

RESOLUTION 27-13

A RESOLUTION OF THE ALEUTIANS EAST BOROUGH ASSEMBLY AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A CONTRACT AMENDMENT WITH THE LAW OFFICE OF JAMES F. CLARK TO PROVIDE LEGAL REPRESENTATION FOR THE LAND EXCHANGE IN AN AMOUNT NOT TO EXCEED \$157,500

WHEREAS, at the December 11, 2025 Assembly Meeting the Assembly approved Resolution 26-24 authorizing the Mayor to negotiate and execute an Agreement with the Law Office of James F. Clark to provide legal representation for the Land Exchange in an amount not to exceed \$150,000;

WHEREAS, December 16, 2025, the Borough and Jim Clark entered into an agreement with Law Offices of James F. Clark in an amount not to exceed \$120,000 and had a \$30,000 contingency fund available in case an amendment needed to occur; and

WHEREAS, due to the complexity of the issue, additional legal representation is needed to continue to respond to pending motions before the Alaska District Court and to appeal to the Ninth Circuit seeking reversal of some issues and affirmation of other issues on behalf of the King Cove Corporation, the Borough, and the City of King Cove in support of obtaining the permits and authorizations needed to construct the King Cove to Cold Bay Road; and

WHEREAS, the Law Office of James F. Clark has submitted a proposal requesting addition funds to provide legal representation and the contractual compliance and funding relationship for the work will be between the Borough and the Law Office of James F. Clark and legal and technical tasks will represent the King Cove Corporation, the Borough and the City of King Cove; and

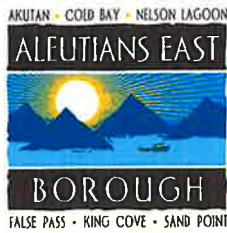
WHEREAS, the original contract with the Law Offices of James F. Clark's was \$150,000 (\$120,000 with a \$30,000 contingency fee); and

WHEREAS, the Borough would enter into a contract amendment with the Law Offices of James F. Clark in an amount not to exceed \$157,500; and

WHEREAS, the total amount of funds allotted for legal representation with the Law Offices of James F. Clark will be an amount not to exceed \$307,500; and

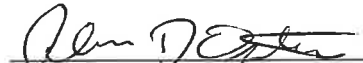
WHEREAS, funds for this expense would come from the Borough's King Cove Access Project State of Alaska Department of Commerce, Community and Economic Development Designated Legislative Grant, Borough account number E 20-701-8050 Capital Construction.

NOW THEREFORE, BE IT RESOLVED, the Aleutians East Borough Assembly authorizes the Mayor to negotiate and execute a Contract Amendment with the Law Offices of

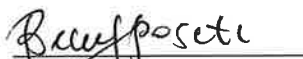


James F. Clark to provide legal representation for the King Cove Road in an amount not to exceed \$157,500.

PASSED AND ADOPTED by the Aleutians East Borough on this 10th day of September, 2026.


Alvin D. Osterback, Mayor

ATTEST:


Beverly Rosete, Clerk