

FY 2013 Community Revenue Sharing Program

APPLICATION FORMS

Filing Deadline: June 1, 2012



State of Alaska
Sean Parnell, Governor

Department of Commerce, Community,
and Economic Development
Susan Bell, Commissioner

Division of Community and Regional Affairs
Scott Ruby, Director



STATE OF ALASKA
DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT

Division of Community and Regional Affairs

Sean Parnell, Governor
Susan K. Bell, Commissioner
Scott Ruby, Director

Dear Municipal Official:

The Division of Community and Regional Affairs (DCRA) is pleased to provide you with the attached FY 13 Community Revenue Sharing Program application. **To participate in the FY 13 Community Revenue Sharing Program, this application must be completed and returned to the Department, postmarked no later than June 1, 2012.**

The application consists of three pages. Page one, or the cover sheet, provides several questions that must be answered in order to determine whether the borough meets the minimum qualifications for funding as required by law. Page one also provides a "certification and assurances" statement that must be signed by the mayor, manager or administrator of the borough. Page two is a FY 13 Community Revenue Sharing Program budget form. The budget form, which provides an **estimate** of the borough's FY 13 Community Revenue Sharing payment, must be completed and returned with the application cover sheet.

Page three is a sample resolution for use by the borough assembly to identify to the DCRA the unincorporated communities located within the borough it determines to be eligible for funding under the FY 13 Community Revenue Sharing Program. We have attached the pertinent statutes and regulations to assist the borough in making its eligibility determinations.

In addition to the completed application, each borough must submit to the DCRA a copy of its approved FY 13 borough budget (2012 budget for boroughs operating on a calendar fiscal year) and FY 11 audit. Note: The budget and audit are not due by the June 1, 2012, application deadline. They may be submitted at a later date.

The completed FY 13 Community Revenue Sharing application, FY 13 borough budget, and FY 11 audit should be submitted to:

Division of Community and Regional Affairs
Community Revenue Sharing Program
P.O. Box 110809
Juneau, AK 99811

Please be aware that funding for the Community Revenue Sharing Program may decline substantially in future years if the Legislature decides not to appropriate additional monies into the Community Revenue Sharing Fund. For example, with no further appropriations, payments will decline by over 33% in FY 14, 55% in FY 15, and no funding will be available for distribution in FY 16.

Should you have any questions regarding the FY 13 Community Revenue Sharing Program, please feel free to call me at 907-465-4751.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence Blood".

Lawrence Blood
Local Government Specialist IV

P.O. Box 110809, Juneau, Alaska 99811-0809
Telephone: (907) 465-4751 Fax: (907) 465-4761 Text Telephone: (907) 465-5437
Email: Lawrence.blood@alaska.gov Website: <http://www.commerce.alaska.gov/dcra/>

**FY 2013
COMMUNITY REVENUE SHARING PROGRAM
APPLICATION COVER SHEET**

Name of Municipality

Date

Mailing Address

Phone

City, State, Zip Code

Fax

"Minimum Qualifications"

	Yes	No	Not Applicable
a. Did your municipality successfully conduct its most recently scheduled local regular election?	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are regular meetings of the governing body held in accordance with local code and a record of the proceedings maintained?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Have your municipality's ordinances been codified?	<input type="checkbox"/>	<input type="checkbox"/>	
d. If the municipality levies and collects property taxes, has the municipality provided the Taxpayer Notice required by AS 29.45.020?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. If the borough levies and collects only a sales and use tax, has the borough provided the Taxpayer Notice required by AS 29.45.660?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

"Certification and Assurances"

The applicant certifies that to the best of my knowledge and belief, the information contained in this application is true and correct and the applicant agrees to comply with the laws and regulations which are used to administer Community Revenue Sharing Program funds.

Mayor, Manager or Administrator
Printed Name

Mayor, Manager or Administrator
Signature

FY 2013 COMMUNITY REVENUE SHARING

BUDGET FORM

Name of Municipality

Please describe below how your municipality proposes to use its estimated FY 2013 Community Revenue Sharing payment.

FUEL \$ _____

ELECTRICITY \$ _____

INSURANCE \$ _____

EDUCATION \$ _____

WATER/SEWER \$ _____

PUBLIC SAFETY \$ _____

FIRE \$ _____

ROAD MAINTENANCE \$ _____

HARBORS \$ _____

HEALTH \$ _____

LOCAL TAX RELIEF \$ _____

GENERAL ADMINISTRATION \$ _____

OTHER _____ \$ _____

OTHER _____ \$ _____

OTHER _____ \$ _____

ESTIMATED PAYMENT \$ _____

RESOLUTION # _____
APPROVING UNINCORPORATED COMMUNITIES
FOR PARTICIPATION IN THE
FY 13 COMMUNITY REVENUE SHARING PROGRAM

A RESOLUTION APPROVING CERTAIN UNINCORPORATED COMMUNITIES AND THEIR RESPECTIVE NATIVE VILLAGE COUNCIL AND/OR INCORPORATED NONPROFIT ENTITY FOR PARTICIPATION IN THE FY 13 COMMUNITY REVENUE SHARING 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 Revenue Sharing 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 Revenue Sharing 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 FY 13 Community Revenue Sharing 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____

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 revenue sharing 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 revenue sharing 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 revenue sharing 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 revenue sharing 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 revenue sharing 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.

(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;

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 revenue sharing payment.