

FAILED ON SEPTEMBER 17, 2020

Proposed by:	Finance Committee
Attorney Review:	09/11/2020
Vote:	2 Aye 4 Nay 0 Absent

**MUNICIPALITY OF SKAGWAY, ALASKA
RESOLUTION NO. 20-39R**

A RESOLUTION OF THE MUNICIPALITY OF SKAGWAY, ALASKA ESTABLISHING THE SNOW GRANT, A PROGRAM TO HELP YEAR-ROUND STOREFRONTS MAINTAIN THEIR TRADITIONAL PRESENCE IN THE COMMUNITY DURING THE 2020/2021 WINTER SEASON, AND TO MITIGATE THE IMPACTS OF THE COVID-19 PANDEMIC ON THE BUSINESS COMMUNITY OF SKAGWAY.

WHEREAS, on March 16, 2020, the Municipality of Skagway declared an emergency based on the risk to the public posed by the global COVID-19 pandemic and the substantial adverse economic impacts to Skagway residents, which was confirmed by the Assembly on March 19, 2020; and

WHEREAS, Skagway businesses rely upon the tourism industry for financial stability; and

WHEREAS, the widespread cancellation of cruises to Alaska has and will continue to have a detrimental impact on all Skagway businesses; and

WHEREAS, impacts to the local economy due to COVID-19 travel restrictions and health mandates have been and will continue to be devastating, with an estimated total community revenue loss of approximately \$160 million for the 2020 season alone; and

WHEREAS, the Municipality of Skagway wishes to implement the SNOW Grant (Skagway Normal Operations for Wintertime) to help provide services to residents in hopes of keeping them both mentally and physically healthy during the long winter months in Skagway, Alaska, and to mitigate the impacts of the COVID-19 pandemic on the financial stability of Skagway businesses; and

WHEREAS, the SNOW Grant will be funded from Sales Tax;

NOW THEREFORE BE IT RESOLVED THAT the Borough Assembly of the Municipality of Skagway establishes the SNOW Grant program as detailed in Attachment A; and

BE IT FURTHER RESOLVED THAT this resolution shall be effective immediately upon adoption.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this ___ day of _____, 2020.

Andrew Cremata, Mayor

ATTEST:

Emily A. Deach, Borough Clerk
(SEAL)

ATTACHMENT A

SNOW Grant Program

The intent of the SNOW Grant (Skagway Normal Operations for Wintertime) is to fund businesses that provide priority services to the community of Skagway from October 2020 through March 2021. The purpose of this program is to maintain the year-round business community of Skagway, providing services to residents in hopes of keeping them both mentally and physically healthy during the long winter months in Skagway, Alaska. The grant program will have two tiers of funding. The first tier of funding will be for food service and grocery establishments and the second tier will be for retail, fuel, salons, and bars. To qualify for funding, the businesses must have maintained an open storefront from November 2019 through March of 2020, paid MOS sales tax during that same period, and must commit to maintaining an open storefront from October 2020 through March 31, 2021. For the purposes of the SNOW Grant, “storefront” shall mean an occupied room or suite of rooms in a building at street level and immediately behind a storefront, that is accessible to customers during business hours. For further definitions of the requirements please see the grant criteria below.

Tier I Funding - Food Service and Groceries:

- Total funding: \$150,000
- Maximum funding per business: \$25,000
- Payment will be dispersed after the first Assembly meeting of each month from October 2020 through April 2021.
- Number of grants available: two grants will be available for food service establishments providing breakfast and/or lunch service; two grants will be available for establishments providing dinner service; and two grants will be available for grocery stores. Additional grants may be available.
- Please note businesses cannot accept funding from the MOS’s small business emergency grant program and the SNOW Grant program.
- If a business is closed by a state or local mandate due to COVID-19 response, it will continue to receive funding through the life of the grant program.

Eligibility:

- Primary place of business has to be Skagway, Alaska.
- Paid MOS taxes in both the fourth quarter of 2019 and the first quarter of 2020.
- Commitment to maintaining an open storefront five days per week from October 1, 2020 through March 31, 2021. (A one-month closure will be allowed if another restaurant is open during the same time period, providing service for the same meal time).
- Did not accept a Tier II grant from the SNOW Grant.
- If awarded a Tier I grant, the business will have to deny funding from the MOS small business emergency grant program. If the owner has another eligible business for the small business emergency grant program, application for that business to the

ATTACHMENT A

small business emergency grant program will not affect Tier I funding under the SNOW grant program.

- A business and/or its owner is only eligible for one Tier I SNOW Grant.
- Business agrees to comply with all federal, state, and local COVID-19 protocols, in existence and which may become necessary in the future.
- **Business agrees to require employees to wear cloth face coverings indoors or outdoors when six-foot distancing is not possible.**

Tier II Funding: Retail, Fuel, Salons, ~~and~~ Bars, **and Newspapers:**

- Total funding: \$150,000
- Maximum funding per business: \$6,500
- Payment will be dispersed after the first Assembly meeting of each month from October 2020 through April 2021.
- Businesses that received funding from the MOS's small business emergency grant program are also eligible to receive funding for the SNOW Grant program.
- If a business is closed by a state or local mandate due to COVID-19 response, they will continue to receive funding through the life of the grant program.

Eligibility:

- Primary place of business has to be Skagway, Alaska.
- Paid MOS taxes in both the fourth quarter of 2019 and the first quarter of 2020.
- Commitment to maintaining an open storefront four days per week from October 1, 2020 through March 31, 2021. (A one-month closure will be allowed).
- Storefront is not required for fuel suppliers, **newspapers, and salons** if service is provided on demand at least four days per week.
- Businesses agree to comply with all federal, state, and local COVID-19 protocols, in existence and which may become necessary in the future.
- **Business agrees to require employees to wear cloth face coverings indoors or outdoors when six-foot distancing is not possible.**

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SNOW Grant Application

All business information will be kept confidential and will not voluntarily be shared or used for any purpose other than evaluation of the GRANT

1. DBA BUSINESS NAME: _____
2. ORGANIZATIONS LEGAL NAME: _____
3. STATE LICENSE/ PERMIT NUMBER: _____
4. MUNICIPALITY OF SKAGWAY BUSINESS LICENSE NUMBER (IF APPLICABLE): _____
5. FEDERAL E.I.N., SSN: _____
6. BUSINESS PHONE NUMBER (including area code): _____
7. BUSINESS MAILING ADDRESS: _____
8. BUSINESS PHYSICAL ADDRESS: _____
9. EMAIL ADDRESS (For application contact): _____
10. BUSINESS OWNER(S): Please provide the following information for any person who owns 20% or more of the business, or, for a nonprofit, the directors:
 - Name
 - Title/Office/ % of Ownership
 - Phone Number
 - Email address_____

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1. IS THE ORGANIZATION OR AN OWNER OF THE ORGANIZATION, APPLYING FOR FUNDING UNDER A DIFFERENT BUSINESS? Circle One: Yes No

If yes: Indicate the name of the businesses you are applying for and the order in which you would like to receive funding if more than one is available.

- i. _____
- ii. _____
- iii. _____
- iv. _____
- v. _____
- vi. _____
- vii. _____

2. BUSINESS ELIGIBILITY: My business is a food service establishment or grocery in Skagway, Alaska: YES NO If yes skip to question # 4. If no proceed to question #3.

3. BUSINESS ELIGIBILITY: My business is a retail, fuel, salon, ~~or~~ bar, **or newspaper** in Skagway, Alaska: YES NO If yes skip to #5. If 'no' you are not eligible for funding under this grant program.

4. Food Service and Grocery eligibility: Answer the following eligibility questions. If you answer no to any of the questions you are not eligible for this program. If you answered yes to all of the questions proceed to question #6.

Tier I Eligibility Questions		Yes	No
A	My business paid Municipality of Skagway, Alaska taxes in both the 4 th quarter of 2019 and the 1 st quarter of 2020.		
B	My primary place of business is Skagway, Alaska.		
C	My business does not have a Borough lien and is not in violation of a payment agreement with the Borough.		
D	My business does not have a Borough lien for unpaid sales taxes.		
E	My business is not currently in bankruptcy proceedings.		
F	My business did not accept funding from the MOS Small Business Emergency Grant.		
G	My business and any other business that I own did not accept funding from the SNOW Grant, either Tier I or Tier II.		
H	My business will maintain a storefront and be open a minimum of five days per week from October 1, 2020 through March 31, 2021. (A single one-month closure is allowed if another establishment is open during the same period).		

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I	<u>My business will require employees to wear cloth face coverings indoors or outdoors when six-foot distancing is not possible.</u>		
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5. Retail, fuel, salon, or bar eligibility: Answer the following eligibility questions. If you answer 'no' to any of the questions you are not eligible for this program. If you answered yes to all of the questions please skip to question #8.

Tier II Eligibility Questions		Yes	No
A	My business paid Municipality of Skagway, Alaska taxes in both the 4 th quarter of 2019 and the 1 st quarter of 2020.		
B	My primary place of business is Skagway, Alaska.		
C	My business does not have a Borough lien and is not in violation of a payment agreement with the Borough.		
D	My business does not have a Borough lien for unpaid sales taxes.		
E	My business is not currently in bankruptcy proceedings.		
F	My business and any other business that I own did not accept funding from the SNOW Grant either Tier I or Tier II.		
G	My business will maintain a storefront and be open a minimum of four days per week from October 1, 2020 through March 31, 2021. (A single one-month closure is allowed).		
H	<u>My business will require employees to wear cloth face coverings indoors or outdoors when six-foot distancing is not possible.</u>		

6. Tier I: Please indicate the service for which your business is applying. Circle only one:
 Food Service - breakfast/lunch Food Service - Dinner Grocery

7. Tier I: Please indicate that you are committed to maintaining a store front five days a week from October 1st, 2020 through March 31st, 2021: Circle one: Yes No
 If yes skip to question #10. If 'no' you are not eligible for the grant.

8. Tier II: Please indicate the service for which your business is applying. Circle only one:
 Retail Fuel Salon Bar **Newspapers**

9. Tier II: Please indicate that you are committed to maintaining a store front four days a week from October 1st, 2020 through March 31st, 2021: Circle one: Yes No
 If yes skip to question #10. If 'no' you are not eligible for the grant.

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10. ADDITIONAL REQUIRED INFORMATION

- Attach a copy of current Alaska Business License/permit required for your industry.
- Provide State of Alaska quarterly employment report for Nov 1, 2019 – March 31, 2020.
- If a grant is awarded, prior to receipt of funding the applicant will be submit:
 - ✓ A completed W-9; and
 - ✓ A signed grant agreement for the use of the funds.

NOTICE

1. Applying for a SNOW Grant DOES NOT GUARANTEE award of funding. All and any award will be based on funds available.
2. The Applicant agrees to defend and indemnify the Municipality of Skagway, its assembly members, employees, and representatives and the employees from any and all claims of any kind and any nature arising from the application, processing of the application, decision on the application and as to any use of the funds by the Applicant, including as to any claims by any federal or state agency related to the use of the funds.
3. It is the sole responsibility of the Applicant to determine or to seek independent advice to determine the tax implications to the Applicant and its owners. The Municipality of Skagway is not providing any legal or tax advice to the Applicant.
4. I have had the opportunity to consult with legal counsel of my choice, if I wanted to so consult, before submitting this application.
5. An applicant denied funding may appeal in writing to the Skagway Borough Manager. The decision on the appeal will be made by the Skagway Borough Manager and the decision will be final. Any appeal must be filed by 5 p.m. the 10th calendar day after the day the applicant received notice from the Municipality of Skagway.

Please confirm your understanding of these limitations and disclaimers in Nos. 1-5 above by circling "Yes" below.

Circle One: Yes No

CERTIFICATION

By typing my name in the space below, I certify that all the information provided in this application is true and accurate. I agree to assist in verifying any information provided in this application and to provide additional information, if requested.

I have read and understand this application. I am authorized to complete and submit this application on behalf of the Applicant. I verify that the statements contained herein are true, accurate and complete. I acknowledge that false and inaccurate statements made on the application are grounds for immediate rejection of the application.

Printed Name

Signature

Date

Office Use