

# UNALASKA CITY COUNCIL

Unalaska, Alaska

Regular Meeting  
Tuesday, June 12, 2018  
6:00 p.m.

## AGENDA

Unalaska City Hall  
Council Chambers  
43 Raven Way

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1. Call to order
  2. Roll call
  3. Pledge of allegiance
  4. Recognition of visitors
  5. Adoption of agenda
  6. Awards / Presentations
  7. Minutes of previous meeting
  8. Reports
    - a. City Manager
    - b. Financials
    - c. Board / Commission Minutes
  9. Community Input / Announcements
  10. Public testimony on agenda items
  11. Legislative
  12. Public hearing
  13. Work session
    - a. Ordinance 2018-07 (First Reading): An Ordinance of the Unalaska City Council creating Budget Amendment #6 to the Fiscal Year 2018 Budget, recognize Grant Revenue of \$42,360 in the Ports & Harbors Capital Projects Fund and increase Capital Project Expenditures in the Ports & Harbors UMC Fencing Project
  14. Consent agenda
  15. Regular agenda
    - a. Unfinished Business
    - b. New Business
      - i. Resolution 2018-42: A Resolution of the Unalaska City Council authorizing a waiver for failure to file a timely application for the Senior Citizen Property Tax Exemption for Theresa A. Warren
      - ii. Resolution 2018-43: A Resolution of the Unalaska City Council denying a request for a waiver for failure to file a timely application for the Senior Citizen Sales Tax Refund for Theresa A. Warren
      - iii. Ordinance 2018-07 (First Reading): An Ordinance of the Unalaska City Council creating Budget Amendment #6 to the Fiscal Year 2018 Budget, recognize Grant Revenue of \$42,360 in the Ports & Harbors Capital Projects Fund and increase Capital Project Expenditures in the Ports & Harbors UMC Fencing Project
  16. Executive Session
    - a. To discuss litigation
  17. Community Input / Announcements
  18. Adjournment

**UNALASKA CITY COUNCIL**

Unalaska, Alaska

Tuesday, May 22, 2018  
6:00 p.m.

**MINUTES**

Unalaska City Hall, Council Chambers  
43 Raven Way, Unalaska

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**BOARD OF EQUALIZATION**

1. Call to order  
The Unalaska Board of Equalization came to order at 6:00pm, May 22, 2018 in the Unalaska City Hall council chambers.
2. Roll call  
Present:  
Frank Kelty, Chair  
Dennis Robinson (Telephonic)  
James Fitch  
Alejandro Tungul  
David Gregory  
Shari Coleman  
  
Absent:  
Roger Rowland (Excused)
3. Approve Minutes from May 8, 2018 BOE meeting  
Gregory made a motion to adopt May 8, 2018 meeting minutes; Robinson seconded  
Roll Call Vote: Tungul – yes; Robinson – yes; Gregory – yes; Fitch – yes; Coleman – yes.  
Motion passed 5-0.
4. Adopt Findings of Fact and Conclusions of Law, Tax Appeal # 18-001  
Robinson made a motion to adopt Findings of Fact and Conclusions of Law, appeal #18-001; Tungul seconded.  
Roll Call Vote: Robinson – yes; Tungul – yes; Gregory – yes; Fitch – yes; Coleman – yes.  
Motion passed 5-0.
5. Adjourn  
Fitch made a motion to adjourn meeting; Gregory seconded.  
Motion passed by consensus.  
Meeting adjourned at 6:03 pm.

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Marjie Veeder  
City Clerk

*rfw*

# UNALASKA CITY COUNCIL

Unalaska, Alaska

Tuesday, May 22, 2018  
6:00 p.m.

## MINUTES

Unalaska City Hall, Council Chambers  
43 Raven Way, Unalaska

### CITY COUNCIL REGULAR MEETING

1. Call to order  
The regular meeting of the Unalaska City Council came to order at 6:03pm, May 22, 2018, in the Unalaska City Hall council chambers.
2. Roll call  
Present:  
Frank Kelty, Mayor  
Dennis Robinson, Vice Mayor (Telephonic)  
James Fitch  
Alejandro Tungul  
David Gregory  
Shari Coleman  
  
Absent:  
Roger Rowland (Excused)
3. Pledge of Allegiance  
Mayor Kelty led the Pledge of Allegiance
4. Recognition of visitors  
Dianne Blumer, Lobbyist
5. Adoption of agenda  
Coleman made a motion to adopt the agenda; Fitch seconded.  
Kelty made a motion to add (2) items to the agenda under New Business:
  - iv. Discussion – Mayor’s letter of support to ADF&G for Subsistence Salmon Grant Application
  - v. Discussion – Mayor to testify at North Pacific CouncilVote on amended motion: Amended Motion passed by consensus 5-0.  
Vote on main motion as amended: Motion passed by consensus 5-0.
6. Awards: Community Extra Mile Awards for Jennifer Sherebernikoff and Mike Barber
7. Minutes of previous meeting: May 8, 2018  
Coleman made a motion to adopt the May 8, 2018 meeting minutes; Fitch seconded.  
Motion passed by consensus 5-0.
8. Reports
  - a. City Manager
  - b. Financials: April 2018
  - c. Board / Commission Minutes: Planning Commission and Platting Board; Historic Preservation Commission March 15, 2018
9. Community Input / Announcements
  - PCR  
2018 End of the School Year Pool Party update  
2018 Community Clean-up update  
Field Day update – PCR Director and Superintendent Conwell acknowledged staff
  - IFHS  
Clinic billing/collections update
  - DOT  
USDOT “Build Program” formerly known as Tiger Grants deadline update
  - MOTA – New Exhibit/book signing

- UCSD  
2018 Field Day - Superintendent Conwell acknowledged staff  
On behalf of Senior Parent Committee - Superintendent Conwell acknowledged PCR staff  
“Jump-up Day”  
“Dockside Discovery”  
School Board Meeting
- USCD Graduation Scholarships -Mayor Kelty acknowledged generosity of support from local business and organizations
- Ballyhoo Lions  
Raffle Tickets available for purchase  
Corporate Ducks Fundraiser - available for purchase

10. Public testimony on agenda items: None.

11. Legislative: - None

12. Public hearing

Mayor opened Public Hearing on Ordinance 2018-04.

- a. Ordinance 2018-04: An Ordinance adopting the Fiscal Year 2019 Operating and Capital Budget for the City of Unalaska

Hearing no testimony Public Hearing closed

Mayor opened Public Hearing on Ordinance 2018-05.

- b. Ordinance 2018-05: An Ordinance of the Unalaska City Council amending the fee schedule specifying the fees and charges for services, labor and equipment provided by the City

Hearing no testimony Public Hearing closed.

Mayor opened Public Hearing on Ordinance 2018-06.

- c. Ordinance 2018-06: An Ordinance of the Unalaska City Council creating Budget Amendment no. 5 to the Fiscal Year 2018 Budget, increasing the Electric Fund Operating Expenses to pay for increased fuel costs

Hearing no testimony Public Hearing closed.

13. Work session

Tungul made a motion to move into Work Session; Fitch seconded.

Motion passed by consensus 5-0.

- a. Presentation by state lobbyist Dianne Blumer and discussion of proposed Resolution 2018-40

Fitch made a motion to move out of Work Session; seconded.

Motion passed by consensus 5-0.

14. Consent agenda

Tungul made a motion to adopt Consent Agenda; Fitch seconded.

Motion passed by consensus 5-0.

- a. Resolution 2018-35: A Resolution of the Unalaska City Council authorizing the sale of City of Unalaska surplus personal property
- b. Resolution 2018-41: A Resolution of the Unalaska City Council authorizing the City Manager to sign an agreement with Alyeska Seafoods, Inc., for private non-exclusive right of way for city owned tidelands

15. Regular agenda

- a. Unfinished Business

- i. Ordinance 2018-04 (2<sup>nd</sup> Reading): An Ordinance adopting the Fiscal Year 2019 Operating and Capital Budget for the City of Unalaska

Fitch made a motion to adopt Ordinance 2018-04; Gregory seconded.

Roll Call Vote: Fitch – yes; Coleman – yes; Robinson – yes; Tungul – yes; Gregory – yes.

Motion passed 5-0.

- ii. Ordinance 2018-05 (2<sup>nd</sup> Reading): An Ordinance of the Unalaska City Council amending the fee schedule specifying the fees and charges for services, labor and equipment provided by the City

Tungul made a motion to adopt Ordinance 2018-05; Coleman seconded.

Roll Call Vote: Coleman – yes; Robinson – yes; Tungul – yes; Gregory – yes; Fitch – yes;  
Motion passed 5-0.

- iii. Ordinance 2018-06 (2<sup>nd</sup> Reading): An Ordinance of the Unalaska City Council creating Budget Amendment No. 5 to the Fiscal Year 2018 Budget, increasing the Electric Fund Operating Expenses to pay for increased fuel costs

Tungul made a motion to adopt Ordinance 2018-06; Coleman seconded.

Roll Call Vote: Robinson – yes; Tungul – yes; Gregory – yes; Fitch – yes; Coleman – yes.  
Motion passed 5-0.

b. New Business

- i. Resolution 2018-34: A Resolution of the Unalaska City Council authorizing the City Manager to sign the FY19 Community Schools Agreement between the City of Unalaska and the Unalaska City School District

Clerk: Point of Order – no main motion on the table.

Robinson made a motion to adopt Resolution 2018-34; Tungul seconded.

Roll Call Vote: Robinson – yes; Tungul – yes; Gregory – yes; Fitch – yes; Coleman – yes.  
Motion passed 5-0.

- ii. Resolution 2018-39: A Resolution of the Unalaska City Council confirming the Mayor's appointment of Robert Cummings to the Parks, Culture & Recreation Committee and Ynna Hiceta to the Library Advisory Committee

Fitch made a motion to adopt Resolution 2018-39; Tungul seconded.

Roll Call Vote: Tungul – yes; Gregory – yes; Fitch – yes; Coleman – yes; Robinson – yes.  
Motion passed 5-0.

- iii. Resolution 2018-40: A Resolution of the Unalaska City Council authorizing the City Manager to enter into an agreement with Dianne Blumer to provide state lobbying services

Robinson made a motion to adopt Resolution 2018-40; Tungul seconded.

Roll Call Vote: Gregory – yes; Fitch – yes; Coleman – yes; Robinson – yes; Tungul – yes;  
Motion passed 5-0.

- iv. Discussion – Mayor's letter of support to ADF&G for Subsistence Salmon Grant Application  
Coleman made a motion to approve Mayor to write a letter of support contingent on draft approval from City Council for support of Salmon Subsistence Grant Application; Gregory seconded.  
Robinson made a motion to amend main motion omitting "contingent on draft approval by City Council"; Tungul seconded.

Vote on amended motion: Amended Motion passed by consensus.

Vote on main motion as amended: Main Motion passed by consensus 5-0.

- v. Discussion – Mayor to testify at North Pacific Council

Gregory made a motion to allow Mayor to testify at North Pacific Council; Fitch seconded.

Robinson made a motion to amend main motion to add support of Alternative #3; no second.  
Motion fails for lack of second.

Vote on main motion: Main Motion passed by consensus 5-0.

16. Council Directives to City Manager: None.

17. Community Input / Announcements: None.

18. Adjournment

Fitch made a motion to adjourn; Gregory seconded.

The meeting adjourned at 7:15pm.

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Marjie Veeder  
City Clerk

*rfw*

TO: Mayor and Council

FROM: Thomas Thomas, City Manager

SUBJECT: City Manager's Report

DATE: June 12, 2018

**Captain's Bay Road and Utilities:** Reviewed Request for Qualifications (RFQ) with Public Works/Public Utilities staff. Received proposals and ranked them by professional qualifications, experience and references. Scheduling interviews with the most qualified within the next two weeks.

**Ounalashka Corporation:** Attended the Ounalashka Corporation Annual Banquet on June 2, 2018. I networked with members of the community, elected officials and staff. Had follow up meeting with Chris Salts to discuss mutually beneficial projects and long term planning. One of the projects we continue to work on is new construction of housing. I delivered to him a letter of interest to lease a property, or units within a property, that will be constructed at a future date.

**Iliuliuk Family and Health Services Inc.:** The Clinic officially confirmed to me last week that they will not need the \$500,000 emergency grant as requested. James Kaech is being scheduled to attend a City Council meeting in July to give an update on operations.

**Intern:** The Planning Department has a summer intern coming to Unalaska in June. His name is Christian Schmidt and is from Arizona. He will be attending Princeton in the Fall and has an interest in GIS and Planning. He will be working on the Transportation Study initially.

**Roads:** King Street and Broadway Avenue was asphalt patched last week at the end of school year. A leaking water valve necessitated digging up the road last fall. The Roads Crew began grading and spreading gravel on the Summer Bay Road and Overland Drive last week.

**Public Works:** Preparations are underway for the Spring Surplus Sale which will be held on Saturday, June 16<sup>th</sup> from 11:00 AM – 1:00 PM. I encourage everyone to attend and participate.

CITY OF UNALASKA  
UNALASKA, ALASKA

ORDINANCE NO. 2018-07

CREATING BUDGET AMENDMENT #6 TO THE FISCAL YEAR 2018 BUDGET, RECOGNIZE GRANT REVENUE OF \$42,360 IN THE PORTS & HARBORS CAPITAL PROJECTS FUND AND INCREASE CAPITAL PROJECT EXPENDITURES IN THE PORTS & HARBORS UMC FENCING PROJECT

BE IT ENACTED BY THE UNALASKA CITY COUNCIL

Section 1 Classification: This is a non-code ordinance.  
Section 2 Effective Date: This ordinance becomes effective upon adoption.  
Section 3 Content: The City of Unalaska FY18 Budget is amended as follows:

- A. That the following sums of money are hereby accepted and the following sums of money are hereby authorized for expenditure.  
B. The following are the changes by account line item:

**Amendment No. 7 to Ordinance #2017-07**

		Current	Requested	Revised
<b>II. CAPITAL BUDGETS</b>				
<b>A. Ports &amp; Harbors - Project Budget</b>				
Sources				
Grant Revenue UMC Fencing Project - 2015 SHSP Grant PH17B		325,000	42,360	367,360
Transfers in - Ports & Harbors Operating		110,360	-	110,360
Uses				
UMC Security Fencing Project		PH17B	435,360	42,360
				477,720

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE UNALASKA CITY COUNCIL THIS 26TH DAY OF JUNE, 2018.

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MAYOR

ATTEST:

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CITY CLERK

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## MEMORANDUM TO COUNCIL

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**TO:** Mayor and Council Members  
**FROM:** Jennifer Shockley, Deputy Chief/Acting Director, DPS  
**THROUGH:** Thomas Thomas, City Manager  
**DATE:** 12 June, 2018  
**RE:** **BUDGET AMENDMENT ORDINANCE 2018-07**

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### **SUMMARY:**

During the June 12, 2018 meeting we will discuss the following Department of Public Safety (DPS) budget items:

Accepting grant revenues received from the 2015 State Homeland Security Program (20SHSP-GY15), and reallocating those funds to a project account. The total amount awarded for this grant is \$42,360.00.

### **PREVIOUS COUNCIL ACTION:**

There has been no previous council action on the \$42,360.00 from the 20SHSP-GY15 grant.

### **BACKGROUND:**

Funding from this program is provided to support, build, and sustain the ability of states, territories, and urban areas to prevent, protect against, mitigate, respond to, and recover from terrorist attacks and other all-hazard events. The grant award of \$42,360.00 is a reallocation from the 20SHSP-GY15 grant and is intended for security fencing at the UMC site. The reallocation grant is 100% funded and has a three-month performance period ending July 31, 2018.

### **DISCUSSION:**

DPS requests that \$42,360.00 20SHSP-GY15 grant funds be placed into a project account to purchase and install fencing at the UMC site. The fencing project improves physical security at the UMC dock by creating controlled access points, and increases the City of Unalaska's ability to meet Homeland Security facility requirements related to dock access. The grant reimburses all expenses to the City of Unalaska after purchase and submission of receipts. All funds are expected to be fully expended within the grant timelines. Local procurement rules must be followed.



**ALTERNATIVES:**

1. The following are alternatives for the 2015 20SHSP-GY15 grant:
  - a. Return the funds from 2015 20SHSP-GY15 grant before the closure of the grant period, and continue to expend City funds to complete the UMC fencing project.

**FINANCIAL IMPLICATIONS:**

This first part of this budget amendment recognizes the receipt of 2015 20SHSP-GY15 grant funds totaling \$42,360.00. The grant requires either the remaining balances be returned at the close of the grant period, or if the allocated funds are not expended by the end of the grant period, any expenses beyond that date may be borne entirely by the City.

**LEGAL:**

The 2015 20SHSP-GY15 grant requires that the funds are expended in accordance with the scope of the grant. Remaining balances must be refunded unless the grant specifications are categorized as reimbursable. In that case, if the funds are not expended by the expiration of the grant period, the granting agency will not fund or reimburse the City. The grant period ends July 31, 2018.

**STAFF RECOMMENDATION:**

Staff recommends the Council approve the item detailed in this budget amendment in order to remain in compliance with the scope and intent of grant guidelines.

**PROPOSED MOTION:**

I move to approve the first reading of Ordinance 2018-07 and to send it to the second reading and public hearing on June 26, 2018.

**CITY MANAGER'S COMMENTS:**

The City Manager recommends Council approved the item detailed in this budget amendment.

CITY OF UNALASKA  
UNALASKA, ALASKA

RESOLUTION 2018-42

A RESOLUTION OF THE UNALASKA CITY COUNCIL AUTHORIZING A WAIVER FOR FAILURE TO FILE A TIMELY APPLICATION FOR THE SENIOR CITIZEN PROPERTY TAX EXEMPTION FOR THERESA A. WARREN

WHEREAS, through Alaska Statute (AS) 29.45.030 and Unalaska Code of Ordinances (UCO) 6.28.030, citizens who are age 65 or older are allowed a \$150,000 property tax exemption on the assessed value of real property they own and occupy as their primary abode and permanent place of residence, provided they file an application on the form provided by the State and made available to them by the City Clerk's Office; and

WHEREAS, UCO 6.28.030(F) sets the deadline for filing as March 1<sup>st</sup> of each year; and

WHEREAS, Theresa A. Warren, a senior citizen, did not file a timely application but has requested a waiver be granted and that her application be accepted as if timely filed; and

WHEREAS, AS 29.45.030(F) and UCO 6.28.030(F) state that the City Council may, for good cause shown, waive a claimant's failure to make timely application for exemption and authorize the assessor to accept the application as if timely filed.

NOW THEREFORE BE IT RESOLVED that the Unalaska City Council authorizes a waiver for failure to timely file an application for the senior citizen property tax exemption for Theresa A. Warren.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on June 26, 2018.

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Frank Kelty  
Mayor

ATTEST:

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Roxanna Winters, Deputy Clerk  
Acting City Clerk

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## MEMORANDUM TO COUNCIL

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To: Mayor and City Council Members  
From: Roxanna Winters, Deputy City Clerk  
Through: Thomas E. Thomas, City Manager  
Date: June 26, 2018  
Re: Resolution 2018-42: A Resolution of the Unalaska City Council authorizing a waiver for failure to file a timely application for the Senior Citizen Property Tax Exemption for Theresa A. Warren

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**SUMMARY:** The State of Alaska and the City of Unalaska, on behalf of the State, provide a \$150,000 property tax exemption on the assessed value of real property owned by residents who are age 65 and older. UCO 6.28.030(F) sets March 1<sup>st</sup> each year as the deadline for submitting an application to the program.

Theresa A. Warren, a senior citizen, failed to make a timely application for the exemption, but has written a letter of appeal asking that the deadline be waived and her late application be accepted.

Through Resolution 2018-42, Council is asked to authorize a waiver of the March 1<sup>st</sup> deadline for filing for the senior citizen property tax exemption for Theresa A. Warren.

**PREVIOUS COUNCIL ACTION:** Before 2014, Council did not act on any such requests. Starting in 2014, Council has granted 9 similar requests:

2014	Rita Hawley, Vincent Tutiakoff and Arnold Dushkin
2015	Nicholai Lekanoff and Irene McGlashan
2016	Mary H. Lekanoff
2018	Malcom J. "Jimmer" McDonald, Mary H. Lekanoff and Gertrude D. Svarny

**BACKGROUND:** Through Alaska Statute (AS) 29.45.030 and Unalaska Code of Ordinances (UCO) 6.28.030, senior citizens who are age 65 and older are allowed a \$150,000 property tax exemption on the assessed value of real property they own and occupy as their permanent place of residence, provided they file an application on the form provided by the State and made available to them by the City Clerk's Office. UCO 6.28.030(F) sets the deadline for filing in Unalaska as March 1<sup>st</sup> of each year. However, per UCO 6.28.030(F), the City Council may waive a claimant's failure to make timely application and authorize the assessor to accept the application as if timely filed. The property for which the exemption is claimed must be "real property owned and occupied as the primary residence and permanent place of abode" by the senior citizen (AS 29.45.030).

**DISCUSSION:** Each year, during the January 1 through March 1 application period, in an effort to ensure that all eligible property owners can take advantage of the senior citizen property tax exemption, the Clerk's office advertises the exemption program by posting flyers, sending "blast-faxes", running public service announcements on local radio and television, and putting information on the City website.

After the March 1 deadline passed, the Clerk's office received a letter from Theresa A. Warren requesting a waiver of the March 1st application deadline which, if granted, will allow the City Clerk to accept her application for the senior citizen tax exemption as if timely filed.

Mrs. Warren is a first time filer and indicates she was in Anchorage at the time of the deadline accompanying her husband who was receiving treatment following a stroke.

Unalaska Code of Ordinances 6.28.030(F) authorizes the City Council, "for good cause shown", to "waive the failure to make timely application for the exemption year and authorize the assessor to accept the application as if timely filed."

**ALTERNATIVES:** Deny the waiver; or authorize the waiver and accept the late application as if timely filed.

**FINANCIAL IMPLICATIONS:** With a mil rate of 10.5, authorizing the exemption of \$150,000 of assessed value will result in a loss of \$1,575 real property tax revenue.

**LEGAL:** None sought.

**STAFF RECOMMENDATION:** This is a Council decision.

**PROPOSED MOTION:** I move to adopt Resolution 2018-42.

**CITY MANAGER COMMENTS:** None. This is a Council decision.

**ATTACHMENTS:**

1. UCO 6.28.030(E) and (F)
2. Application and Letter of Appeal received from Theresa A. Warren

### **UCO § 6.28.030 REQUIRED EXEMPTIONS ...**

(E) The real property owned and occupied as a permanent place of abode by a (1) resident sixty-five (65) years of age or over, (2) disabled veteran, or (3) resident at least sixty (60) years old who is the widow or widower of a person who qualified for an exemption under (1) or (2) of this subsection, is exempt from taxation on the first \$150,000 of the assessed value of the real property. In a case of hardship, the City of Unalaska hereby provides for exemption beyond the first \$150,000 of assessed value in accordance with regulations of the State of Alaska. Only one (1) exemption may be granted for the same property and, if two (2) or more persons are eligible for an exemption for the same property, the parties shall decide between or among themselves which shall receive the benefit of the exemption. Real property may not be exempted under this subsection if the assessor determines, after notice and hearing to the parties concerned, that the property was conveyed to the applicant primarily for the purpose of obtaining the exemption. The determination of the assessor may be appealed under AS 44.62.560-44.62.570.

(F) No exemption may be granted under (A)(8) or (E) of this section except upon written application for the exemption on a form prescribed by the State assessor for use by local assessors or upon a form established by the City Assessor. The claimant must file the application no later than March 1 of the assessment year for which the exemption is sought. The City Council for good cause shown may waive the claimant's failure to make timely application for the exemption for that year and authorize the assessor to accept the application as if timely filed. The claimant must file a separate application for each assessment year in which the exemption is sought. If an application is filed within the required time and approved by the assessor, the assessor shall allow an exemption in accordance with the provisions of this section. If a claimant whose failure to file by March 1 of the assessment year has been waived as provided in this subsection and application for exemption is approved, the amount of tax which the claimant may have already paid for the assessment year for the property exempted shall be refunded to the claimant. The assessor shall require proof in the form the assessor considers necessary of the right to and amount of an exemption claimed under (A)(8) or (E) of this section, and shall require a disabled veteran claiming an exemption under (E) of this section to provide evidence of the disability rating. The assessor may require proof under this section at any time.

May 21, 2018

Greetings!

I write today regarding the Senior Citizen Sales Tax Refund, as well as the Property Tax Exemption.

My 65<sup>th</sup> birthday was June 12, 2017. My first opportunity to apply was 1st quarter of this year. However, my husband & I were in Anchorage Feb 3 through April 1 of this year for more intense post-stroke therapies. Since our return was after the deadline, I ask for reconsideration of these applications' deadlines.

Thank You,

Theresa E. Hansen





SENIOR CITIZEN/DISABLED VETERAN  
PROPERTY TAX EXEMPTION APPLICATION  
AS 29.45.030 (c)-(i)



1. Name of Municipality: <u>Unalaska</u>	2. Property Tax I.D.: <u>06-05-403</u>	3. Tax Year <u>2018 (FY19)</u>
4. Name of Applicant: <u>THERESA A. WARREN</u>	5. Birth date <u>JUNE 12, 1952</u>	(SSN) - redacted
7. Name of Spouse: <u>Stuart Robert Warren</u>	8. Birth date <u>NOV. 08, 1957</u>	
10. Mailing Address: <u>PO Box 920363 Dutch Harbor AK 99692</u>	11. Residential Physical Address: <u>264 EAGLE DR, Unalaska AK 99685</u>	
12. Home Phone: <u>907-581-4093</u>	Message Phone: <u>907-581-4093</u>	13. Please check one of the following <input checked="" type="checkbox"/> I am applying as a Senior Citizen age 65 or older <input type="checkbox"/> I am applying as a widow or widower, age 60-64, of a previously qualified applicant. <input type="checkbox"/> I am applying as a Disabled Veteran
14. Type of Dwelling: <input checked="" type="checkbox"/> single family <input type="checkbox"/> condominium <input type="checkbox"/> mobile home <input type="checkbox"/> duplex <input type="checkbox"/> other _____		
15. Is this your permanent place of abode? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, permanent residential address is:		16. Is your home on land you own? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, % of ownership If no, owner's name:
17. Is any portion of this property used for commercial or rental purposes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, percentage: _____ %		
18. As provided for under AS 29.45.030(e), a municipality may, in a case of hardship, provide for an exemption beyond the first \$150,000 of assessed value. A hardship application may be obtained from your municipal assessing office.		
19. Certification: I hereby certify that the answers given on this application are true and correct to the best of my knowledge. I understand that a willful misstatement is punishable by a fine or imprisonment under AS 11.56.210.		
Date: <u>5/21/2018</u>	Signature of Applicant: <u>Theresa A. Warren</u>	

Following is for Local Assessor/Clerk Use Only

<input checked="" type="checkbox"/> New Filing	<input type="checkbox"/> Prior Filing	<input type="checkbox"/> Approved	<input checked="" type="checkbox"/> Denied
Proof Provided: <input type="checkbox"/> Age <input type="checkbox"/> Disability (DAV) <input type="checkbox"/> Ownership Verified By: _____			
Parcel Number and/or Legal Description: <u>Lot 48-1 Aerie Subdivision</u>			
Comments: <u>Denied because timely application not made. InVeeder</u>			
Property Value	Land	Building	Total
Secondary lots			
Adjustments:			
Ownership	% _____		
Commercial/Rental	% _____		( )
		Subtotal:	\$ _____
		If Subtotal exceeds \$150,000, use this figure:	\$ 150,000
SC/DAV Exempt Value	Tax Code Area	Mill Rate	SC/DV Exempt Taxes
Borough			
City			
Total SC/DAV Exempt		Tax Amount	\$ _____

05/23/2018 13:29  
 marjie

CITY OF UNALASKA  
 CUSTOMER STATEMENT

P 1  
 arcidstm

CURRENT ADDRESS:

Robert & Theresa Warren

LOCATION:

Lot 4B-1 Aerie Subdivision

PROPERTY CODE:

Unalaska AK 99685

CUSTOMER ID: 90605403

INTEREST DATE: 05/23/2018

YEAR	TYPE	CHARGE	BILLED	PRIN DUE	INT DUE	FEE/PEN DUE	TOTAL DUE	NEXT INT
			.00	.00	.00	.00 PAID		
	BILL#	0	.00	.00	.00	.00	.00	.00
	CUSTOMER TOTALS		.00	.00	.00	.00	.00	.00

\*\* END OF REPORT - Generated by Marjorie Veeder \*\*



CITY OF UNALASKA  
UNALASKA, ALASKA

RESOLUTION 2018-43

A RESOLUTION OF THE UNALASKA CITY COUNCIL DENYING A REQUEST FOR A WAIVER FOR FAILURE TO FILE A TIMELY APPLICATION FOR THE SENIOR CITIZEN SALES TAX REFUND FOR THERESA A. WARREN

WHEREAS, Unalaska Code of Ordinances (UCO) 6.40.050 offers a \$200 sales tax refund to natural persons of at least sixty-five (65) years of age on or before March 31 of each year, provided a timely application is filed;

WHEREAS, Theresa A. Warren filed an application for the sales tax refund on May 21, 2018; and

WHEREAS, UCO states that claims for refund filed after March 31 of each year shall be denied.

NOW THEREFORE BE IT RESOLVED that the Unalaska City Council denies Theresa A. Warren's request for a waiver for failure to timely file an application for the senior citizen sales tax refund.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on June 12, 2018.

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Frank Kelty  
Mayor

ATTEST:

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Roxanna Winters, Deputy Clerk  
Acting City Clerk

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## MEMORANDUM TO COUNCIL

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To: Mayor and City Council Members  
From: Marjie Veeder, City Clerk  
Through: Thomas E. Thomas, City Manager  
Date: June 12, 2018  
Re: Resolution 2018-43, a Resolution of the Unalaska City Council denyi9ng a request for a waiver for failure to file a timely application for the senior citizen sales tax refund for Theresa A. Warren

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**SUMMARY:** The City of Unalaska offers a \$200 sales tax refund to senior citizens, with an application deadline of March 31 each year. Theresa A. Warren failed to make a timely application for the refund, and has written a letter of appeal asking that the deadline be waived and her late application be accepted as timely.

**PREVIOUS COUNCIL ACTION:** The Clerk was unable to find any previous action of the council addressing an appeal for failure to timely file an application for the senior citizen sales tax refund.

**BACKGROUND:** To be eligible for the refund, the consumer must be sixty-five (65) years of age or older by March 31 of each year, be a resident of the City for at least thirty (30) days prior to their application, and file a timely application for refund with the City.

**DISCUSSION:** Each year, in an effort to make senior citizens aware of the refund, the Clerk's office advertises the refund program by posting flyers, sending "blast-faxes", and posting information on the City website. On May 21, well after the application deadline, the Clerk's office received a letter from Theresa A. Warren requesting a waiver of the March 31 application deadline which, if granted, will allow the City Clerk to accept her application for the senior citizen sales tax refund as if timely filed. Mrs. Warren is a first time filer and indicates she was in Anchorage at the time of the deadline accompanying her husband who was receiving treatment following a stroke.

There is no language in code allowing a waiver of the application deadline for good cause shown. Code states claims for refund filed after March 31 of each year shall be denied.

**ALTERNATIVES:** Deny the waiver; or authorize the waiver and accept the late application as if timely filed.

**FINANCIAL IMPLICATIONS:** Pursuant to Code, the refund is \$200.

**LEGAL:** None sought.

**STAFF RECOMMENDATION:** Code indicates claims for refund filed after March 31 of each year shall be denied. For this reason, staff recommends the appeal be denied. If Council chooses to grant the appeal, an appropriate resolution will be prepared for consideration at a later date.

**CITY MANAGER COMMENTS:** None. This is a Council decision.

**ATTACHMENTS:** UCO 6.40.50(C); application; and Letter of Appeal received from Theresa A. Warren

**§ 6.40.050 APPLICATION FOR TAX REFUND.**

A. ...

B. ...

C. SENIOR CITIZEN REFUND. Natural persons of at least sixty- five (65) years of age on or before March 31 of each year shall be entitled to receive a yearly sales tax refund in the amount of two hundred dollars (\$200).

1. To be eligible for the refund, the consumer must be sixty-five (65) years of age or older by March 31 of each year, be a resident of the City for at least thirty (30) days prior to their application, and file a timely application for refund with the City. The application form may require the consumer-applicant to provide proof of age and of residency, along, with other information reasonably necessary to administer this refund. The claim for refund may be made only by filing a timely application with the City Clerk.

2. An application for a senior citizen refund must be filed with the City between January 1 and March 31 of each year. Claims for refund filed after March 31 of each year shall be denied.

3. Any eligible applicant who has a delinquent account of any kind with the City shall not be entitled to receive their refund directly. The City shall, instead, apply the refund to the delinquency. Only once the delinquency is paid may any surplus refund be directed to the eligible recipient.

4. “Resident of the City,” for the purposes of this subsection, means a person who is physically present in the City with the intent to remain indefinitely in the City and to make a home in the City. The individual must also have maintained a principal place of abode in the City for at least thirty (30) consecutive days immediately preceding the date of application for a refund. A person demonstrates the intent required under this section through establishing and maintaining customary ties indicative of residence in the City and through the absence of those ties elsewhere. Physical presence in the City is not, by itself, sufficient to establish residency.

D. ...

May 21, 2018

Greetings!

I write today regarding the Senior Citizen Sales Tax Refund, as well as the Property Tax Exemption.

My 65<sup>th</sup> birthday was June 12, 2017. My first opportunity to apply was 1st quarter of this year. However, my husband & I were in Anchorage Feb 3 through April 1 of this year for more intense post-stroke therapies. Since our return was after the deadline, I ask for reconsideration of these applications' deadlines.

Thank You,

Theresa A. Warren



CITY OF UNALASKA  
Office of the City Clerk  
P. O. Box 610  
Unalaska, AK 99685  
(907) 581-1251



### Application for Senior Citizen Sales Tax Refund

Pursuant to Unalaska City Code 6.40.050

1. Applicant Name: Theresa A. WARREN
2. Date of Birth: JUNE 12, 1952
3. Residence Address: 264 Eagle Dr. Unalaska 99685
4. Mailing Address: PO Box 920363 Dutch Harbor, AK 99692
5. Telephone number: 907-581-4093
6. Date you established residency in Unalaska: October 12, 1993
7. When do you plan to leave Unalaska? completion of house sale
8. Do you intend to remain in Unalaska indefinitely and make Unalaska your home? ☐ Yes ☒ No
9. Is your primary residence outside of Unalaska? ☐ Yes ☒ No

Note: City Clerk may request proof of age and residency

### CERTIFICATION OF APPLICANT

I certify that the information provided in this document is the truth.

Signature Theresa A. Warren Date May 21, 2018

### CLERK'S OFFICE USE ONLY

- Date application received: 5/21/2018 ☒ New Application ☐ Repeat Application
- ☐ Applicant personally known in Clerk's Dept.
- ☐ Residency Proof Provided / Type: \_\_\_\_\_
- ☐ Age Proof Provided / Type: \_\_\_\_\_
- ☐ Additional information requested: \_\_\_\_\_

APPROVED \_\_\_\_\_ DISAPPROVED ☒ Reason for disapproval: Filed well after deadline  
Approved / Disapproved by: mveeder