

Proposed by:	Assembly
Attorney Review:	04/13/2022
HEW Review:	04/13/2022
First Reading:	04/21/2022
Second Reading:	05/05/2022
Vote:	5 Aye    1 Nay    0 Absent

**MUNICIPALITY OF SKAGWAY, ALASKA  
ORDINANCE NO. 22-03**

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AUTHORIZING THE MUNICIPALITY OF SKAGWAY TO NEGOTIATE THE SALE OF THE E.A. & JENNY RASMUSON COMMUNITY HEALTH CENTER REAL PROPERTY, IMPROVEMENTS, PERSONAL PROPERTY, AND FINANCIAL ASSETS (HEREAFTER REFERRED TO AS THE DAHL MEMORIAL CLINIC) TO THE SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM (SEARHC), AND SUBMITTING TO THE QUALIFIED VOTERS A PROPOSITION AUTHORIZING THE NEGOTIATED SALE.

**Section 1. Classification.** This is a non-code ordinance.

**Section 2. 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 3. Purpose.** This ordinance is enacted in order to authorize the sale of the Dahl Memorial Clinic real property, improvements, personal property, and financial assets to the Southeast Alaska Regional Health Consortium (SEARHC).

**NOW, THEREFORE BE IT ORDAINED BY THE ASSEMBLY OF THE MUNICIPALITY OF SKAGWAY, ALASKA** that pursuant to Chapter 16 of the Skagway Municipal Code, the Municipality of Skagway negotiate the sale of the Dahl Memorial Clinic to the Southeast Alaska Regional Health Consortium (SEARHC), under the terms and conditions set forth in this ordinance.

A. Statement of Ownership: The Municipality of Skagway is the owner of the following described property:

- Block 89, Lots 1 through 6 and 7A according to Plat 2006-2 recorded on January 24, 2006— Business General Zoning District;
- all improvements and appurtenances thereon; and
- all personal property and financial assets held by the Municipality of Skagway in relation to the Dahl Memorial Clinic.

B. Statement of Finding of Public Interest: The Skagway Borough Assembly finds that the sale of the Dahl Memorial Clinic real property, improvements, personal property, and financial assets to SEARHC may benefit the public because SEARHC is a regional health care network that specializes in providing health care to Southeast Alaska residents. Additionally, SEARHC has committed to providing all of the current services provided by the Dahl Memorial Clinic and to expand the services.

C. Type of Deed: Title and ownership of the real property and building shall be conveyed by negotiated sale agreement and quitclaim deed. The real property will be conveyed by quitclaim deed. The improvements, personal property, and financial assets will be conveyed as part of the negotiated sale agreement.

D. Method of Disposal: Disposal shall be by negotiated sale, as follows:

1. Authorization to Negotiate: Pursuant to SMC 16.04.030(B), the Borough Assembly authorizes the Borough Manager to commence negotiations with SEARHC for the sale of the Dahl Memorial Clinic, with final terms of the negotiated sale subject to approval by the Borough Assembly.
2. The minimum essential terms of the sale are set forth as follows:
  - a. Determination of Price: The Dahl Memorial Clinic shall be sold for no less than the market value minus any grant or bond obligations as determined by an appraisal which will be done by the Municipality of Skagway within six (6) months preceding ratification by a majority of the qualified voters of the Municipality of Skagway.

E. Notice of Disposal. Notice of this sale shall be done in accordance with Skagway Municipal Code 16.04 et seq.

**Section 4. Submission for Ballot Proposition.** At a special election, which date is to be set by resolution, there shall be submitted to the qualified voters of the Borough a proposition authorizing the negotiated sale and ratifying this ordinance as follows:

Explanation of Ballot Proposition

The E.A. Rasmuson Community Health Center (Dahl Memorial Clinic) was constructed in 2008 with an \$800,000 grant from the Rasmuson Foundation, a \$1,000,000 grant from the State of Alaska, a \$2,200,000 grant from the Denali Commission, and a \$5,000,000 municipal bond approved by the voters of Skagway.

SEARHC has approached the Municipality with a proposal to purchase the Dahl Memorial Clinic real property, improvements, personal property, and financial assets. SEARHC is a regional health care network that specializes in providing health care to Southeast Alaska residents. SEARHC has committed to providing all of the current services provided by the Dahl Memorial Clinic and to expand the services.

The Dahl Memorial Clinic, property, building, improvements, personal property, and financial assets shall be sold for no less than market value minus any financial obligations to grant and bond agencies.

The Assembly believes that the decision of SEARHC assuming the responsibility of medical services for the community of Skagway should be decided by Skagway residents. If the community votes to sell the Dahl Memorial Clinic, including the land and building to SEARHC, the Assembly will interpret the vote as an endorsement of SEARHC providing medical services for Skagway.

Ballot Proposition #1

“Shall the Municipality of Skagway sell the Dahl Memorial Clinic real property, improvements, personal property, and financial assets to SEARHC for an amount no less than market value established by a qualified commercial appraiser? and shall Ordinance No. 22-03 authorizing this negotiated sale be approved?

For

Against

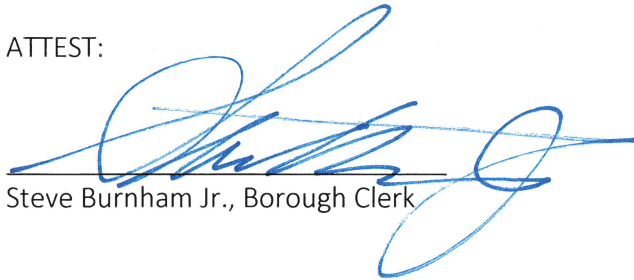
**Section 5. Effective Date.** This ordinance shall become effective upon ratification by a majority of the qualified voters of the Municipality of Skagway.

**PASSED AND APPROVED** by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 5th day of May, 2022.



Andrew Cremata, Mayor

ATTEST:



Steve Burnham Jr., Borough Clerk

(SEAL)

