

City of Coffman Cove, Alaska  
Ordinance No. 20 03

**CITY OF COFFMAN COVE, ALASKA**  
**ORDINANCE NO. 20 03**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COFFMAN COVE, ALASKA, AUTHORIZING THE DISSOLUTION OF THE NORTH END FERRY AUTHORITY, A PORT AUTHORITY CREATED UNDER AS 29.35.600 – 29.35.730 AND CITY OF COFFMAN COVE ORDINANCE 10-01, PROVIDING FOR THE ORDERLY DISSOLUTION OF SAID PORT AUTHORITY, CALLING A REFERENDUM ON THE PROPOSITION OF DISSOLUTION OF SAID PORT AUTHORITY, AND ESTABLISHING AN EFFECTIVE DATE.

**RECITALS**

- A. Whereas the North End Ferry Authority (NEFA) was formed with the intention of including participation of multiple municipalities to provide transportation links between Coffman Cove, Wrangell and Petersburg; and
- B. Whereas the City of Coffman Cove was the only municipality to adopt an ordinance forming the NEFA; and
- C. Whereas the City of Coffman Cove has concluded that the NEFA is not a viable enterprise and should be dissolved, its assets liquidated, and debts paid; and
- D. Whereas the NEFA does not currently have a functioning board or sufficient board members to conduct business; and
- E. Whereas it is in the public interest to conduct the dissolution of the NEFA in an expeditious and efficient manner with appropriate attention to the interests of the City of Coffman Cove and its residents who are entitled to the benefits of any remaining assets of the NEFA after payment of outstanding obligations and debts.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COFFMAN COVE, ALASKA, AS FOLLOWS:

**Section 1. Classification:** This ordinance is permanent in nature and shall become a part of the Code of the City of Coffman Cove.

**Section 2. Authority:** The Municipal Port Authority Act (AS 29.35.600–29.35.730) and City of Coffman Cove Ordinance 10-01.

**Section 3. Dissolution:** The City Council of the City of Coffman Cove hereby authorizes the dissolution of the North End Port Authority pursuant to the Alaska Municipal Port Authority Act (AS 29.35.600 – 29.35.730) and Section 20 of Ordinance 10-01, and under the process and procedures set out in this ordinance.

**Section 4. Code Amendment:** Chapter 16.01 of the City of Coffman Cove Code, which was adopted by Ordinance 10-01, is repealed.

**Section 5. Dissolution Process:** Upon approval of the proposition set forth in section 6 of this ordinance by a majority of the voters voting on the question the City of Coffman Cove shall dissolve the North End Ferry Authority in accordance with this section.

- A. The City of Coffman Cove shall immediately take possession and control of the assets of the North End Ferry Authority.
- B. The North End Ferry Authority Board is dissolved and shall cease to function. To the extent a board of directors is required to oversee the dissolution of the North End Ferry Authority the City of Coffman Cove City Council shall exercise that power.
- C. That the City of Coffman Cove shall terminate any operations of the North End Ferry Authority and cease to provide any North End Ferry Authority services within 30 days of ratification.
- D. That the City of Coffman Cove shall:
  - a. inventory all obligations of the North End Ferry Authority;
  - b. provide notice to creditors and potential creditors;
  - c. within 3 months compile a listing of all North End Ferry Authority debts and other obligations;
  - d. terminate any pending contracts except as are required to maintain the North End Ferry Authority assets pending disposal;
  - e. pay all valid debts or other obligations from the assets of the North End Ferry Authority including costs incurred by the City of Coffman Cove in the course of dissolution; and
  - f. deny any claims which are deemed by the City to be untimely or invalid.
- E. That, unless the time for actions to be completed is extended by subsequent ordinance, the City of Coffman Cove shall liquidate all the North End Ferry Authority assets within 12 months by sale or transfer to the participating municipality after payment of any outstanding debts or valid obligations of the North End Ferry Authority.
- F. That the City of Coffman Cove shall take such other actions as are required by City of Coffman Cove Ordinance 10-01 or AS 29.35.610 to accomplish the dissolution, and file such forms or notices with the State of Alaska as are required to accomplish the dissolution.

**Section 6. Referendum:** A ballot proposition shall be placed before the voters at the October 1, 2019 regular municipal election in substantially the following form:

PROPOSITION NO. 1

**DISSOLUTION OF THE NORTH END FERRY AUTHORITY**

"Shall Ordinance 20 03, which dissolves the North End Ferry Authority, be approved?"

YES .....

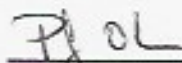
NO .....

**Section 7. Severability:** Should any provision of this ordinance be ruled invalid, it shall be deemed severable and the remainder shall continue in full force and effect.

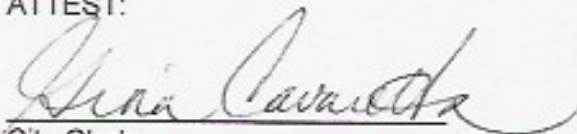
**Section 8. Effective Date:** That Sections 6, 7 and 8 of this ordinance shall become effective immediately on adoption. The remainder of this ordinance shall become effective upon certification of the results of the regular municipal election to be held October 1, 2019, but only if the proposition set forth in section 6 of this ordinance is approved by a majority of the qualified voters voting on the question.

1<sup>st</sup> Reading: August 15<sup>th</sup>, 2019  
2<sup>nd</sup> Reading: September 19<sup>th</sup>, 2019  
Public Hearing: September 19<sup>th</sup>, 2019

PASSED AND APPROVED by at least a 2/3 majority of the City Council of the City of Coffman Cove, Alaska this 19<sup>th</sup> day of September, 2019.

  
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Mayor / Vice Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk