

Proposed by:	Assemblymember Weddell
Attorney Review:	06/06/2024
First Reading:	06/20/2024
Second Reading:	_____
Vote:	<input type="checkbox"/> Aye <input type="checkbox"/> Nay <input type="checkbox"/> Absent

**MUNICIPALITY OF SKAGWAY, ALASKA
ORDINANCE NO. 24-06**

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AUTHORIZING THE MUNICIPALITY OF SKAGWAY TO TRANSITION THE DAHL MEMORIAL CLINIC TO AN INDEPENDENT 501(c)(3) AND LEASE THE CLINIC FACILITY TO THE CLINIC 501(c)(3) AND DIRECTING THE BOROUGH CLERK TO PLACE A PROPOSITION ON THE OCTOBER 1, 2024, REGULAR ELECTION BALLOT FOR RATIFICATION.

WHEREAS, the Municipality of Skagway wishes to transition the Dahl Memorial Clinic to an independent 501(c)(3) entity and lease the Clinic facility to this entity after its establishment; and

WHEREAS, the establishment of a 501(c)(3) entity may allow access to a broader spectrum of grant and funding opportunities, thereby potentially enhancing financial sustainability and programmatic flexibility for the Dahl Memorial Clinic; and

WHEREAS, the Municipality cannot legally be the body that forms and operates an independent 501(c)(3) entity; and

WHEREAS, in the April 18, 2023, special election, Skagway voters approved Proposition 2 requiring ratification by public vote for leasing or selling the E.A. & Jenny Rasmuson Community Health Center building and the Dahl Memorial Clinic business; and

WHEREAS, the intent of this ordinance is to get approval from voters to move forward with the potential transition of the Clinic from a municipal department to an independent 501(c)(3) entity, and involving the voters in the transitioning process if approved;

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

Section 2. Purpose. To authorize the Municipality of Skagway to transition the Dahl Memorial Clinic to an independent 501(c)(3) entity, authorize the Municipality of Skagway to negotiate a lease of the Clinic facility to the newly established 501(c)(3), and to place a proposition on the October 1, 2024, regular election ballot for ratification.

Section 3. General Terms and Conditions of Dahl Memorial Clinic 501(c)(3) Entity.

The independent Clinic 501(c)(3) entity shall adhere to the following general terms and conditions:

- a) The Clinic 501(c)(3) articles of incorporation will be approved by the Borough Assembly and the Clinic Board prior to submission to the Department of Corporations;
- b) The Clinic 501(c)(3) entity will operate from the E.A. & Jenny Rasmuson Community Health Center (Property), which is owned by the Municipality of Skagway, through a negotiated lease of the Property, to be approved by the Assembly at a future date by ordinance;

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- c) Finalization of the establishment of the entity’s articles of incorporation and/or bylaws shall be contingent upon the negotiation and approval of lease terms by the Borough Assembly;
- d) The Clinic 501(c)(3) shall not be authorized to sell, or lease, the provision of its services to another organization;
- e) If the Clinic 501(c)(3) entity is ever dissolved in the future, clinic operations will revert back to the Municipality of Skagway.

Section 4. Proposition. The Borough Clerk is hereby directed to place the following ballot proposition before the voters at the October 1, 2024, Regular Election.

“Shall the Municipality of Skagway be authorized to lease or sell the Dahl Memorial Clinic business with the intention of transitioning to an independent 501(c)(3) entity which adheres to the terms and conditions in Ordinance No. 24-XX and negotiate a lease with the newly created entity for the E.A. & Jenny Rasmuson Community Health Center building?”

Approve

Not Approve”

Section 5. Effective Date. Section 4 of this ordinance shall become effective immediately. The remainder of this ordinance shall become effective upon ratification by a majority of the qualified voters of the Municipality of Skagway.

NOW, THEREFORE BE IT ORDAINED BY THE ASSEMBLY OF THE MUNICIPALITY OF SKAGWAY, ALASKA that the Municipality of Skagway is authorized to transition the Dahl Memorial Clinic to a 501(c)(3) entity adhering to the terms and conditions of this ordinance and negotiate a lease with the newly created entity for use of the Clinic facility, for future approval by ordinance, effective upon ratification of the proposition by the voters at the October 1, 2024, regular election.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this __ day of _____ 2024.

Sam Bass, Mayor

ATTEST:

Steve Burnham Jr., Borough Clerk

(SEAL)