communities, however, with the influx of fishermen and processor workers our chances of having positive cases could happen. She is confident the Mayor can step in to re-close offices, if needed.

ROLL CALL

Yeas: Paul, Chris, Josephine, Carol, Brenda, Denise. Advisory: Samantha, Dailey.

Nay: None

YEAS: 6

NAYS: 0

MOTION CARRIED

Resolution 22-05, authorizing the Mayor to negotiate and execute a contract with Kuchar Construction to perform deferred maintenance work at the King Cove School in an amount not to exceed \$405,000.

MOTION

BRENDA moved to approve Resolution 22-05 and second by CAROL.

Administrator Bailey said AEB owns and maintains the King Cove School. In 2018 AEB enlisted DOWL to identify maintenance needs. According to the 2018 King Cove School Condition Survey, architectural, electrical, mechanical and control work needs were identified. DOWL issued a request for contractor and did not receive any bids by February deadline. Authorized DOWL to contact Kuchar Construction. Proposal amount is for \$405,000 with an additional 15%. Funding in Maintenance Reserve. Recommend approval.

ROLL CALL

YEAS: Brenda, Denise, Paul, Josephine, Carol, Chris. Advisory: Dailey, Samantha.

NAYS: None

MOTION CARRIED

YEAS: 6

NAYS: 0

Resolution 22-02, authorizing the mayor to negotiate and execute a MOA between the AEB and City of King Cove regarding the reimbursement of expenses associated with the King Cove Access Project (KCAP) for FY2022:

MOTION

CHRIS moved to approve Resolution 22-02 and second by BRENDA.

Administrator Bailey said February 2017 AEB entered into a MOA to reimburse for expenses related to the KCAP and has been approved since for reimbursements through FY2021.

Recommend entering into a new Agreement with the City to help offset expenses incurred by the City related to the KCAP for FY22. Funds available in Sub Dept. 210, AEB Hovercraft Proceeds line item.

PAUL said everybody on the Assembly has always supported the KCAP including himself, a strong supporter of the project. He feels we are going about it the wrong way and that KCAP is our responsibility to do ourselves. Project ongoing for years and years and he feels we should hire someone whose specific duty is to work on the project, on our behalf. Our money and our responsibility. Strongly support the project but will vote no because he feels there is a better way to help the project move along.

ROLL CALL

Yeas: Chris, Josephine, Carol, Brenda, Denise. Advisory: Dailey, Samantha.

Nay: Paul

YEAS: 5

NAYS: 1

MOTION CARRIED

OLD BUSINESS *None*

NEW BUSINESS

Strategic Plan Quarter 1 Update:

Administrator Bailey said we have completed the Quarter 1 of plan. Have moved some projects around. The Navigational Chart is in packet which shows the progress.

REPORTS AND UPDATES

Administrator's Report in packet. Highlights below:

CARES Act Funding Update:

\$2.7M has been expended. Funds left in some outstanding items. Allocations in packet report.

Will apply for the next Covid funding in the new fiscal year -- \$300,000 this year and \$300,000 next year.

Cold Bay Terminal:

Alaska Airlines: Last flight August 14. Alaska is required to remove all signs and agreed to pay cost of removing wall.

Terminal Expansion: June 7th received four proposals from contractors. Committee met on June 11, selecting F & W for pre-construction services. DOWL is finalizing the contract work. The company agreed they can finish the work in time.

Cold Bay School:

Tabled.

King Cove Road Update:

Oral argument scheduled virtually August 4.

Special Use Permit may be issued soon to conduct field work on road.

Nelson Lagoon Dock Repairs:

Heko Services barge arrived May 31, divers arrived June 6. All work has been completed. DOWL will go out and review work. There have been change orders for additional damage identified.

Bond Refinancing:

Bond refinancing closed June 16. Will save AEB approximately \$20,000 per year.

Akun Dock and Breakwater:

Submitted last documents on Tribal Partnership Program with Akutan Traditional Council. In September the Corps will conduct a site visit to Akun.

Assistant Administrator Report in packet. Highlights below

Cold Bay Clinic:

DOWL visited Cold Bay for terminal expansion but reviewed potential sites for clinic as well. Reviewing site determination and how to approach the project plan. There are several factors for each proposed site. Most require further discussion with the community and EAT. Taking all into consideration.

Sand Pt. School Dept of Education and Early Development (DEED) Application:

Due to the costs, decided to not move forward with design update. Will update the narrative portion of application to increase points in the point system for funding.

Employee Handbook Updates:

Scheduled to present an updated handbook this summer.

Resignation of Assistant Administrator:

In September, Mary Tesche will be moving out of state. Sept. 10th last day of work.

DAILEY asked about terminal vending machines for the terminal. Tesche said an RFP is written and plan to put it out to bid soon.

Communications Director Report in packet. Highlights below:

Website Design:

\$15,000 grant through Rasmussen Foundation has been won. 21 designers have expressed interest. July 23 deadline.

Annual Report:

Working on annual report.

E-News:

In-the-Loop and AEB Fish continue to go out to the public.

Natural Resources Director Report in packet. Highlights below:

Salmon:

Second day of test fishery, juvenile fish count were below 100 so season able to open. Fish catch reports high but weight of fish low. Weir escapement numbers in Chignik not high, but not too bad.

NPFMC:

Rationalization to be discussed. Priorities is getting meaningful sideboards for Western Gulf and as much as possible to be processed onshore.

Alaska Young Fishermen Summit:

Hope to do a seafood raffle again to sponsor attendees.

CAROL asked for an update on the CARES Act money that went to Fish & Game for fishermen. Weiss will look into and get back to the Assembly.

Assistant Natural Resources Director Report in packet. Highlights below:

Electronic Monitoring (EM):

Presented the results for EM to AP and NPFMC, at June meeting.

Draft alternatives for regulatory analysis were presented. There was a lengthy discussion around Alternative 3 in draft, excluding tender vessels from participating. She testified against Alternative 3. Council moved to adopt the draft alternatives, including Alternative 3, but noted Alternative 3 not a preferred alternative.

Preliminary analysis in looking at cost of human monitoring vs. EM. EM is \$442,000 less than what traditional observers cost. Timeline for regulatory implementation has been extended two years.

WGOA Data Portal:

Project team met with Cape Cod Fishermen's Alliance to hear about results of their similar project.

Mariculture:

Kelp pilot farm has officially been approved for Zachary Bay lease. On May 27 we did field work to collect data for all species permitted, collecting over 300 samples.

AFSC Cod Tagging Project:

7 conventional tags returned and one satellite tag. Working with AFSC to design webpage for updates and progress to be posted.

Maintenance Director Report:

False Pass School:

Replacing circulating pumps on heating system, will go back out to replace check valves in August and do other minor repairs.

King Cove AEB Office:

While in King Cove, lights will be replaced and ridge of building sealed to help resolve fly problem in building.

Akutan:

Day visit scheduled to do a walk through at school and helicopter hangar to determine any maintenance issues.

AEB Property:

Working to complete list of AEB property owned and getting a maintenance log in place.

Boiler Inspections:

Schools, offices and terminal all passed inspections.

MAYOR'S UPDATE

Next meeting will be open to the public and Assembly and staff will be back to designated meeting locations.

ASSEMBLY COMMENTS

None

PUBLIC COMMENTS

No public comments received.

NEXT MEETING DATE

August 12, 2021.

ADJOURNMENT

CAROL moved to adjourn and second by JOESPHINE. Hearing no more, the meeting adjourned at 4:43 p.m.

Mayor Alvin D. Osterback

Tina Anderson, Clerk

Date: _____

Financial Report

No report available

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INVESTMENT REPORT

ALEUTIANS EAST BOROUGH

Account Statement - Period Ending June 30, 2021

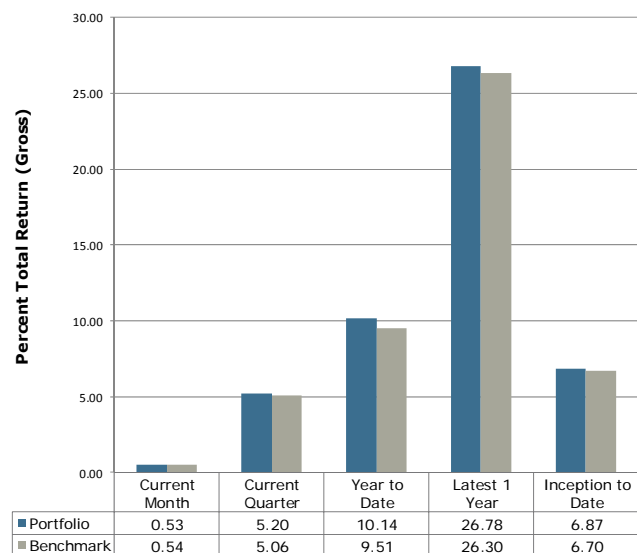


ACCOUNT ACTIVITY

Portfolio Value on 05-31-21	48,079,118
Contributions	0
Withdrawals	-1,141
Change in Market Value	62,756
Interest	13,015
Dividends	180,557
Portfolio Value on 06-30-21	48,334,305

INVESTMENT PERFORMANCE

**Current Account Benchmark:
Equity Blend**

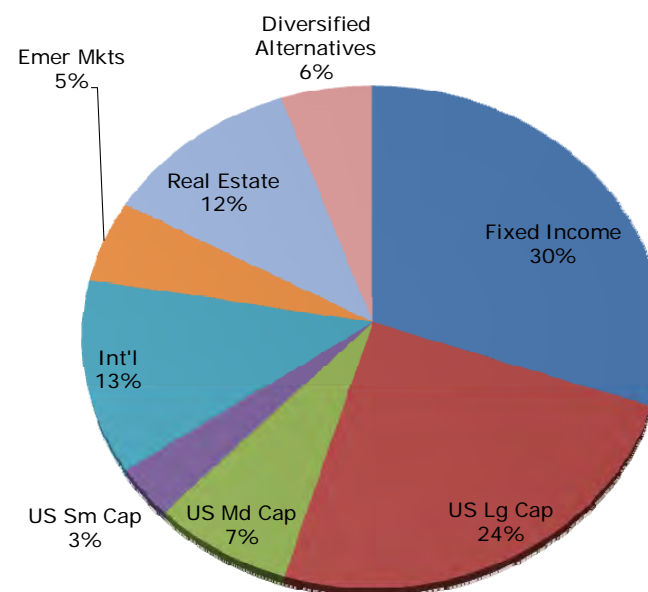


Performance is Annualized for Periods Greater than One Year

MANAGEMENT TEAM

Client Relationship Manager:	Blake Phillips, CFA® Blake@apcm.net
Your Portfolio Manager:	Brandy Niclai, CFA®
Contact Phone Number:	907/272 -7575

PORTFOLIO COMPOSITION



Clients are encouraged to compare this report with the official statement from their custodian.

Alaska Permanent Capital Management Co.
PORTFOLIO SUMMARY AND TARGET
ALEUTIANS EAST BOROUGH
June 30, 2021

Asset Class & Target	Market Value	% Assets	Range
FIXED INCOME (34%)			
US Fixed Income (19.0%)	7,104,791	14.7	10% to 30%
TIPS (10.0%)	4,685,664	9.7	0% to 15%
Cash (5.0%)	2,901,166	6.0	0% to 10%
Subtotal:	14,691,621	30.4	
EQUITY (51%)			
US Large Cap (24.0%)	11,696,208	24.2	18% to 30%
US Mid Cap (7.0%)	3,568,197	7.4	2% to 12%
US Small Cap (3.0%)	1,588,499	3.3	0% to 6%
Developed International Equity (12.0%)	6,009,312	12.4	6% to 18%
Emerging Markets (5.0%)	2,561,363	5.3	0% to 10%
Subtotal:	25,423,578	52.6	
ALTERNATIVE INVESTMENTS (15%)			
Real Estate (5.0%)	2,643,950	5.5	0% to 10%
Infrastructure (5.0%)	2,959,360	6.1	0% to 10%
Commodities (5.0%)	2,615,796	5.4	0% to 10%
Subtotal:	8,219,106	17.0	
TOTAL PORTFOLIO	48,334,305	100	

AEB OPERATING FUND

Account Statement - Period Ending June 30, 2021



ACCOUNT ACTIVITY

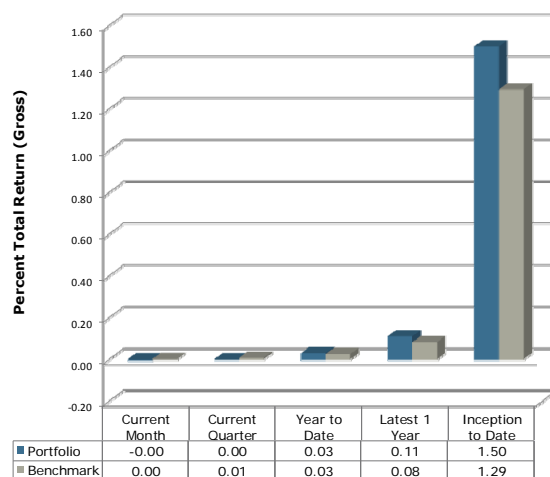
Portfolio Value on 05-31-21	2,673,548
Contributions	0
Withdrawals	-141
Change in Market Value	-748
Interest	619
Dividends	0
Portfolio Value on 06-30-21	2,673,277

MANAGEMENT TEAM

Client Relationship Manager:	Blake Phillips, CFA® Blake@apcm.net
Your Portfolio Manager:	Paul Hanson, CFA®
Contact Phone Number:	907/272 -7575

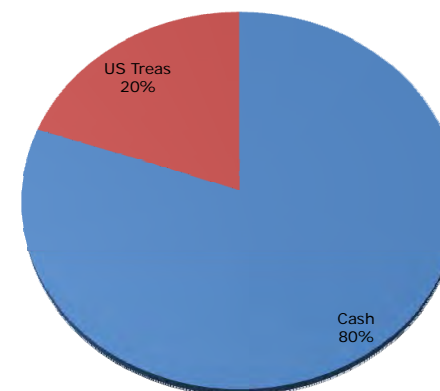
INVESTMENT PERFORMANCE

Current Account Benchmark:
FTSE 3-Month TBill



Performance is Annualized for Periods Greater than One Year

PORTFOLIO COMPOSITION



Fixed Income Portfolio Statistics

Average Quality: AAA Yield to Maturity: 0.05% Average Maturity: 0.34 Yrs

Alaska Permanent Capital Management Co.
PORTFOLIO APPRAISAL
AEB OPERATING FUND
June 30, 2021

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
U.S. TREASURY									
365,000	US TREASURY NOTES 2.500% Due 01-15-22	101.40	370,104	101.31	369,778	13.83	9,125	4,210	0.08
150,000	US TREASURY NOTES 2.375% Due 03-15-22	102.02	153,023	101.62	152,425	5.70	3,562	1,046	0.09
	Accrued Interest				5,255	0.20			
			523,128		527,458	19.73		5,255	
TREASURY BILLS									
250,000	US TREASURY BILL 0.000% Due 07-22-21	99.96	249,889	100.00	249,992	9.35	NA	0	0.05
300,000	US TREASURY BILLS 0.000% Due 08-26-21	99.97	299,922	99.99	299,979	11.22	NA	0	0.04
300,000	TREASURY BILL 0.000% Due 09-16-21	99.97	299,924	99.99	299,973	11.22	NA	0	0.04
300,000	US TREASURY BILLS 0.000% Due 10-21-21	99.98	299,944	99.99	299,958	11.22	NA	0	0.05
300,000	US TREASURY BILLS 0.000% Due 10-28-21	99.98	299,955	99.98	299,949	11.22	NA	0	0.05
375,000	US TREASURY BILLS 0.000% Due 11-18-21	99.99	374,969	99.98	374,929	14.03	NA	0	0.05
310,000	US TREASURY BILL 0.000% Due 12-02-21	99.98	309,951	99.98	309,932	11.59	NA	0	0.05
			2,134,554		2,134,712	79.85		0	
CASH AND EQUIVALENTS									
	FEDERATED GOVERNMENT OBLIGATIONS INSTITUTI		11,107		11,107	0.42			
TOTAL PORTFOLIO			2,668,789		2,673,277	100	12,687	5,255	

ALEUTIANS EAST BOROUGH SERIES E BOND

Account Statement - Period Ending June 30, 2021



ACCOUNT ACTIVITY

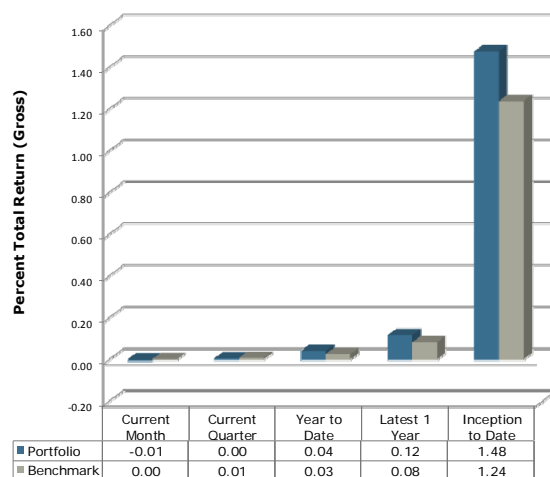
Portfolio Value on 05-31-21	2,610,923
Contributions	0
Withdrawals	0
Change in Market Value	-1,474
Interest	1,339
Dividends	0
Portfolio Value on 06-30-21	2,610,788

MANAGEMENT TEAM

Client Relationship Manager:	Blake Phillips, CFA® Blake@apcm.net
Your Portfolio Manager:	Paul Hanson, CFA®
Contact Phone Number:	907/272 -7575

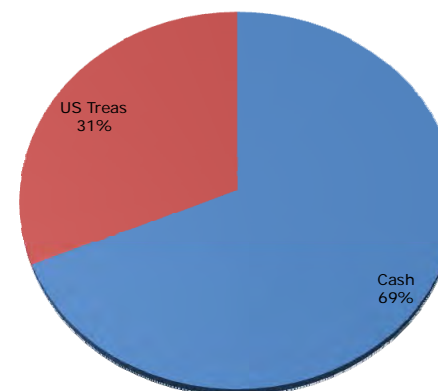
INVESTMENT PERFORMANCE

Current Account Benchmark:
FTSE 3-Month TBill



Performance is Annualized for Periods Greater than One Year

PORTFOLIO COMPOSITION



Fixed Income Portfolio Statistics

Average Quality: AAA Yield to Maturity: 0.05% Average Maturity: 0.32 Yrs

Alaska Permanent Capital Management Co.
PORTFOLIO APPRAISAL
ALEUTIANS EAST BOROUGH SERIES E BOND
June 30, 2021

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
U.S. TREASURY									
390,000	US TREASURY NOTES 2.875% Due 11-15-21	102.52	399,826	101.04	394,052	15.09	11,212	1,432	0.10
365,000	US TREASURY NOTES 2.500% Due 01-15-22	101.40	370,104	101.31	369,778	14.16	9,125	4,210	0.08
50,000	US TREASURY NOTES 2.375% Due 03-15-22	102.02	51,008	101.62	50,808	1.95	1,187	349	0.09
	Accrued Interest				5,990	0.23			
			820,938		820,629	31.43		5,990	
TREASURY BILLS									
250,000	US TREASURY BILL 0.000% Due 07-22-21	99.96	249,889	100.00	249,992	9.58	NA	0	0.05
300,000	US TREASURY BILLS 0.000% Due 08-26-21	99.97	299,922	99.99	299,979	11.49	NA	0	0.04
300,000	TREASURY BILL 0.000% Due 09-16-21	99.97	299,924	99.99	299,973	11.49	NA	0	0.04
300,000	US TREASURY BILLS 0.000% Due 10-21-21	99.98	299,944	99.99	299,958	11.49	NA	0	0.05
300,000	US TREASURY BILLS 0.000% Due 10-28-21	99.98	299,955	99.98	299,949	11.49	NA	0	0.05
315,000	US TREASURY BILL 0.000% Due 12-02-21	99.98	314,950	99.98	314,931	12.06	NA	0	0.05
			1,764,584		1,764,782	67.60		0	
CASH AND EQUIVALENTS									
	FEDERATED GOVERNMENT OBLIGATIONS INSTITUTI		25,377		25,377	0.97			
TOTAL PORTFOLIO			2,610,900		2,610,788	100	21,525	5,990	

* Callable security

AEB 2010 SERIES B BOND/AKUTAN AIR

Account Statement - Period Ending June 30, 2021



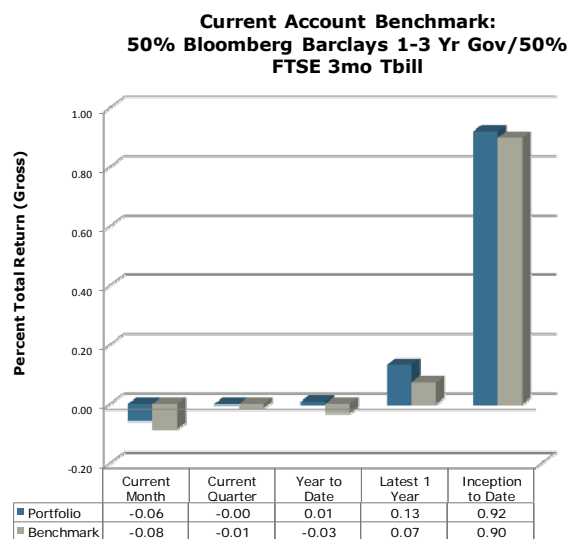
ACCOUNT ACTIVITY

Portfolio Value on 05-31-21	1,074,748
Contributions	0
Withdrawals	-75
Change in Market Value	-1,114
Interest	513
Dividends	0
Portfolio Value on 06-30-21	1,074,072

MANAGEMENT TEAM

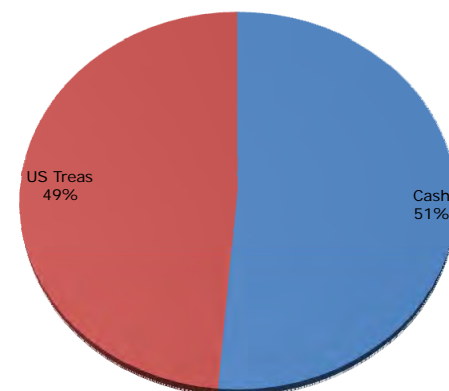
Client Relationship Manager:	Blake Phillips, CFA® Blake@apcm.net
Your Portfolio Manager:	Paul Hanson, CFA®
Contact Phone Number:	907/272-7575

INVESTMENT PERFORMANCE



Performance is Annualized for Periods Greater than One Year

PORTFOLIO COMPOSITION



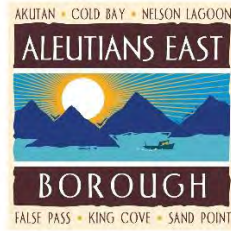
Fixed Income Portfolio Statistics

Average Quality: AAA Yield to Maturity: 0.15% Average Maturity: 0.99 Yrs

Alaska Permanent Capital Management Co.
PORTFOLIO APPRAISAL
AEB 2010 SERIES B BOND/AKUTAN AIR
June 30, 2021

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
U.S. TREASURY									
85,000	US TREASURY NOTES 1.875% Due 07-31-22	100.10	85,083	101.91	86,620	8.06	1,594	665	0.12
55,000	US TREASURY NOTES 1.750% Due 01-31-23	100.43	55,234	102.45	56,347	5.25	962	401	0.20
100,000	US TREASURY NOTES 0.125% Due 04-30-23	99.80	99,805	99.81	99,809	9.29	125	21	0.23
70,000	US TREASURY NOTES 0.250% Due 06-15-23	100.20	70,137	100.01	70,006	6.52	175	8	0.25
70,000	US TREASURY NOTES 0.125% Due 09-15-23	99.82	69,877	99.63	69,743	6.49	87	26	0.29
65,000	US TREASURY NOTES 0.125% Due 01-15-24	99.36	64,584	99.39	64,607	6.02	81	37	0.36
15,000	US TREASURY NOTES 0.250% Due 05-15-24	99.71	14,956	99.45	14,918	1.39	37	5	0.44
60,000	US TREASURY NOTES 0.250% Due 06-15-24	99.34	59,606	99.39	59,635	5.55	150	7	0.46
	Accrued Interest				1,169	0.11			
			519,281		522,854	48.68		1,169	
TREASURY BILLS									
510,000	US TREASURY BILLS 0.000% Due 07-08-21	100.00	509,980	100.00	509,995	47.48	NA	0	0.05
35,000	US CASH MGMT BILL 0.000% Due 09-28-21	99.99	34,996	99.99	34,996	3.26	NA	0	0.04
			544,976		544,991	50.74		0	
CASH AND EQUIVALENTS									
	FEDERATED GOVERNMENT OBLIGATIONS INSTITUTI		6,228		6,228	0.58			
TOTAL PORTFOLIO			1,070,485		1,074,072	100	3,212	1,169	

Consent Agenda



AGENDA STATEMENT

Date: July 26, 2021

To: Mayor Osterback and Assembly

From: Anne Bailey, Borough Administrator

RE: Resolution 22-06 formally submitting a Harbor Facility Grant Application to the State of Alaska, Department of Transportation and Public Facilities (DOT&PF) in the amount of \$4,125,000 for the project entitled: Sand Point Harbor Float A Project

The Sand Point and Akutan Harbor float structures are incomplete. Due to lack of funding the Borough has only been able to complete portions of the float systems in each community. The Borough hired Moffatt & Nichol (M&N) to assist in writing a Federal Port Infrastructure Development Program Grant (PIDP) application to complete the float system projects. The PIDP application will be submitted by the July 30, 2021 deadline. The cost to complete both floats is \$23,370,000 (\$18,696,000 PIDP funds and \$4,674,000 AEB Funds). The scope of work and cost estimate per harbor is below:

Sand Point Harbor Float

- Mobilization and demobilization
- Furnish and install floats, the trestle, gangway, landing float
- Furnish and drive steel piles
- Furnish and install potable water systems; dry standpipes fire protection system; electrical and lighting; life rings, ladders and extinguishers and new anodes
- Construction phase services
- Contract administration and other indirect costs
- The cost for this work is ~\$8,250,000

Akutan Harbor Float

- Mobilization and demobilization
- Furnish and install the following for Float B: fingers; trestle; aluminum gangway, trestle piles, finger piles, potable water system; day standpipe fire protection system; electrical and lighting; life rings, ladders and extinguishers and new anodes

- Furnish and install the following for Float A: fingers; finger piles; potable water system and dry standpipe fire protection system; design and permitting; construction and phase services and contract administration and other indirect costs
- The cost of this work is ~\$15,120,000

The Borough also hired M&N complete a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Application for the Akutan Harbor Float Project. The Akutan project was more in line with the RAISE grant selection criteria allowing for increased sustenance fishing and improves the efficiency of mooring for local skiffs.

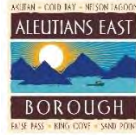
Borough Administration has decided to complete a State of Alaska Municipal Harbor Facility Grant Application for the Sand Point Harbor Float project. The Borough has the 50% (\$4,125,000) match for the Sand Point Harbor Float A project.

Administration will submit the Sand Point Harbor Float A Harbor Facility Grant Application by the August 16, 2021 deadline. Also, if the State and PIDP grants are funded, the funds can be used to match each other.

Resolution 22-06 supports the project entitled Sand Point Harbor Float A Project and agrees, subject to available Alaska Legislative funding and selection by DOT&PF, to enter into a grant agreement with the State of Alaska, Department of Transportation and Public Facilities for a Harbor Facility Grant.

RECOMMENDATION

Administration recommends approval of Resolution 22-06 formally submitting a Harbor Facility Grant Application to the State of Alaska, Department of Transportation and Public Facilities (DOT&PF) in the amount of \$4,125,000 for the project entitled: Sand Point Harbor Float A Project



RESOLUTION NO. 22-06

A RESOLUTION OF THE ALEUTIANS EAST BOROUGH ASSEMBLY, FORMALLY SUBMITTING A HARBOR FACILITY GRANT APPLICATION TO THE STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES (DOT&PF) IN THE AMOUNT OF \$4,125,000 FOR THE PROJECT ENTITLED: SAND POINT HARBOR FLOAT A PROJECT

WHEREAS, the State of Alaska, Department of Transportation and Public Facilities administers the Harbor Facility Grant Program; and

WHEREAS, the Aleutians East Borough owns and the City of Sand Point maintains the Sand Point New Boat Harbor and the Sand Point New Harbor is eligible for a Harbor Facility Grant; and

WHEREAS, the Aleutians East Borough has the required 50% in local matching funds for construction of the Sand Point Harbor Float A Project per the Harbor Facility Grant Program; and

WHEREAS, the Aleutians East Borough is capable of completing the Sand Point Harbor Float A Project within eighteen (18) months after award of a Harbor Facility Grant; and

WHEREAS, the Sand Point Harbor Float A Project is critical to the Aleutians East Borough.

NOW, THEREFORE, BE IT RESOLVED by the Aleutians East Borough Assembly that the Aleutians East Borough supports the project entitled Sand Point Harbor Float A Project and agrees, subject to available Alaska Legislative funding and selection by DOT&PF, to enter into a grant agreement with the State of Alaska, Department of Transportation and Public Facilities for a Harbor Facility Grant.

PASSED AND APPROVED by the Aleutians East Borough Assembly on this 12th day of August, 2021.

Alvin D. Osterback, Mayor

ATTEST:

Tina, Anderson, City Clerk



RESOLUTION 22-07

A RESOLUTION OF THE ALEUTIANS EAST BOROUGH ASSEMBLY THANKING ALASKA AIRLINES FOR PROVIDING TEMPORARY AIRLINE SERVICE TO THE ALEUTIANS EAST BOROUGH

WHEREAS, due to the COVID-19 Emergency and circumstances created by it, Alaska Airlines began providing temporary airline service from Anchorage to Cold Bay in May 2020; and

WHEREAS, after the regional air carrier providing service to Cold Bay ceased operations following the COVID-19 economic downturn, the status of air travel to the Borough's communities was in jeopardy; and

WHEREAS, during a time of uncertainty, Alaska Airlines stepped in to provide reliable service to Cold Bay to meet the transportation needs of residents and businesses within the region; and

WHEREAS, Alaska Airlines has announced that its last day flying to region will be August 14, 2021; and

WHEREAS, the Borough Assembly thanks Alaska Airlines for its service and looks forward to seeing the company resume flights to the region in the future.

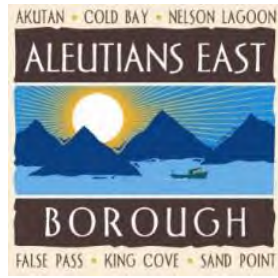
NOW THEREFORE, BE IT RESOLVED, the Aleutians East Borough Assembly thanks Alaska Airlines for providing temporary airline service to the Aleutians East Borough.

PASSED AND ADOPTED by the Aleutians East Borough on this 12th day of August, 2021.

Alvin D. Osterback, Mayor

ATTEST:

Tina Anderson, Clerk



RESOLUTION 22-10

A RESOLUTION OF THE ALEUTIANS EAST BOROUGH ASSEMBLY URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL TO POSTPONE ACTION ON THE BSAI PACIFIC COD TRAWL CV PROGRAM UNTIL IN-PERSON MEETINGS OF THE COUNCIL RESUME.

WHEREAS, the North Pacific Fishery Management Council (NPFMC) has been moving forward with the BSAI Pacific Cod Trawl CV Cooperative Program, a fishery rationalization program, and

WHEREAS, this program will have potentially negative impacts on fishermen, processors and communities of the Aleutians East Borough, and

WHEREAS, both initial reviews of the program, in December 2020 and June 2021, occurred in ‘virtual’ web conference settings only, due to the COVID-19 pandemic, and

WHEREAS, final action on the program is currently scheduled for October 2021, when the NPFMC may meet in-person but the Advisory Panel (AP) and Science and Statistical Committee (SSC) are not scheduled to meet in person, and

WHEREAS, local fishermen who will be impacted by the program have not yet had an opportunity during this process to meet in-person with NPFMC members and provide comments face-to-face, and

WHEREAS, a face-to-face hearing by the NPFMC, AP, SSC and the public is needed to fully consider all the potential harmful impacts of the program.

NOW THEREFORE BE IT RESOLVED, the Aleutians East Borough Assembly urges the North Pacific Fishery Management Council to postpone any action on the BSAI Pacific Cod Trawl CV Program until the Council, AP, SSC and public can meet in an in-person setting.

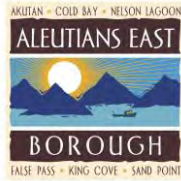
Approved and Adopted this 12th day of August 2021.

Alvin D. Osterback, Mayor

Tina Anderson, Clerk

Ordinances

Action is needed to take off the table



Agenda Statement

Date: June 2, 2021

To: Mayor Osterback and Assembly

From: Anne Bailey, Borough Administrator
Mary Tesche, Assistant Borough Administrator

Re: Ordinance 22-01, authorizing the assignment of certain real property leased by the Aleutians East Borough and Ordinance 22-02, authorizing the sale of certain real property owned by the Aleutians East Borough

The Cold Bay School closed in the spring of 2015 and the building has remained unoccupied. For the past few years, the Borough, State and City of Cold Bay (City) have discussed the closed school and what to do with the property. The School is located near the Cold Bay Airport within the Seward Meridian, Township 57 South, Range 89 West, Section 36, in the Aleutians Islands Recording District, Third Judicial District, Alaska. More specifically, it is Lot 1A, Block 10, consisting of 84,689.92 square feet of land. The land is owned by the State of Alaska and is leased to the Borough through the Alaska Department of Transportation and Public Facilities (ADOT&PF). The lease agreement can be transferred by Assignment, subject to approval by ADOT&PF. The school building and appurtenances are owned by the Borough.

On September 7, 2016, the Borough Assembly passed Resolution 17-06 authorizing the Mayor to dispose of the Cold Bay School property by negotiation with a Federal/State government agency, local government or native tribe or council at less than fair market value. Per this resolution, the Borough issued a Request for Interest/Proposals (RFIP) from Federal/State Government agencies, local government and federally recognized native tribes or councils. In November 2016, the City of Cold Bay expressed interest in the building but decided to no longer pursue the school in June 2018.

Due to this decision, on July 19, 2018 the Borough reissued a Request for Interest/Proposals to Federal/State Government Agencies, Local Governments, and Federally Recognized Native Tribes or Councils. No submissions were received by the August 16, 2018 deadline.

In February 2019, the Borough issued a Request for Interest/Proposals to private and public entities for the facility. The Borough received one response from Aleutians Services, Inc. for the facility. Unfortunately, this fell through in late 2019.

The Borough continued to look at ways to dispose of the facility and decided to reissue a Request for Interest/Proposals in March 2021. The Borough received two responses by the April 1, 2021 deadline. Borough has reviewed and decided to go with Gould Construction because they are a locally owned business who has experience working in the region. Their proposed use is to use it as office space, classroom space for homeschooled children, emergency shelter for airline passengers during emergency landings, additional community uses such as physical activities utilizing the gym, as well as temporary lodging for special events to support the community, which may include community and governmental events. These uses are currently authorized under the existing lease, which they may change at a later date.

In order to transfer the State lease from the Borough to Gould Construction an Assignment of Lease needs to occur, which is outlined in Ordinance 22-01. The Borough also needs to sell the building to Gould Construction, as outlined in Ordinance 22-02. The Borough is proposing to sell the building “as-is, where-is” to Gould Construction for \$10.00, which is less than fair market value. Administration believes this sale will benefit the community and the Borough. If the Assembly approves the ordinances, the proper documentation will be submitted to the State of Alaska Aviation Leasing Department for approval and then the transfer should occur.

Attached are the drafts of the Assignment of Agreement and the Acceptance or Agreement for the land lease transfer and the draft Bill of Sale for the School building.

RECOMMENDATION

Administration recommends approval of Ordinance 22-01, authorizing the assignment of certain real property leased by the Aleutians East Borough and Ordinance 22-02, authorizing the sale of certain real property owned by the Aleutians East Borough.

ACCEPTANCE OF ASSIGNMENT

Gould Construction LLC, as Assignee, whose address is P.O. Box 56 Cold Bay, Alaska 99571, does hereby accept the assignment of Lease ADA-07842 (Lease), for leased land described as Lot 1A, Block 10 consisting of 84,689.92 square feet of land, including the school building, garage, shop building and cold storage building located on the property, on the Cold Bay Airport, within Seward Meridian, Township 57 South, Range 89 West, Section 36, in the Kodiak Recording District, Third Judicial District, Alaska from the Aleutians East Borough (Assignor), and agrees to keep and perform all terms, conditions, covenants, and provisions of said lease. The Assignee's phone number is (907) 301-8541 and contact e-mail is gouldconstructionak@gmail.com.

Assignee accepts responsibility for all of Assignor's obligations under Lease ADA-07842, including environmental liability and responsibility.

If there is a conflict between the Lease and the Assignment or its underlying documents, the Lease governs.

Assignee's intended uses of the leased land:

Office space, classroom space for homeschooled children, emergency shelter for airline passengers during emergency landings, additional community uses such as physical activities utilizing the gym, as well as temporary lodging for special events to support the community, which may include community and governmental events.

Dated this ____ day of _____, 2021.

ASSIGNEE:

(Signature)

(Typed/Printed Name and Title)

(Corporate Seal)

STATE OF ALASKA)

JUDICIAL DISTRICT OF COUNTY) ss.

THIS IS TO CERTIFY that on this ____ date of _____, 2019, before me, the undersigned Notary, duly commissioned and sworn as such, personally appeared _____ known to me and to me known to be the _____ of _____, the corporation which executed the foregoing instrument, and s/he acknowledged to me that s/he signed the same for and on behalf of said corporation, and that s/he is fully authorized by said corporation so to do; and that the corporate seal affixed to said instrument is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date and year first written above.

Notary Public in and for: _____
My Commission Expires: _____

ASSIGNMENT OF AGREEMENT

The Aleutians East Borough (Borough), Assignor, whose address is 3380 C Street, Suite 205 Anchorage, Alaska 99503, in consideration of \$10.00 (ten dollars) paid by Gould Construction LLC, Assignee, whose address is P.O. Box 56 Cold Bay, Alaska 99571, does hereby assign, transfer and set over to the Assignee all of the Assignor's right, title, and interest in and to that certain lease known as Lease ADA-07842, for leased land described as Lot 1A, Block 10 consisting of 84,689.92 square feet of land, including the school building, garage, shop building and cold storage building located on the property on the Cold Bay Airport, within Seward Meridian, Township 57 South, Range 89 West, Section 36, in the Kodiak Recording District, Third Judicial District, Alaska and originally dated the 2nd day of April, 2001.

Dated this ____ day of ____, 2021.

ASSIGNOR:

(Signature)

(Typed/Printed Name and Title)

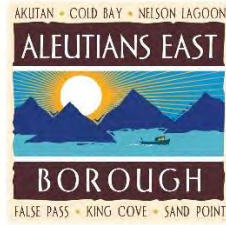
STATE OF ALASKA)

JUDICIAL DISTRICT OF COUNTY) ss.

THIS IS TO CERTIFY that on this ____ date of _____, 2019, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared _____ known to me and to me known to be the _____ of _____, the corporation which executed the foregoing instrument, and s/he acknowledged to me that s/he signed the same for and on behalf of said corporation, and that s/he is fully amortized by said corporation so to do; and that the corporate seal affixed to said instrument is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date and year first written above.

Notary Public in and for: _____
My Commission Expires: _____



Aleutians East Borough
3380 C Street, Suite 205
Anchorage, AK 99503

BILL OF SALE

THIS Bill of Sale is issued by the Aleutians East Borough (Seller), for the Cold Bay School including the school building, garage, shop building and cold storage building along with its contents and appurtenances (Cold Bay School), located on Lot 1A, Block 10 at the Cold Bay Airport, to Aleutian Services, Inc. (Purchaser), whose address is P.O. Box 117 Cold Bay, Alaska 99571. The Seller conveys all of its rights, title and interest in said property and the Cold Bay School is conveyed on an “as-is, where-is” basis. The Seller makes no guarantee as to its condition.

Sale of the school building and appurtenances is for ____ Dollars (\$__.00) receipt of which is hereby acknowledged.

ALEUTIANS EAST BOROUGH

(Signature)

GOULD CONSTRUCTION LLC

(Signature)

STATE OF ALASKA)

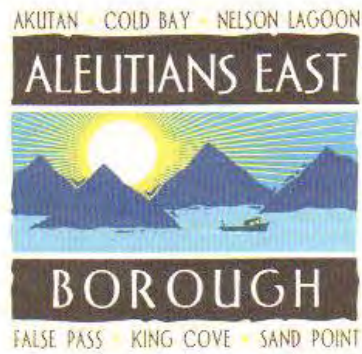
JUDICIAL DISTRICT OF COUNTY) ss.

THIS IS TO CERTIFY that on this ____ date of _____, 2019, before me, the undersigned, a Notary, duly commissioned and sworn, personally appeared _____ known to me and to me known to be the person named in and who executed the foregoing instrument, and <he/she acknowledged to me that <he/she signed the same as <his/her free and voluntary act and deed with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date and year first written above.

Notary Public in and for: _____
My Commission Expires: _____

DRAFT



ORDINANCE SERIAL NO. 22-01

AN ORDINANCE AUTHORIZING THE ASSIGNMENT OF CERTAIN REAL PROPERTY LEASED BY THE ALEUTIANS EAST BOROUGH

WHEREAS, the legislative power of the Aleutians East Borough (“Borough”) is vested in its Borough Assembly under Alaska State Statute Sec. 29.20.050; and

WHEREAS, the disposal of real property owned by the Borough is governed by Chapter 50.10 of the Borough Code and generally requires that the assignment of leases be authorized by Ordinance; and

WHEREAS, the Borough owns the school building and appurtenances in Cold Bay, Alaska; and

WHEREAS, the school is located near the Cold Bay Airport within the Seward Meridian, Township 57 South, Range 89 West, Section 36 in the Aleutian Islands Recording District, Third Judicial District, Alaska; and

WHEREAS, more specifically, the school is located on Lot1A, Block 10, consisting of 84,689.92 square feet of land; and

WHEREAS, the Borough is interested in disposing of the school building and appurtenances; and

WHEREAS, Gould Construction LLC submitted a proposal to acquire the Cold Bay School from the Borough to be used for office space, classroom space for homeschooled children, emergency shelter for airline passengers during emergency landings, additional community uses such as physical activities utilizing the gym, as well as temporary lodging for special events to support the community, which may include community and governmental events; and

WHEREAS, the land is owned by the State of Alaska and is leased to the Borough through the Alaska Department of Transportation and Public Facilities (ADOT&PF) under lease ADA-07842; and

WHEREAS, the Borough must assign its ADOT&PF lease to Gould Construction LLC as part of the school facility disposal; and

WHEREAS, the Borough Code provides that the assignment may be conducted, among other methods, by negotiation; and

WHEREAS, the Assembly believes assignment of the lease in question is in the best interest of the Borough.

NOW, THEREFORE, LET IT BE ORDAINED BY THE ASSEMBLY OF THE ALEUTIANS EAST BOROUGH AS FOLLOWS:

Section 1. Assembly Approval.

(1) The Borough Assembly approves the assignment of:

Lease ADA-07842 between the Alaska Department of Transportation and Public Facilities and the Aleutians East Borough

(2) The Borough Assembly determines that the above described lease is no longer required for a public purpose and that it is in the best interest of the Borough to assign the lease.

(3) This lease will be assigned by the Assignment of Agreement form provided by ADOT&PF.

(4) This lease is to be assigned subject to approval of the Assembly for the disposal of the Cold Bay School facility to Gould Construction LLC.

(5) The fair market value of the lease is undetermined. The Borough pays \$4,912.02 annually for the leased land.

(6) The lease will be assigned of at less than fair market value because the Borough Assembly has determined that the lease is a liability to the Borough.

(7) The method of disposal used will be by negotiation.

(8) The Assembly has determined that assignment of the lease for less than fair market value provides a public benefit that is equal or exceeds the reduction in value of the consideration to be received by the Borough.

Section 2. Classification. This is a non-code Ordinance.

Section 3. Severability. If any provision of this Ordinance, or any application thereof to any person or circumstance is held invalid, the remainder of this Ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall become effective upon adoption.

Passed and adopted by the Aleutians East Borough Assembly this ____ day of _____, 2021.

Date Introduced: July 8, 2021

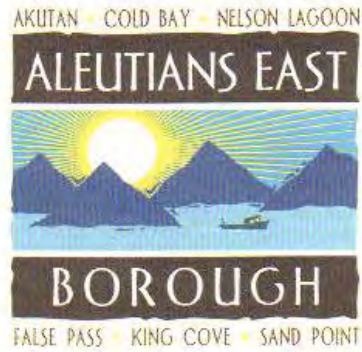
Date Adopted: _____

Alvin D. Osterback, Mayor

ATTEST:

Tina Anderson, Borough Clerk

(SEAL)



ORDINANCE SERIAL NO. 22-02

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE ALEUTIANS EAST BOROUGH

WHEREAS, the legislative power of the Aleutians East Borough (“Borough”) is vested in its Borough Assembly under Alaska State Statute Sec. 29.20.050; and

WHEREAS, the disposal of real property owned by the Borough is governed by Chapter 50.10 of the Borough Code and generally requires that the sale be authorized by Ordinance; and

WHEREAS, the Borough Code provides that the disposal may be conducted, among other methods, by negotiation; and

WHEREAS, Gould Construction LLC submitted a proposal to acquire the Cold Bay School from the Borough to be used for office space, classroom space for homeschooled children, emergency shelter for airline passengers during emergency landings, additional community uses such as physical activities utilizing the gym, as well as temporary lodging for special events to support the community, which may include community and governmental events; and

WHEREAS, the Assembly believes disposal of the property in question is in the best interest of the Borough.

NOW, THEREFORE, LET IT BE ORDAINED BY THE ASSEMBLY OF THE ALEUTIANS EAST BOROUGH AS FOLLOWS:

Section 1. Assembly Approval.

(1) The Borough Assembly approves the sale of:

The Cold Bay School building and appurtenances located at Lot 1A, Block 10 in Cold Bay, Alaska, consisting of approximately 11,000 square feet and including the school building, garage, shop building, and cold storage and its contents and appurtenances.

(2) The Borough Assembly determines that the above described property is no longer required for a public purpose and that it is in the best interest of the Borough to dispose of the property.

(3) This property will be conveyed by Bill of Sale to Gould Construction LLC.

(4) This property is to be conveyed subject to approval of a lease lot transfer by the State of Alaska to Gould Construction LLC.

(5) The fair market value of the school building and appurtenances is undetermined.

(6) The property will be disposed of for less than fair market value.

(7) The method of disposal used will be by negotiation.

(8) The Assembly has determined that disposal of this property for less than fair market value provides a public benefit that is equal or exceeds the reduction in value of the consideration to be received by the Borough.

Section 2. Classification. This is a non-code Ordinance.

Section 3. Severability. If any provision of this Ordinance, or any application thereof to any person or circumstance is held invalid, the remainder of this Ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall become effective upon adoption.

Passed and adopted by the Aleutians East Borough Assembly this _____ day of _____, 2021.

Date Introduced: July 8, 2021

Date Adopted: _____

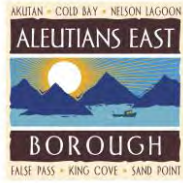
Alvin D. Osterback, Mayor

ATTEST:

Tina Anderson, Borough Clerk

(SEAL)

Resolutions



Agenda Statement

Date: August 2, 2021

To: Mayor Osterback and Assembly

From: Anne Bailey, Borough Administrator

Re: Resolution 22-08 authorizing the Mayor to negotiate and execute a contract agreement between the Aleutians East Borough and Professional Growth Systems for strategic planning services in an amount not to exceed \$52,000

In 2017, 2018, 2019 and 2020, the Aleutians East Borough hired Professional Growth Systems (PGS) to provide strategic planning services for the Borough. The objectives included: community engagement, borough strategic planning and follow-up and support. Over the past four years, the Borough conducted planning work sessions that helped identify projects and initiatives that were included the Borough's annual Strategic Plan dating back to 2018.

The Borough would like to continue this strategic planning process for the March 1, 2022 through February 28, 2023 planning cycle and is interested in re-enlisting PGS' services for an amount not to exceed \$52,000. PGS would deliver the Vision Navigation process to develop a strategic plan that builds on the past plans, engage the community through public meetings in the communities, and provide clear project planning for execution. PGS would also provide follow-up and support throughout the year.

Funds are available in line item E 01-200-000-380 Contract Labor for these services.

RECOMMENDATION

Administration recommends approval of Resolution 22-08 authorizing the Mayor to negotiate and execute a contract agreement between the Borough and Professional Growth Systems for strategic planning purposes in an amount not to exceed \$52,000



RESOLUTION 22-08

A RESOLUTION OF THE ALEUTIANS EAST BOROUGH ASSEMBLY AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A CONTRACT AGREEMENT BETWEEN THE ALEUTIANS EAST BOROUGH AND PROFESSIONAL GROWTH SYSTEMS FOR STRATEGIC PLANNING SERVICES IN AN AMOUNT NOT TO EXCEED \$52,000

WHEREAS, in 2017, 2018, 2019 and 2020, the Aleutians East Borough (Borough) hired Professional Growth Systems (PGS) to provide strategic planning services; and

WHEREAS, the strategic planning objectives included: community engagement, borough strategic planning and follow-up and support; and

WHEREAS, over the past four years the Borough conducted planning work sessions that helped identify projects and initiatives that were included in the Borough's Strategic Plan; and

WHEREAS, the results were strategic plans that defined the strategic initiatives, project leads, quarterly outcomes, and year-end targets; and

WHEREAS, the Borough would like to continue this strategic planning process for March 1, 2021 through February 28, 2022; and

WHEREAS, the Borough would like to hire PGS to continue the strategic planning process for the next year in an amount not to exceed \$52,000.

NOW THEREFORE, BE IT RESOLVED, the Aleutians East Borough Assembly authorizes the mayor to negotiate and execute a contract agreement between the Aleutians East Borough and Professional Growth Systems for strategic planning services in an amount not to exceed \$52,000

PASSED AND ADOPTED by the Aleutians East Borough on this 12th day of August, 2021.

Alvin D. Osterback, Mayor

ATTEST:

Tina Anderson, Clerk

CONTRACT FOR PROFESSIONAL SERVICES

Aleutians East Borough
P.O. Box 349
Sand Point, AK 99661

Anchorage Office
3380 C Street, Suite 205
Anchorage, AK 99503

Contract Summary

Project Name: Strategic Planning and Community Engagement Services

Contract Ceiling: Not to Exceed \$46,000

Period of Performance: August 13, 2021 – June 30, 2022

Borough Contact Person:	Contractor Contact:	Professional Growth Systems
Anne Bailey	Person:	John Gregoire, Consultant

Address: 3380 C Street, Suite 205 Anchorage, AK 99503	Address:	911 West 8 th Avenue, Suite 207 Anchorage, AK 99503
Phone: (907) 274-7555		Phone: (907) 240-2575
Fax: (907) 276-7569		

AGREEMENT

The Aleutians East Borough (hereinafter "Borough") and Professional Growth Systems (hereinafter "Engineer") agree as set forth herein.

Section 1. The Borough shall pay the Contractor for the performance of the project work under the terms outlined in this Contract. Payment terms are NET 30.

Section 2. The Contractor shall perform all of the work required by the Contract.

Section 3. The work to be performed under the Contract shall be completed as requested by the Borough.

Section 4. The Contract consists of the following:

1. Contract Cover Sheet
2. Attachment A- Standard Provisions
3. Attachment B – Proposal for Strategic Planning and Community Engagement Services

THIS AGREEMENT TAKES EFFECT THE LAST DATE SHOWN BELOW

Aleutians East Borough

Contractor:

Signature of Certifying Officer

Signature of Contractor

Anne Bailey, Administrator
Printed Name and Title

John Gregoire, CEO
Printed Name and Title

Date: _____

Date: _____

ATTACHMENT A

Aleutians East Borough

STANDARD PROVISIONS

Article 1. Definitions. In this contract, attachments and amendments, "Certifying Officer" means the person who signs this contract on behalf of the Borough and includes a successor or authorized representative.

Article 2. Borough Save Harmless. The Contractor shall indemnify and hold and save the Borough, its officers, agents and employees harmless from liability of any nature or kind, arising from negligence in the Contractor's performance of this contract in any way whatsoever. Such liability may include, but is not limited to, cost and expenses for or on account of any and all legal actions or claims of any person or persons arising from Contractor's negligent performance of this contract in any way whatsoever.

Article 3. Inspection and Retention of Records. The Borough may inspect, in the manner and at reasonable times it considers appropriate, all the Contractor's facilities, records and activities under this contract.

Article 4. Disputes. Any dispute concerning a question of fact arising under this contract which is not disposed of by mutual agreement, shall be decided without bias by the Certifying Officer. The decision shall be in writing and mailed or otherwise furnished to the Contractor. The decision of the Certifying Officer is final and conclusive, unless, within 30 days from the date of receipt of the decision, the Contractor mails or otherwise furnishes a written appeal addressed to the Borough Assembly. The Borough Assembly shall hear the appeal. The decision of the Borough Assembly is final and conclusive. In any proceeding under this Article, the Borough has a right to offer evidence in support of its appeal. Pending final decision of the dispute, the Contractor shall proceed with the performance of the contract in accordance with the Certifying Officer's decision. This section shall not waive the right of either party to pursue legal action.

Article 5. Equal Employment Opportunity (EEO). The Contractor may not discriminate against any employee or applicant for employment because of race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood. The Contractor shall post in a conspicuous place available to employees and applicants for employment, a notice setting out the provisions of this paragraph.

The Contractor shall state, in all solicitations or advertisements for employees to work on Borough funded projects, that it is an equal opportunity employer (EEO) and that all qualified applicants will receive consideration for employment without

regard to race, religion, color, national origin, age, physical handicap, sex, marital status, change in marital status, pregnancy or parenthood.

The Contractor shall include the provisions of the EEO article in every subcontract relating to this contract and shall require the inclusion of these provisions in every agreement entered into by any of its subcontractors, so that those provisions will be binding upon each subcontractor.

Article 6. Termination. The Certifying Officer, by written notice, may terminate this contract, in whole or in part, when it is in the best interest of the Borough. The Borough is liable only for payment in accordance with the provisions of this contract for services rendered before the effective date of termination.

Article 7. No Assignment or Delegation. This contract is nontransferable and the Contractor may not assign or delegate this contract, or any part of it, or any right to any of the money to be paid under it, except with the written consent of the Certifying Officer.

Article 8. No Additional Work or Material. No claims will be allowed for services, which are performed or furnished by the Contractor, not specifically provided for in this contract.

Article 9. Independent Contractor. The Contractor and any agents and employees of the Contractor act in an independent capacity and are not officers or employees or agents of the Borough in the performance of this contract.

Article 10. Payment of Taxes. As a condition of this contract, the Contractor shall pay all Federal, State and local taxes incurred by the Contractor and shall require their payment by a subcontractor or any other persons in the performance of this contract.

Article 11. Workers' Compensation Insurance. The Contractor shall provide and maintain workers' compensation insurance as required by AS 23.30 for all employees engaged in work under this contract.

Article 12. Insurance. The Contractor is responsible for obtaining any and all necessary liability insurance.

Article 13. Governing Law. This contract is governed by the laws of the State of Alaska and the Aleutians East Borough Code of Ordinances and the Contractor shall perform all aspects of this project in compliance with all appropriate laws and regulations. It is the responsibility of the Contractor to ensure that all permits required by the Federal, State or local governments have been obtained for the performance of the services indicated in Attachment B.

Article 14. Officials Not to Benefit. No member of or delegate to Congress or the Legislature or officials or employees of the State or Federal government may share in any part of this contract or in any profit to arise from it.

Article 15. Covenant Against Contingent Fees. The Contractor warrants that no person or agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, contingent fee, or brokerage, except employees or agencies maintained by the Contractor for the purpose of securing business. For the breach or violation of this warranty, the Borough may terminate this contract without liability or in its discretion, deduct from the contract price or consideration the full amount of the commission, percentage, brokerage, or contingent fee.

Article 16. Changes. Any changes, which have been agreed to by both parties, will be attached and made a part of this contract by use of an amendment. Any such amendment must be signed by both parties before the change is considered official and approved.

Article 17. Public Purposes. The Contractor agrees that the project to which this contract relates shall be dedicated to public purposes for its useful life. The benefits of the project shall be made available without regard to race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy or parenthood.

Article 18. Reporting Requirements. The Contractor shall submit to the Borough, a report each month on the progress of the performance of this contract. Reports are due 20 days following the completion of each month and delinquent if not received by the due date. The contractor is also responsible for the completion of all appropriate reporting to the Alaska Department of Labor.

Article 19. Right to Withhold Funds. The Borough may withhold payments under this contract if reports required in Article 18 above are incomplete or delinquent. The Borough may also withhold payments under this contract for any other violation of this contract.

Article 20. Sovereign Immunity. If the Contractor is an entity which possesses sovereign immunity, it has been required as a condition of this contract to irrevocably waive its sovereign immunity with respect to this contract as well as any action arising out of the performance of the terms of this contract. The waiver of sovereign immunity, effected by a resolution of the entity's governing body, is hereby incorporated into this contract.

Proposal for Strategic Planning Services

Presented to Aleutians East Borough
August, 2021



Vision **Navigation**®

Clear vision, focused strategies, real results.

Professional Growth Systems

721 Depot Drive
Anchorage, Alaska 99501

Office 907.276.4414

Fax 907.276.4419

Toll Free 877.276.4414

www.professionalgrowthsystems.com

Objectives

Among the results to be achieved from partnering between the Aleutians East Borough and Professional Growth Systems are the following:

Borough Community Outreach and Engagement: PGS will work with AEB staff to design and deliver community engagement meetings in each community. Community engagement feedback will be compiled and presented to the Assembly.

Borough Strategic Planning: Professional Growth Systems will deliver the Vision Navigation process to develop a strategic plan that builds on the work from previous plans, engages the community through select representatives, and provides clear project planning and project execution map.

Follow-up and support: PGS will provide strategic plan execution support and follow-up on a quarterly basis including a mid-year course correct session to make necessary adjustments to the plan as need is identified.

Measures of Success

We will know we have been successful in this project when we have manifest the following:

A comprehensive strategic plan for the Borough that is actionable, measurable, and identifies key plan participants.

Methodology

- A. PGS will meet with community administrators (or select leaders) to prepare them to gather information from communities in preparation for the strategic planning retreat. All meetings can be conducted virtually. Additional time commitments may be needed to complete specific processes.
- B. PGS and Members of the Borough Administration will visit each community to complete a community strategy session in preparation for the December planning event
- C. PGS will lead the borough through the Vision navigation process including presentations from key stake holders, and detailed project planning to ensure the Borough has an achievable strategic plan. Design and delivery options will be identified in partnership with the Borough. The process is subject to change as needed to address safety concerns.
- D. PGS will compile collected data and build a visual Vision Navigation chart that will be used to promote and monitor progress on the strategic plan.
- E. The 2022 strategic plan will include an annual subsection to the VN Portal project management system. PGS will provide software training and support to select members of the planning team.
- F. PGS Will hold quarterly follow-up meetings and a mid-year course correction meeting to identify opportunities for improvement and to document necessary changes to the strategic plan as need is identified throughout the plan execution year.

Staffing

The bulk of the above scope of work will be delivered by John Gregoire. Depending upon the performance targets and identified need, specialists on the PGS staff may be brought in to deliver content or assist in facilitation throughout the engagement.

Terms and Conditions

The proposed project cost is \$52,000.

Payment terms:

An initial installment of \$8000 is due upon acceptance of this proposal. The fees and expenses for accomplishing the objectives thereafter will be billed on a monthly basis beginning in the month of September.

The fee structure does not include the cost of travel or lodging. Travel could be organized by PGS and included in the monthly billing or could be arranged and paid for by the AEB directly.

PGS will assume responsibility to deliver the project under the not to exceed amount of \$52,000. In the event that unforeseen challenges or circumstances make it impossible to achieve the outlined results within the not to exceed limit PGS will submit a revised request to AEB. PGS will not execute work beyond the above fee without the approval of AEB.

Professional Growth Systems commits to provide whatever assistance is needed to meet the stated objectives and measurable outcomes.

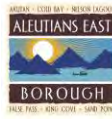
Acceptance

This proposal is accepted and forms an agreement between Aleutians East Borough and Professional Growth Systems, Inc.

For Professional Growth Systems:

For Aleutians East Borough

John Gregoire, Consultant



Agenda Statement

Date: August 4, 2021

To: Mayor Osterback and Assembly

From: Anne Bailey, Borough Administrator
Mary Tesche, Assistant Borough Administrator

Re: Resolution 22-09, Authorizing the Mayor to Negotiate and Execute a Contract with F&W Construction Company, Inc to complete the Cold Bay Terminal Expansion project in an amount not to exceed \$1,000,000, and appropriating \$200,000 in Borough Alaska Municipal League Investment Pool funds to the project

Borough Administration has been directed to expand the Cold Bay Terminal Facility to accommodate additional space for social distancing due to the COVID-19 emergency. DOWL has been contracted to perform a Feasibility Study, 10% Conceptual Design, and 35% Design and Construction Manager-General Contractor (GMGC) Contractor Solicitation and Selection, 65% Design and Guaranteed Maximum Price, 100% (Final) Design and to assist with contract negotiations. The Feasibility Study has been completed; DOWL is in the process of completing the 65% design and successfully selected F&W Construction Company, Inc. (F&W) through a solicitation process to assist with preconstruction services.

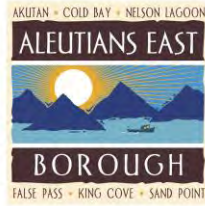
F&W has not submitted their cost estimate for the entire project yet; however, Administration anticipates the cost to construct the facility to be approximately \$1,000,000. In order to expedite the project, Administration is requesting the mayor receive authorization to negotiate and execute a contract with F&W to complete the Terminal Expansion in an amount not to exceed \$1,000,000.

F&W has been meeting with DOWL, ECI and the Borough to discuss the project. F&W has been in contact with suppliers and identified that some of the items need to be ordered and shipped early to conduct the work. Therefore, they are requesting a Limited Notice to Proceed in an amount not to exceed \$80,000 for the purposes of mobilization of F&W equipment to the site on the ferry and procurement of the structural insulated panels, manhole, pipe, and castings.

The Borough has approximately \$854,000 in CARES Act funds to pay for a portion of this, but the rest will need to be appropriated from the Borough's General Fund. Project management and engineering services are not included in the anticipated construction costs. Therefore, Administration is requesting the Assembly to appropriate \$200,000 in Alaska Municipal Investment Pool (AMLIP) to complete the project. Any funds that are not used, would be appropriated back to the AMLIP portfolio.

Recommendation

Administration recommends approval of Resolution 22-09, Authorizing the Mayor to Negotiate and Execute a Contract with F&W Construction Company, Inc to complete the Cold Bay Terminal Expansion project in an amount not to exceed \$1,000,000, and appropriating \$200,000 in Borough Alaska Municipal League Investment Pool funds to the project.



Resolution 22-09

A RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A CONTRACT WITH F&W CONSTRUCTION COMPANY, INC TO COMPLETE THE COLD BAY TERMINAL EXPANSION PROJECT IN AN AMOUNT NOT TO EXCEED \$1,000,000, AND APPROPRIATING \$200,000 IN BOROUGH ALASKA MUNICIPAL LEAGUE INVESTMENT POOL FUNDS TO THE PROJECT

WHEREAS, the Borough has been directed to expand the Cold Bay Terminal Facility to accommodate additional space for social distancing due to the COVID-19 emergency; and

WHEREAS, DOWL has been contracted to perform a Feasibility Study, 10% Conceptual Design, and 35% Design, Construction Manager-General Contractor (GMGC) Contractor Solicitation and Selection, 65% Design and Guaranteed Maximum Price, 100% (Final) Design and to assist with negotiations; and

WHEREAS, the feasibility study has been completed and DOWL is in the process of completing the 65% design and successfully selected F&W Construction Company, Inc (F&W) through a solicitation process to assist with preconstruction services; and

WHEREAS, F&W has been meeting with DOWL, ECI and the Borough to discuss the project; and

WHEREAS, F&W has not submitted their cost estimate for the entire project; however Administration anticipates the cost to construct the facility to be approximately \$1,000,000; and

WHEREAS, to expedite the project, Administration is requesting the mayor receive authorization to negotiate and execute a contract with F&W to complete the Terminal Expansion in an amount not to exceed \$1,000,000; and

WHEREAS, F&W has been in contact with suppliers and identified that some of the items need to be ordered and shipped early to conduct the work and has requested a Limited Notice to Proceed in an amount not to exceed \$80,000 for the purposes of mobilizing F&W equipment to the site on the ferry and procuring the structural insulated panels, manhole, pip, and castings; and

WHEREAS, the Borough has approximately \$854,000 in Borough CARES Act funds to pay for a portion of this, but the rest will need to be appropriated from the Borough's General Fund; and

WHEREAS, Administration is requesting the Assembly to appropriate \$200,000 in Alaska Municipal Investment Pool (AMLIP) to complete the project; and

WHEREAS, any funds that are not used, would be appropriated back to the AMLIP portfolio.

NOW THEREFORE, BE IT RESOLVE, the Aleutians East Borough Assembly authorizes the Borough Mayor to Negotiate and Execute a Contract with F&W Construction Company, Inc to complete the Cold Bay Terminal Expansion project in an amount not to exceed \$1,000,000.

NOW THEREFORE, BE IT FURTHER RESOLVED, the Aleutians East Borough Assembly authorizes a Limited Notice to Proceed; and

NOW THEREFORE, BE IT FURTHER RESOLVED, the Aleutians East Borough Assembly authorizes the appropriation of \$200,000 from the Borough's Alaska Municipal League Investment Pool to the project.

PASSED AND APPROVED by the Aleutians East Borough on this day August 12, 2021.

Alvin D. Osterback, Mayor

ATTEST:

Tina Anderson, Borough Clerk

OLD BUSINESS

NONE

New Business

REPORTS AND UPDATES



To: Honorable Mayor Osterback and AEB Assembly
From: Anne Bailey, Borough Administrator
Subject: Assembly Report
Date: August 4, 2021

CARES Act Funding Update

Summary of Funding

The Aleutians East Borough has received the \$3,723,853.74 in CARES Act funds from the State of Alaska. As of July 31, 2021, the Borough has expended \$2,759,536.40 in CARES Act funds, which leaves a balance of \$964,317.34 to be spent. An overview of CARES Act funds expenditures through July 31, 2021 can be found below:

Borough CARES Act Funding Program Allocations

Borough CARES Act Expenditures	Funding Appropriated	Funding Spent	Funding Remaining
EAES Program	\$467,964.46	(\$467,964.46)	\$0.00
Non-Profit & Civic Organization Program	\$100,000.00	(\$100,000.00)	\$0.00
Cold Bay Community Center Conversion	\$400,000.00	(\$322,359.62)	\$77,640.38
PPE and Cleaning Supplies	\$25,000.00	(\$23,566.74)	\$1,433.26
Payroll	\$192,632.45	(\$192,632.45)	\$0.00
Legal Fees	\$90,000.00	(\$79,926.37)	\$10,073.63
Telephone	\$2,748.15	(\$2,748.15)	\$0.00
AML	\$2,500.00	(\$2,500.00)	\$0.00
KSDP	\$70,237.31	(\$70,237.31)	\$0.00
Election	\$3,242.70	(\$3,242.70)	\$0.00
Southwest Governments	\$3,029.10	(\$3,029.10)	\$0.00
Air Purification Systems – SP and KC	\$82,489.00	(\$82,489.00)	\$0.00
Postponement or Revision of Projects	\$350,204.50	(\$329,493.03)	\$20,711.47
EAT	\$152,894.14	(\$152,894.14)	\$0.00
Food Distribution Program	\$900,347.32	(\$900,347.32)	\$0.00
Telework Reimbursement Program	\$9,048.97	(\$8,798.97)	\$250.00

Air Purification – FP and Akutan	\$14,189.35	(\$14,189.35)	\$0.00
Cold Bay Benches	\$3,117.68	(\$3,117.68)	\$0.00
Cold Bay Terminal	\$854,208.60	(\$0.00)	\$854,208.60
TOTAL	\$3,723,853.74	(\$2,759,536.40)	\$964,317.34
Appropriated to complete existing appropriations			
	\$964,317.34		

Cold Bay Terminal

- Alaska Airlines:
 - On July 22 and 29, 2021, Mayor Osterback and Administration met with Alaska Airlines and TSA to discuss the Cold Bay closure. Alaska Airlines last flight day is still scheduled for August 14, 2021. Both entities are determining how to transport their equipment and other logistics.
- Terminal Expansion:
 - On April 14, 2021, Administration authorized DOWL to complete the 35% design and on April 20, 2021, the Borough authorized DOWL to conduct the CM-GC Contractor Solicitation and Selection.
 - On May 6, 2021, Administration authorized DOWL to assist with the construction contract.
 - The schedule to complete the project is really aggressive. The plan is to solicit a contractor the week of May 10, 2021 and reach substantial completion by December 2021. This is contingent on being able to hire a contractor to complete the work.
 - On April 28, 2021, Anne, DOWL and ECI conducted a site visit of the Cold Bay Terminal. Will be meeting with DOWL/ECI on May 10, 2021 to discuss next steps.
 - The Construction Manager/General Contractor Request for Proposal Solicitation was issued on May 17, 2021.
 - On May 20, 2021, Administration authorized DOWL to assist with permitting assistance for the Terminal. DOWL's work includes work on the building permit, the FAA form and preparing the Construction Safety Phasing Plan.
 - On May 28, 2021, Administration authorized DOWL to complete the 65% Design, 100% Design and Construction Negotiations.
 - On June 7, 2021, the Borough received 4 proposals from contractors for the Construction Manager/General Contractor work. The selection committee met on June 11, 2021 and selected F&W for preconstruction services. F&W submitted the most responsive proposal and had a fee of \$7,700 for pre-construction services. DOWL is finalizing the contract for pre-construction services, which Administration hopes to review and sign next week.
 - The Fire Marshal Permit has been submitted to the State. The Borough paid the permit fee on July 15, 2021. The State Building Permit has also been submitted.
 - The F&W Preconstruction Services Contract was fully executed on July 21, 2021.

- DOWL, F&W and Borough staff are meeting weekly to discuss the project. The 65% design should be completed soon.

Cold Bay School

- On March 11, 2021, the Borough issued an interest/proposal from public and private entities for the Cold Bay School. We received two proposals by the April 1, 2021 deadline. Administration reviewed and decided to go with Gould Construction, who is a locally owned business with experience working in the region.
- Ordinance 21-01 authorizing the assignment of certain real property leased by the Aleutians East Borough and Ordinance 22-02 authorizing the sale of certain real property owned by the Aleutians East Borough were tabled at the July 8, 2021 meeting.

Sand Point and Akutan Harbor Grant Submission

- On July 29, 2021, Moffatt & Nichol submitted the Port Infrastructure Development Program grant for the Sand Point & Akutan Harbors Floating Docks Project. The grant request was for \$18,696,000.
- On July 12, 2021, Moffatt & Nichol submitted the Rebuilding American Infrastructure with Sustainability and Equity Grant Application and Benefit-Cost Analysis for the Akutan Harbor Floating Dock Project. The grant request was for \$10,476,000.
- Administration will be submitting the State of Alaska Harbor Municipal grant application for the Sand Point Harbor prior to the August 16, 2021 deadline. The Borough will be requesting \$4,125,000 for this project.

King Cove Road Update

- 9th Circuit Appeal: Oral argument on our Land Exchange case occurred virtually on August 4, 2021. The Federal, State and King Cove Group attorneys presented their approach for the 20 minutes allotted for the argument. The case has now been submitted to the three-judge panel, but a decision is not expected for a number of months.
- Special Use Permit: The State successfully performed field work on the King Cove owned land within the refuge. The remaining land on which the State wants to perform field work is still under permit review by US Fish and Wildlife Service (USFWS). We hope and expect that the Special Use Permit (SUP) for 2021 field work by the State of Alaska will be issued by September 1, 2021. The State has contracts in place and is gearing up for this work to be performed once the SUP is issued.

The State, the Borough and King Cove continue to work closely and hard with the State to obtain the SUP referenced above. The Alaska Congressional Delegation is all pushing the Department of Interior (DOI) to finalize this permit to allow additional field work by the State DOT in the Section 1110(b) application. Both agencies, DOI and the Army Corps of Engineers have told the State that this additional information, which can only be obtained with this field work, is needed to complete the application. The agencies are in consultation as to next steps on this process.

- Interior Secretary Deb Haaland's Scheduling office has now scheduled the virtual meeting with the King Cove tribes, King Cove Corporation, Aleutians East Borough and City of King Cove for August 16, at noon AK time.
- The King Cove Tribes, King Cove Corporation, Aleutians East Borough and City of King Cove are working with the Alaska Congressional Delegation to obtain a one-day visit to King Cove by Secretary Haaland. This visit has now been tentatively scheduled for September 17 or 18 when she visits Alaska to tour various sites and obtain more information on issues including the King Cove access needs.

Nelson Lagoon Dock Repairs Project

Heko Services barge arrived in Nelson Lagoon on May 31, 2021 and the divers arrived on June 6, 2021. The crew has installed the piles and anodes and are completing the work on the topside of the dock. Additional damage was identified while the crew was onsite. On July 1, 2021, Administration entered into Change Order No. 3 to repair additional cracked welds on the exiting steel fender system. The cost for this is an additional \$6,080.77, which is within the projects budget.

While on site, Heko identified additional work that needed to occur. Pile H8's damage ran deeper than anticipated and requires additional work to facilitate a more complete repair. Administration thought it was prudent to completed the work and signed Change Order No. 4 on July 29, 2021, increasing the contract value by a not to exceed amount of \$59,010.12. This will be billed on a Time & Materials basis. Credit will be applied to the contract at a rate of \$4,219.62 for each day under 10 that the work is completed early. Heko will be going to Nelson Lagoon in mid-August to conduct the work. Typically, this would be brought before the Assembly for approval but due to the timing and need of the repair Administration determined to proceed since the item could not wait for the August 12th. There is ~ \$153,000 available in line item E 20-862-209-850 for the remaining work for the Nelson Lagoon Dock. If Heko expends the entire \$59,010.12, then the Borough will be short ~\$14,000, which will be covered out of the project contingency line item.

Akun Dock and Breakwater

On July 19, 2021, the Borough received the fully executed Tribal Partnership Program Agreement for the Akun Dock and Breakwater. Administration will begin working with the Army Corps to set up meetings to scope out the specific work requirements and determine when a site visit will work best. The funds covered by the Section 1156 cost-share waiver (\$511,000) are presently at the District, and will be used to expedite work that can be accomplished right away to speed up the study processes. No cost-share funds are required from the Borough at this time. A letter will be sent about 60-days in advance of any cost-share funds being required.

On July 29, 2021, the Mayor and Administration met with the Army Corps to “kick-off” the project. The Corps will be looking further at different alternatives, the Benefit Cost Analysis and what type of survey data needs to occur in the fall. A charrette (meeting) will be scheduled in the fall to get public input and look at options for the facility.

Power Cost Equalization Lawsuit

The Borough has decided to participate in litigation in relation to Power Cost Equalization

(PCE). Holmes Weddle & Barcott is representing the Borough, the Alaska Federation of Natives, the City of Saint Paul, City and Borough of Yakutat, City of Sand Point, City of Adak, the Curyung Tribal Council, City of Bethel, Maniilaq Association, and the Kake Tribal Council in connection with litigation relating to the Governor's decision to sweep the PCE Endowment Fund into the Constitutional Budget reserve, which immediately disrupted PCE's function. The Borough has contributed \$10,000 to this effort, which was paid for out of line item E 01-900-000-753 Misc Expenses. The impacts initiated by the Governor will have impacts on the majority of the Borough communities. In FY2020, PCE payments for the following Borough communities were made: Akutan (utility: City of Akutan) \$223,524; Cold Bay (utility: G & K Inc.) \$52,041; False Pass (utility: City of False Pass) \$28,840; Nelson Lagoon (utility: Nelson Lagoon Electrical Coop) \$51,353; and Sand Point (utility: TDX Corporation) \$510,271. Please note, King Cove has not received PCE payments since FY 2017. The attorney's submitted the filing on July 19, 2021; the State replied in support of motion for expedited consideration on July 20, 2021 and the court provided a notice and order regarding expedited consideration on July 22, 2021. The briefs shall be filed as followed: 1) Governor's Opposition and Cross-Motion for Summary Judgement by noon on July 27, 2021 2) Plaintiff's Reply in support of Motion for Summary Judgement and Opposition to Cross-Motion for summary Judgement on July 30th 3) Governor's Reply in support of Cross-Motion for Summary Judgement by August 3, 2021 and 4) Oral Argument is scheduled for August 5, 2021 from 2:00 – 2:45 p.m. On July 27, 2021, the Court issued a Notice Rescheduling Oral Argument which is now scheduled for August 5, 2021 between 8:30 a.m. and 9:15 a.m.

Strategic Plan

To date, I have been able to complete numerous Quarter 2 initiatives on the Strategic Plan:

- Government & Policy Advocacy 2021 - 2.1.2 Public Comment/Outreach Strategy Created
- Cold Bay Dock Repairs 2021 - 3.2.1 Reconnaissance/Feasibility Study Outcome Targets Identified
- Harbor Floats Systems Sand Point/Akutan 2021 – 3.3.3 Funding Determined
- Harbor Floats Systems Sand Point/Akutan 2021 – 3.3.4 Grant Writer Hired
- Harbor Floats Systems Sand Point/Akutan 2021 – 3.3.5 Grant Application(s) Initiated (Q3 Initiative)
- Akun Dock & Breakwater 2021 – 3.4.1 Feasibility agreements signed
- Akun Dock & Breakwater 2021 – 3.4.2 Feasibility study initiated
- Deferred Maintenance – 4.3.2 Funding Appropriated
- Cold Bay School – 5.1.3 Options for disposal researched
- Cold Bay School – 5.1.4 Steps to transfer/demolish identified (Q3 initiative)
- Cold Bay School – 5.1.5 Transfer or demolition initiated (Q3 initiative)

Other Items

- The Akutan Essential Air Service order was finally released and the Borough and Maritime finalized the helicopter services agreement on July 9, 2021.
- I have also been continuously conducting day to day operations.

If you have any questions, comments, or concerns please contact me at (907) 317-1498 or abailey@aeboro.org.

To: The Honorable Mayor Osterback, AEB Assembly
From: Mary Tesche, Assistant Administrator
Subject: Assembly Report
Date: August 6, 2021



Strategic Plan Update

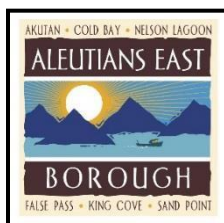
Cold Bay Clinic – Discussions are still ongoing for the clinic project. Eastern Aleutian Tribes recently conducted a facility assessment of the existing clinic to evaluate whether rehabilitation of the facility could be a solution to the project. We are still waiting on the final assessment but EAT but generally the building is sound but requires a lot of work. As of now a final solution has not been determined.

Employee Handbook Update – I had originally planned to present the updated handbook to the Assembly this month, but due to unforeseen circumstances this will be presented at a later date.

Other Items & Announcements

- I attended the Alaska Municipal League summer legislative conference in Fairbanks August 2-6. I worked to finalize plans for the AMMA portion of the conference this month.
- We are officially recruiting for my position as of 8/2 through Alaska Executive Search
- Elder Interviews are happening in King Cove the week of August 12 – contact Glennora if interested
- Other projects and initiatives I've been involved with this month include:
 - Cold Bay Airport Terminal Expansion
 - Nelson Lagoon Dock project meetings
 - Conducted a cyber security training with staff
 - Items related to the TSA & Alaska Airlines departure from Cold Bay
 - Preparation for the upcoming strategic plan cycle with PGS
 - Meetings related to the Akun breakwater and dock project

Please contact me at mtesche@aeboro.org with any questions or comments. Have a good summer!



To: Honorable Mayor Alvin Osterback and Aleutians East Borough Assembly
From: Laura Tanis, AEB Communications Director
Through: Anne Bailey, AEB Administrator
Subject: Communications Director's Report to the Assembly
Date: August 5, 2021

Website Design for the Strategic Plan:

I'm currently working with the scoring committee for the selection of the website designer/host. Nine designers submitted proposals in response to our RFP that we issued. So I'm reading the proposals and scoring them on several different criteria, including: firm qualifications and experience, firm resources, project understanding and project methodology. After that process is complete, we will meet with the committee to consider the fee proposals. Following that, we will bring the committee's selected website designer/host in front of the assembly for your consideration.



Annual Report

The mayor, Anne and Mary have reviewed a few drafts of the FY 21 annual report. I'm putting in the last-minute edits into the Borough's annual report, which include photos and captions. After that, I will include some figures from the June financials. At that point, we'll have one last review of the document, and then it can be sent to the printer.

House Comprehensive Fiscal Plan Working Group

I provided in-person testimony at the Anchorage Legislative Information Office regarding the state budget fiscal plan. Representatives Jonathan Kreiss-Tomkins, Calvin Schrage and Kevin McCabe presided on the panel. Basically, the testimony discussed supporting the need for a balanced approach between the PFD and support for state services. It also stated that it's clear the 50/50 split proposed by the governor and others is not affordable without huge and unacceptable service cuts and cost shifting to local governments. On behalf of the borough, I stated that the Borough asks that the legislature fully fund school bond debt reimbursement, community assistance, the PCE, and school

construction or major maintenance.

In the Loop:

The most recent *In the Loop* newsletter that was sent out on July 29th included three stories. One of them was about the 8.2 magnitude earthquake that struck the day before, on July 28th. It included interviews with several community officials as to how residents responded by going to higher ground in a timely manner. Thankfully, damage was minimal and included things falling off of shelves.

The second story was about a cleanup project that the U.S. Army Corps of Engineers is currently working on on Tigalda Island, which is located about 33 miles away from Akutan. The Corp is removing petroleum-contaminated soil from the southeast end of the island. This locations was a formerly used defense site associated with the former aircraft warning service station radar facility, which became operational in 1944. The purpose of the AWS station was to provide navigational and early warning support for military defense of the Aleutian



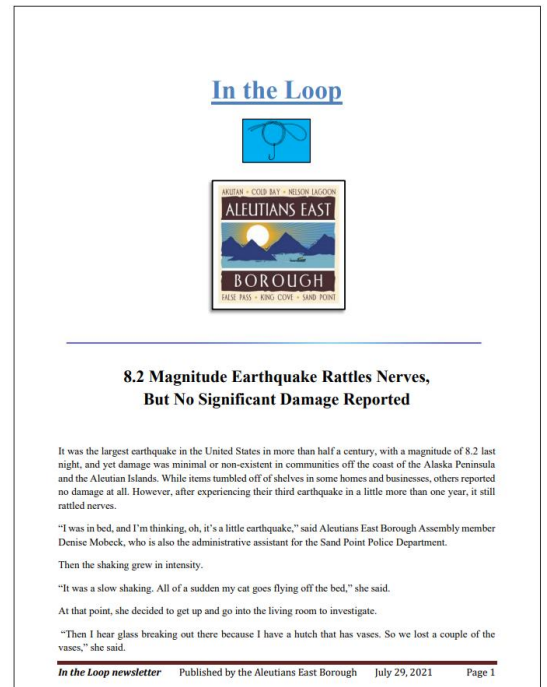
Tigalda Island

Islands during World War II. The station was comprised of a 14-building arrangement. A mini excavator was flown in by helicopter. Excavations will occur at three former building locations that have soil contamination above Alaska Department of Environmental Conservation cleanup standards. This will be the sixth visit to the island by the Corps. Anticipated completion of this project is August 16th.

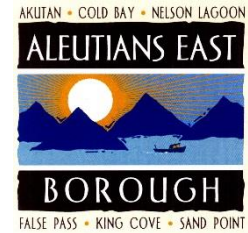
The newsletter also included a story on the first-ever Pink Walk in Sand Point, to help raise awareness about breast cancer and honor a member of the community who passed away a year ago. Donations went to the local cancer fund and the Baptist church. The Sand Point community came out in force to support this event, which was followed by a BBQ and a pink party.

Miscellaneous items include:

- Updates to our Facebook page and the newsletters as needed;
- Continuing work on the Borough's Strategic Plan.



To: The Honorable Mayor Osterback, Aleutians East Borough Assembly
From: Ernie Weiss, Natural Resources Director
Subj: Report to the Assembly
Date: August 6, 2021



Salmon

Many of you have seen the [article](#) describing Kuskokwim request of the Governor regarding low Kuskokwim chum and chinook returns. The article incorrectly refers to Area M mixed-stock fishery harvests as 'bycatch'. We have been in contact with ADFG in Kodiak and will continue to follow-up. Area M June 2021 harvest of chum (numbers of fish) was the highest since at least 2008, however it is thought that a large percentage of these chum are Asia-bound, not bound for AYK. We are pleased that Chignik fishermen have been fishing this season with a solid second-run for the area.

Alaska Board of Fisheries

With all Board of Fish cycles moved forward one year, the call for proposals is out for the 2022/2023 cycle including for Bristol Bay, AYK; Alaska Peninsula, BSAI and Chignik. Deadline for proposals is April 11, 2022. Our Pacific cod meeting is scheduled for October 2022 and our salmon meeting February 2023. Agenda change requests (ACRs) for the current cycle are due August 23, 2021. The next meeting of the Board is the Work Session to consider ACRs and other business, October 20-21 2021 at the Egan Center in Anchorage. [Board of Fisheries link](#).

North Pacific Fishery Management Council

The October meeting of the Council is still scheduled to be in person at the Anchorage Hilton for the Council only, not for the AP, SSC or other committees. The Council has not met in person since February 2020. Major final action scheduled for October is the BSAI Pcod Trawl CV Program. The AEB is advocating stringent sideboards for the WGOA and as much on-shore processing as possible through the program. Delaying action may be advantageous.

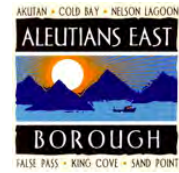
Final action for the BSAI Halibut Abundance Based Management Program is scheduled for December, another major program.

Magnuson-Stevens Fishery Conservation and Management Act Reauthorization

The AEB has signed onto an Alaska Fishing Communities [letter of support](#) for the [proposed legislation](#) by Congressman Huffman of California to reauthorize the MSA. The MSA has not been updated since 2006

Please call if you have any questions or concerns.

To: Honorable Mayor Osterback, Aleutians East Borough Assembly
From: Charlotte Levy, Natural Resources Assistant Director
Re: Report to the Assembly
Date: August 12th, 2021



Electronic Monitoring - WGOA2/EFP:

- I met with NMFS and the project team to discuss possible issues for the upcoming season, including tender split offloads. Split offloads will continue to not be allowed until we can fully understand the impact to observer data and catch accounting. Saltwater adjusted data review protocols to align with PSMFC. We are preparing for a preseason meeting at the end of August.
- I am awaiting approval of a recent grant amendment so I can submit the final reimbursement request for FY21.
- I have been asked to write a human interest piece on the WGOA data modernization work for EM4Fish.

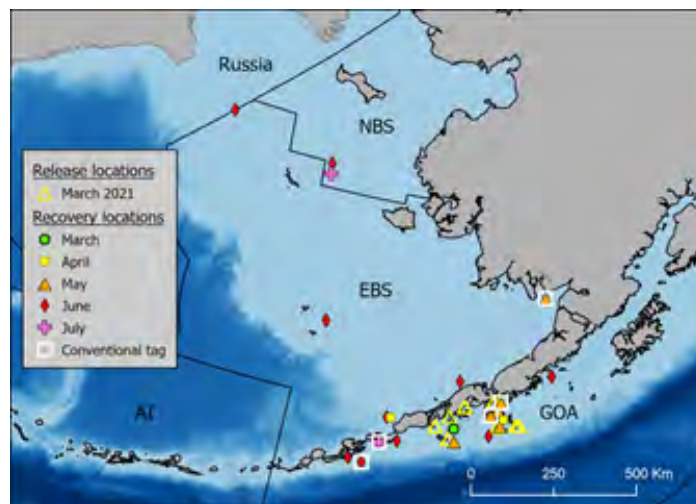
WGOA Data Portal:

- The data portal is tracking along as expected. I am working on the Q2 report to Net Gains Alliance.
- I have been asked to speak at a panel on data modernization at the Pacific Marine Expo.

Mariculture:

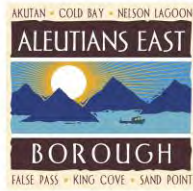
- I am preparing to conduct the second research cruise to collect baseline data, that will conclude the NFWF project. Once dates and logistics are decided, I will go out to bid for the charter.
- I am working with ASG Agent Melissa Good on our ASG funded project. We are working with Blue Evolution in Kodiak to develop seed collection protocols, and they will be providing nursery services. We have identified a local who is interested in working the farm; ASG will provide and oversee the contract.

AFSC Cod Tagging Project: By the end of July of 2021, we received locations for 16 satellite tagged fish and 5 conventionally tagged fish (Figure 2). While some tagged fish remained in the release area through June, others moved more than 1000 km to Bristol Bay, the northern Bering Sea, and Russia. These preliminary results indicate that the WGOA and the Bering Sea regions are connected through seasonal migration.



Other - Salmon Research

- I am currently writing a brief report on WASSIP data for chum salmon. Ernie and I are working with Alvin to develop response strategies to any potential ACR for the August 23rd deadline.



To: Honorable Mayor Osterback and AEB Assembly
From: Emil Mobeck, Maintenance Director
Subject: Assembly Report
Date: 08/12/2021

Ongoing Maintenance Projects

I have the rest of the materials needed to finish False Pass school circulation pumps and air handler on my return there. Hope to get the other two sides of the office in King Cove painted at the end of the month when we hope to get better weather. Getting information up on our CIP grant application for Sand Point school.

Strategic Plan Update

- My list is all complete now just looking to put dollar figures to them.

Other Borough Related Items

Going to be going to Cold Bay and work at the terminal with lighting, signs, and boiler tune ups.

Upcoming Projects

We have the addition starting up in the Cold Bay terminal which is on fast track to be completed by the end of the year. Staying busy traveling.

If you have any questions, comments or concerns please contact me at (907) 383-2699 or emobeck@aeboro.org.

Assembly Comments

Public Comments

Date & Location of Next Meeting

Adjournment