

Proposed by:	Administration
Attorney Review:	03/23/2017
Vote:	6 Aye 0 Nay 0 Absent

**MUNICIPALITY OF SKAGWAY, ALASKA  
RESOLUTION NO. 17-06R**

**A RESOLUTION OF THE MUNICIPALITY OF SKAGWAY, ALASKA, APPROVING CERTAIN UNINCORPORATED COMMUNITIES AND THEIR RESPECTIVE NATIVE VILLAGE COUNCIL AND/OR INCORPORATED NONPROFIT ENTITY FOR PARTICIPATION IN THE FY18 COMMUNITY ASSISTANCE PROGRAM.**

**WHEREAS**, AS 29.60.865 and 3 AAC 180.070 require the assembly of a borough or unified municipality to adopt a resolution identifying those unincorporated communities located within their municipal boundaries that the assembly determines meet the Community Assistance Program eligibility criteria established under AS 29.60.865, AS 29.60.879, and 3 AAC 180.110; and

**WHEREAS**, the unincorporated community has either a Native village council or incorporated nonprofit entity that will agree to receive and spend the Community Assistance payment for the public benefit of the unincorporated community; and

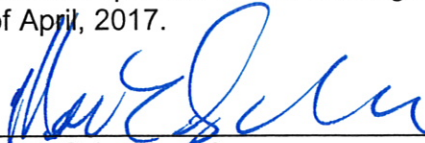
**WHEREAS**, the unincorporated community has 25 or more residents residing as a social unit; and

**WHEREAS**, at least three of the following services; fire protection, emergency medical, water and sewer, solid waste management, public road or ice road maintenance, public health, and search and rescue; are generally available to all residents of the unincorporated community and each of the three services, in any combination, are provided by one or more qualifying Native village council or incorporated nonprofit entity or are substantially paid for by the residents of the unincorporated community through taxes, charges, or assessments levied or authorized by the borough or unified municipality;

**NOW, THEREFORE, BE IT RESOLVED THAT:** The Borough Assembly by this resolution hereby certifies that the following unincorporated communities and their respective Native village council or incorporated nonprofit entity are eligible for funding under the FY18 Community Assistance Program:

Unincorporated Community: Dyea  
Native Village Council or Nonprofit Entity: Skagway Traditional Council

**PASSED AND APPROVED** by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway, Alaska this 6<sup>th</sup> day of April, 2017.

  
\_\_\_\_\_  
Mark Schaefer, Mayor

ATTEST:  
  
\_\_\_\_\_  
Emily Deach  
Municipal Clerk

(SEAL)





THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

REC-11

MAR 09 2017

P.O. Box 110809  
Juneau, AK 99811-0809  
Main: 907.465.5647  
Programs fax: 907.465.5867

MUNICIPALITY OF SKAGWAY

March 6, 2017

Municipality of Skagway  
P.O. Box 415  
Skagway, AK 99840

Dear Official:

The Division of Community and Regional Affairs (DCRA) is pleased to provide you with the attached FY 18 Community Assistance application. In FY17, the state legislature passed SB 210 which changed Community Revenue Sharing to Community Assistance. A significant change, of course, was to the name of the program. There is no longer a community revenue sharing program. DCRA has been working on revising the regulations to incorporate the program name change to the Community Assistance Program.

The Department of Commerce, Community and Economic Development (DCCED) annually certifies the population of each municipality, community and reserve based upon population estimates prepared by the State Demographer at the Department of Labor and Workforce Development. The following population will be used for the determining the FY18 Community Assistance payment:

The 2016 population of **Skagway** has been determined to be **1065**.

The estimated FY 18 CAP payment is **\$314,343.67**.

Please be aware that the funding level for the FY 18 Community Assistance Program (CAP) has not yet been determined. This estimate is based on the statutorily required distribution of one third of the anticipated June 30, 2017 CAP fund balance. The payment estimate does not take into consideration any possible increases to the funding level through either the FY17 supplemental budget or other legislative appropriations. Community Assistance payment amounts will be updated to reflect actual award amounts after June 30, 2017 and available for review on our website. ([www.commerce.alaska.gov/dcra/eGrantsOnLine/Pages/RevenueSharing.aspx](http://www.commerce.alaska.gov/dcra/eGrantsOnLine/Pages/RevenueSharing.aspx))

Skagway  
March 6, 2017  
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This year you will see the application form and requirements have changed from previous years. Please carefully review the new application and contact Jean Mason at 907-465-5647 or Debi Kruse at 907-465-5541 if you have any questions.

The completed FY18 CAP application, FY18 city budget, and FY16 audit or certified financial statement must be completed and returned to the Department, **no later than June 15, 2017.**

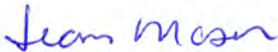
Emailed application documents can be sent to Jean Mason at [jeanine.mason@alaska.gov](mailto:jeanine.mason@alaska.gov).

Or you can mail the application documents to:

Division of Community and Regional Affairs  
Attn: Jean Mason  
Community Assistance Program  
P.O. Box 110809  
Juneau, AK 99811

DCRA would prefer to have all application documents sent to at the same time, if possible.

Sincerely,



Jean Mason, GA II

**FY 2018 COMMUNITY ASSISTANCE PROGRAM  
REQUIREMENTS AND CERTIFICATION  
BOROUGH APPLICATION**

NAME OF BOROUGH	VENDOR NUMBER
CONTACT NAME	CONTACT EMAIL ADDRESS
MAILING ADDRESS	CONTACT PHONE NUMBER
CITY, STATE, ZIP CODE	FAX NUMBER

REQUIREMENTS:

- The community assistance payment will be used only for a public purpose as required under AS 29.60.850(a) and the borough agrees to make available a service or facility with the funds under AS 29.60.855 – 29.60.879 to every person in the community.
- The borough and unified municipality, subject to 29.60.865(b)(c) must certify that (1) the assembly has approved one or more qualifying incorporated nonprofit entities, or a Native village council, or both, as recipient(s) of the community assistance program; and (2) at least three of the services required under AS 29.60.865(c) are generally available to all residents of the community.
- Reports, as applicable, outlined in detail on the following page, including:
- |  |                                       |
|--|---------------------------------------|
| <input type="checkbox"/> Tax reports   | <input type="checkbox"/> Annual Audit |
| <input type="checkbox"/> Annual Budget | <input type="checkbox"/> Maps         |

CERTIFICATION:

As the highest ranking official, I certify the \_\_\_\_\_ understands the  
(Name of Borough)  
requirements for receiving the community assistance payment and agrees to comply with all laws and  
regulations governing the community assistance funds.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name and Title

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REQUIRED REPORTS TO THE DEPARTMENT BY BOROUGHES:

- A copy of the current annual budget (AS 29.20.640(a)(4))\*
- A copy of the annual audit (AS 08.04)\*

As Applicable ~ REQUIRED REPORTS TO THE DEPARTMENT BY BOROUGHES:

- Tax assessment and tax levy numbers for the most recently completed annual budget cycle. (AS 29.20.640(a)(3)).
- A summary of the optional property tax exemptions, authorized together with the estimate of the revenues lost to the municipality. (AS 29.20.640(a)(3)).
- A taxpayer notice. ( AS 29.45.020 and AS 29.45.660).
- Maps and descriptions of all annexed or detached territory which was annexed or detached prior to June 1 of the application year.

**\*When possible, the Department prefers receiving the annual budget and annual audit in electronic form. Please email to Jean Mason at [jeanine.mason@alaska.gov](mailto:jeanine.mason@alaska.gov).**

If you have questions about the application, please contact:

Jean Mason, GA II  
907-465-5647  
[jeanine.mason@alaska.gov](mailto:jeanine.mason@alaska.gov)

Debi Kruse, LGS V  
907-465-5541  
[debi.kruse@alaska.gov](mailto:debi.kruse@alaska.gov)

Department of Commerce, Community and Economic Development  
Division of Community and Regional Affairs  
Community Assistance Program  
PO Box 110809  
Juneau, AK 99801-0809

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**RESOLUTION # \_\_\_\_\_**  
**APPROVING UNINCORPORATED COMMUNITIES**  
**FOR PARTICIPATION IN THE**  
**FY 18 COMMUNITY ASSISTANCE PROGRAM**

A RESOLUTION APPROVING CERTAIN UNINCORPORATED COMMUNITIES AND THEIR RESPECTIVE NATIVE VILLAGE COUNCIL AND/OR INCORPORATED NONPROFIT ENTITY FOR PARTICIPATION IN THE FY18 COMMUNITY ASSISTANCE PROGRAM.

WHEREAS, AS 29.60.865 and 3 AAC 180.070 require the assembly of a borough or unified municipality to adopt a resolution identifying those unincorporated communities located within their municipal boundaries that the assembly determines meet the Community Assistance Program eligibility criteria established under AS 29.60.865, AS 29.60.879, and 3 AAC 180.110; and

WHEREAS, the unincorporated community has either a Native village council or incorporated nonprofit entity that will agree to receive and spend the Community Assistance payment for the public benefit of the unincorporated community; and

WHEREAS, the unincorporated community has 25 or more residents residing as a social unit; and

WHEREAS, at least three of the following services; fire protection, emergency medical, water and sewer, solid waste management, public road or ice road maintenance, public health, and search and rescue; are generally available to all residents of the unincorporated community and each of the three services, in any combination, are provided by one or more qualifying Native village council or incorporated nonprofit entity or are substantially paid for by the residents of the unincorporated community through taxes, charges, or assessments levied or authorized by the borough or unified municipality;

NOW THEREFORE BE IT RESOLVED THAT: The Assembly by this resolution hereby certifies that the following unincorporated communities and their respective Native village council or incorporated nonprofit entity are eligible for funding under the FY18 Community Assistance Program:

Unincorporated Community	Native village council or nonprofit entity
_____	_____
_____	_____
_____	_____
_____	_____

PASSED AND APPROVED by a duly constituted quorum of the Assembly of the

\_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
*(Borough)*

SIGNED: \_\_\_\_\_  
*(Mayor)*

ATTEST: \_\_\_\_\_  
*(Clerk)*

## **Eligibility Requirements for Unincorporated Communities Located Within Boroughs and Unified Municipalities**

Alaska Statutes AS 29.60.865 - .879 and Alaska Administrative Code 3 AAC 180.070

### **Sec. 29.60.865. Eligibility requirements for reserves and communities.**

(a) The department, with advice from the Department of Law, shall determine whether there is in each community or reserve an incorporated nonprofit entity or a Native village council that will agree to receive and spend the community assistance payment. If there is more than one qualified entity in a reserve or community in the unorganized borough, the department shall pay the money to the entity that the department finds most qualified to receive and spend the money on behalf of the reserve or community. The department may not make a community assistance payment to a Native village council unless the council waives immunity from suit for claims arising out of activities of the council related to the payment. A waiver of immunity from suit under this section must be on a form provided by the Department of Law. If there is no qualified incorporated nonprofit entity or Native village council in a reserve or community that is willing to receive the community assistance payment and use the payment on behalf of that reserve or community, the payment for that reserve or community may not be paid. Neither this section nor any action taken under it enlarges or diminishes the governmental authority or jurisdiction of a Native village council.

(b) The department may make a community assistance payment on behalf of a community in a borough or unified municipality only to the municipality for payment by the municipality to an incorporated nonprofit entity or Native village council that has been approved by the assembly and meets the requirements of (a) of this section. The department shall have written evidence of the assembly approval. If there is more than one qualified entity in a community in a borough or unified municipality, one of the entities may receive the entire payment, or the payment may be shared between two or more of the qualified entities, as determined by the assembly.

(c) A community in a borough or unified municipality is eligible for a community assistance payment only if at least three of the following services are generally available to all residents of the community and each of the three services, in any combination, are provided by one or more qualifying incorporated nonprofit entities or a Native village council or are substantially paid for by the residents of the community through taxes, charges, or assessments levied or authorized by the borough or unified municipality:

- (1) fire protection;
- (2) emergency medical;
- (3) water and sewer;
- (4) solid waste management;
- (5) public road or ice road maintenance;
- (6) public health;
- (7) search and rescue.

### **Sec. 29.60.879. Definitions.**

In AS 29.60.850 - 29.60.879

(1) "community" means a place in the unorganized borough, in a borough, or in a unified municipality that is not incorporated as a municipality, that is not a reserve, and in which 25 or more individuals reside as a social unit;

(2) "reserve" means a place that is organized under federal law as an Indian reserve that existed before enactment of 43 U.S.C. 1618(a) and is continued in existence under that subsection.

### **3 AAC 180.070. Standards for payment on behalf of communities located within boroughs and unified municipalities**

A borough or unified municipality shall submit to the division a resolution adopted by the assembly that clearly identifies (1) the communities it has determined meet the eligibility criteria under AS 29.60.865, 29.60.879, and 3 AAC 180.110; and

(2) the Native village council or incorporated nonprofit entity located within each community listed under (1) of this section that it has approved as the recipient of the community assistance payment.