

ALASKA LEGISLATION COMMITTEE FILES 903-904 00/2

2157 HCRA COMMISSIONER CONFIRMATION HEARING (FILE 1, -2)

1983-1984

HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

LIST OF FILES (PAGE 1)

MICROFICHE #

COMMUNITY & REGIONAL AFFAIRS COMMISSIONER
CONFIRMATION HEARING (FILE 1)

COMMUNITY & REGIONAL AFFAIRS COMMISSIONER
CONFIRMATION HEARING (FILE 2)

COMMUNITY & REGIONAL AFFAIRS COMMISSIONER
CONFIRMATION HEARING (FILE 3)

HB 31

HB 41

HB 119

HB 144

HB 145

HB 146

HB 148

HB 152

HB 153

HB 157

HB 158

HB 162

HB 172 (FILE 1)

HB 172 (FILE 2)

HB 172 (FILE 3)

HB 172 (FILE 4)

HB 172 (FILE 5)

HB 227

HB 255

HB 285

HB 302

HB 328

1983-1984

HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

LIST OF FILES (PAGE 2)

MICROFICHE #

HB 330

HB 339

HB 366

HB 377

HB 396

HB 461

HB 537

HB 558

HB 562

HB 590

HB 598

HB 625

HB 629

HB 679

HJR 59 / SJR 34

HJR 61

HJR 69

SB 21

SB 53

SB 98

SB 150

SB 151

SB 247

SB 260

SB 272

SB 319

SE 386

1983-1984
HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE
LIST OF FILES (PAGE 3)

MICROFICHE #

SB 527

SJR 34: see file for HJR 59

CERRA

COMMISSIONER
CONFIRMATION
HEARINGS

FILE 1

CARA

TO: COMMITTEES
FROM: CHIEF CLERK
DATE: March 5, 1984

The Governor has made appointments to the following boards and commissions, Commissioners and changes in military rank and they have been referred by the Speaker to these committees for confirmation:
(* indicates resumes have not yet been received & forwarded to committees)

HESS Board of Education
Kito, Sam
Schaeffer, Mary

Board of Nursing Home Administrators
Deater, Eloise

Board of Regents
Hensley, Willie
Shaver, Beatrice Lynn (Student)
Professional Teaching Practices Com.
Adkison, Larry
Jorgensen, Spike
Nelson, James "Tom"
Ryals, Karen
Trent, Darleen
Van Flein, Margaret

JUDICIARY Alcoholic Beverage Control Board
Perkins, Jane
Smith, William

Judicial Conduct, Commission on
Dale, Barbara
Lincoln, Georgianna

Judicial Council
Murray, Renee

LABOR & COMMERCE Architects, Engineers & Land Surveyors
Menzies, Malcolm
Sampson, Sandra

Barbers & Hairdressers, Board
Ashcraft, Letha
Janzen, Carolyn
Slaven, Roger

Dental Examiners, Board
Buxton, Paul
Zemlicka, Jerry

Nursing, Board of
Hartz, Lynn
Solomon, Alice

Pharmacy, Board of
Donelson, Joy
Nielson, Christy

Real Estate Commission
Anders, Ed
Benson, John
Collins, LaVerne
Serrano, Gilbert
Hill, Barbara

Worker's Compensation Board
Pruhs, Delia
Richards, David
Thomas (II), Joe
Thompson, Jack

Medical Board
Hughes, Dolores

RESOURCES/FISHERIES

Fisheries, Board of
Angasan, Val
Blake, Robert
Bonney, Bix
Foster, Jesse
Garner, John
Jolin, Ron
Museth, Jerene

Commercial Fisheries Entry Commission
Smith, Phillip

RESOURCES

Game, Board of
Bennett, Joel
Huntington, Sidney
Jackson, Nicholas
Scanlan, Sarah

STATE AFFAIRS

Personnel Board
* Humphries, Ben
Johnson, Marlene

Human Rights Commission
Solomon, Morgan

TRANSPORTATION

Marine Pilots, Board of
Brady, Judith
Hodgman, James

COMMISSIONERS:

COMMUNITY & REGIONAL AFFAIRS

COMMUNITY & REGIONAL AFFAIRS
Notti, Emil

(Report received 1/20/84)

TRANSPORTATION & FINANCE

DOT/PF

Knapp, Richard

CHANGE IN ALASKA NATIONAL GUARD RANK

STATE AFFAIRS

MAJOR GENERAL

Pagano, Edward

BRIGADIER GENERAL

Hoyt, John

(Report received 2/22/84)



Official Business

Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

JANUARY 19, 1984

AGENDA

1. Call meeting to order
2. Roll call
3. Recognition of special guests
4. Introduction of Acting Commissioner Emil Notti
5. Question and answer session
6. Vote
7. Brief summary of next meeting
8. Adjournment



Official Business

Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

TO: Community and Regional Affairs Committee Members

FROM: Staff

SUBJ: Confirmation Hearing

DATE: January 19, 1984

The following comments were prepared as a result of a discussion during which legal advice was requested for the question:

"What is the role of the Committee in conducting confirmation hearings?"

The question which the individual committee members must resolve in their own minds is:

"Do you believe the nominee would properly fulfill the duties of the Commissioner?"

The decision is essentially a political process as opposed to a legal process. There is no requirement to apply the rule of "burden of proof"; a more appropriate description is a "burden of persuasion".

During the process, the determination of an act or acts being technically illegal is "mildly interesting" and in large part, irrelevant from the perspective of the Committee. The question of impropriety is more important in the decision making process.

The rationale for the previous statement is that the commitment of an illegal act(s), even if substantially proven, may or may not be indicative of a person's qualifications to perform assigned duties and the Committee is not in a position to prosecute for illegal acts.

On the other hand, the Committee is charged with making a judgement, based on all reasonably available information, whether or not the actions of the individual convince the Committee that the nominee will, or will not, properly fulfill the role of Commissioner.

RESUME

Emil Reynold Notti
6735 Gray Street
Juneau, AK 99801
Phone: (907) 585-2168

Education

BSEE, Northrop University
Inglewood, California - 1961

Military Service

U.S. Navy 1952-1956 - Honorable Discharge

Honors

Honorary Doctor of Humane Letters Degree from Alaska
Methodist University, 1969
President Emeritus, Alaska Federation of Natives
Nominee - Alaskan of the Year, 1969

Employment

December 1982 to Present: Director, Legislative Re-
lations for Governor Bill Sheffield.
April 1980 - December 1982: Emil Notti & Associates,
Anchorage, Alaska

Job placement for high level professional personnel.
Generate job placements, interview potential candi-
dates, screen for suitability of client, and check
references for clients.

April 1978 - March 1980: President, Doyon, Limited,
Fairbanks.

The President of Doyon, Limited is chief executive
officer for the Corporation. The President is
responsible for the general supervision and control of
the business, property, and affairs of the Corporation.
He reports to the Board of Directors monthly and to the
stockholders annually. The President presides at all
meetings of the stockholders.

1976 to April 1978: Senior Vice President, Doyon,
Limited, Fairbanks.

The Senior Vice President has internal management of
the Company. The Vice President of Finance, Director
of Resources, and Director of Lands report to the
Senior Vice President. He is part of a senior invest-
ment committee He held negotiations for oil and gas and
heavy minerals exploration on millions of acres of
Company land. He has responsibility for dealing with
government bodies - both legislative and
administrative. Operating budgets and planning

Resume
Emil Notti
Page 2

functions are the responsibility of the Senior Vice President. Preparation and presentation of reports to the Board of Directors and to the stockholders at the Annual Meeting of Stockholders are made by the Senior Vice President.

September 1972 to 1976: President, Alaska Native Foundation, Anchorage.

Chief Administrator for the Foundation. Prepares budgets, seeks contracts from State and Federal agencies, coordinates seminars and training activities, chairs Board meetings.

June 1971 to September 1972: Deputy Commissioner, Department of Health & Social Services, State of Alaska.

Full responsibilities for Department in absence of Commissioner. Department had approximately 1400 employees. Worked with Divisions in Department to prepare budget. The Divisions in the Department were Public Health, Mental Health, Administration, Corrections, and Family and Childrens Services. Other programs attached to the Commissioner's office were Office of Alcoholism and Office of Aging.

April 1970 - May 1971: Self-Employed. Electronic Systems, Sitka.

Sales and service of electronic equipment for commercial boats, cars, institutions and homes.

June 1967 - March 1970: President, Alaska Federation of Natives, Anchorage. The Alaska Federation of Natives, Native land claims lobbying. Organizing regional Native organizations.



Official Business

Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

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Official Business

Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

January 19, 1984

Representative Joe Hayes
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Speaker:

The House Community and Regional Affairs Committee has held confirmation hearings on Mr. Emil Reynold Notti for confirmation to the Commissioner's position to the Community and Regional Affairs Department, State of Alaska.

Mr. Notti was recommended for appointment by Governor William Sheffield.

After meeting and voting on the matter, the House Community and Regional Affairs Committee recommends that the above named person be confirmed to that position.

Respectfully submitted,

Mike W. Miller, Chairman

Concurring:

Bette Cato, Vice Chairman

John Lindauer

Vern Hurlbert

Jack McBride

Barbara Lacher

Randy Phillips 1/19/84

C E R A

COMMISSIONER
CONFIRMATION
HEARINGS

FILE 2

CONTENTS (LEFT-SIDE)

Copy of letter to Mark Lewis informing of hearings

AS 39.05.070

Resume - Mark Lewis

Financial Statement - Mark Lewis

Letters, articles in support of or against Mark Lewis

CONTENTS (RIGHT-SIDE)

TAB 1 General questions - Department overview

TAB 2 Valdez Property Tax Assessments

News Release - Dept. of Revenue

Municipal assessed value ratio tables 1980, 1981, 1982, Dept. of Revenue

Press Release - Mark Lewis

Letter, Mr. Randall, assessor, to Mark Lewis re: assessed values dated March 31, 1981

Valdez City Code - taxation

Valdez City Charter - taxation

Excerpts Anchorage Daily Times, February 18, 1983; February 19, 1983

TAB 3 Seward Grain Terminal

Chronology of events - Seward Grain Terminal

TAB 4 Valdez Personnel Policy Change

Request for change - April 12, 1982

Memo for Review Committee - April 12, 1982

Valdez City Attorney report - August 25, 1982

Valdez City Code - personnel

Unsigned city resolution No. 8248, Sept. 1982

City ordinance No. 8216, Sept. 20, 1982

INDEX

TAB

1. ANNOUNCEMENTS
2. STATUTES, RE: CONFIRMATION
3. BIOGRAPHY - MARK LEWIS
4. CONFLICT OF INTEREST STATEMENT
5. LETTERS OF SUPPORT
6. LETTERS, RE: VALDEZ
7. LETTER OF NON-SUPPORT

Lee Sharp
586 -

How Gov's appointed you?
why?
Hunt Bldg - from
Cordova St.

Alaska State Legislature

file

Barbara Lacher, Chairman
Mae Tischer, Vice-Chairman
Randy Phillips
Milo Fritz
Don Clocksin
Jack McBride
Mike Szymansk



Room 104
State Capitol
Juneau, Alaska 99811

Pouch V
Juneau, Alaska 99811

House of Representatives
Committee on Community & Regional Affairs

March 17, 1983

Joe Hayes
House Speaker
State Capital
Pouch V
Juneau, AK 99811

Dear Speaker Hayes,

This is to request an extension of the April 1, 1983 recommendation from the Committee on Community & Regional Affairs pertaining to the confirmation of Mr. Mark Lewis as Commissioner, Department of Community and Regional Affairs.

We initially scheduled the hearings to begin on March 21, 1983, this schedule was based upon timely receipt of a report from the Department of Revenue and of receiving legal opinions on related issues. The report arrived this morning and will clearly require additional staff time to fully analyze. In all fairness to Commissioner Lewis, we need to clear up the allegations that have been addressed in the report.

The primary purpose of this request is to insure that the Committee provide Mr. Lewis with a full hearing and, in so far as possible, clear the air on any possible allegations.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Lacher".

Barbara Lacher
Representative
District 16

BL/sr

Alaska State Legislature

Barbara Lacher, Chairman
Mae Tischer, Vice-Chairman
Randy Phillips
Milo Fritz
Don Clocksin
Jack McBride
Mike Szymanski



Room 104
State Capitol
Juneau, Alaska 99811

Pouch V
Juneau, Alaska 99811

House of Representatives Committee on Community & Regional Affairs

March 17, 1983

Mr. Mark Lewis, Commissioner
Department of Community & Regional
Affairs
Juneau, Alaska

Dear Commissioner Lewis:

I regret that I must inform you that confirmation hearings for your appointment, scheduled for March 21 and 22, must be delayed.

When we initially scheduled the hearings for the above dates, it was with the understanding that we would be in receipt of a report from the Department of Revenue and of receiving legal opinions on related issues. The report just arrived this morning and will clearly require additional staff time to review. It is my intention to inform myself and the committee to the fullest extent possible and it is with this in mind that I am delaying the hearing.

Please rest assured that hearings will be rescheduled as soon as possible.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Lacher".

Representative Barbara Lacher
Chairman, House C & R A Committee

Enclosure

Alaska State Legislature



Room 104
State Capitol
Juneau, Alaska 99811

Pouch V
Juneau, Alaska 99811

Barbara Lacher, Chairman
Mae Tischer, Vice-Chairman
Randy Phillips
Milo Fritz
Don Clocksin
Jack McBride
Mike Szymanski

House of Representatives Committee on Community & Regional Affairs

March 14, 1983

Mr. Mark Lewis, Commissioner
Department of Community and
Regional Affairs
Pouch B
Juneau, Alaska 99811

Dear Commissioner Lewis:

Pursuant to AS 39.05.080, the House Committee on Community and Regional Affairs is in receipt of communications that request the Committee to conduct hearings pertaining to your confirmation as Commissioner, Department of Community and Regional Affairs.

This is to notify you that confirmation hearings will be scheduled to begin at 3:15 p.m. on March 21 in Room 205, Capitol and on March 22, in Room 126, Capitol. Additional hearings may be scheduled, if deemed necessary. The Committee respectfully requests your presence during the hearings.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Lacher".
Representative Barbara Lacher
Chairman, House Community and
Regional Affairs Committee

BL:pt

Applied in Alaska State-Operated School Sys. v. Mueller, Sup. Ct. Op. No. 1157 (File No. 2138), 536 P.2d 99 (1975).

Cited in Walker v. Alaska State Mortgage Ass'n, Sup. Ct. Op. No. 353 (File No. 669), 416 P.2d 245 (1966); Alaska State Housing Auth. v. Dixon, Sup. Ct. Op. No. 793 (File No. 1529), 496 P.2d 649 (1972).

Am. Jur. 2d and ALR references. — 63 Am. Jur. 2d, Public Officers and Employees, §§ 5, 38-81, 360-413.

Conclusiveness of governor's decision in removing or suspending officers, 52 ALR 7; 92 ALR 998.

Constitutionality of statute providing for direct appeal or other review of orders and rulings of governor, 66 ALR 586.

Prohibition as means of controlling action of governor, 115 ALR 14.

Legislative power to prescribe qualifications for or conditions of eligibility to constitutional office, 34 ALR2d 155.

Sec. 39.05.065. Qualifications of members of the Board of Education. (a) Each member of the Board of Education shall be a citizen of the United States and have been a resident of Alaska for at least three years.

(b) A member of the Board of Education may also be a member of a district school board. (§ 11 ch 96 SLA 1967; am § 19 ch 26 SLA 1980)

Revisor's note. — "District" as used in subsection (b) of this section apparently means a district of the state public school system as set out in AS 14.12.010.

Cross reference. — As to appointment

of members of Board of Education, see AS 14.07.085.

Effect of amendment. — The 1980 amendment, added subsection (b).

Sec. 39.05.070. Purpose. It is the purpose of AS 39.05.070 — 39.05.110 to—provide procedural uniformity in the exercise of appointive powers conferred by the legislature to eliminate, insofar as possible, recess or interim appointments except in the event of death, resignation, inability to act or other removal from office and the exercise, insofar as possible, of appointive powers only when the legislature is in session. (§ 1 ch 64 SLA 1955)

Section repugnant to tacit confirmation. — The expressed intention of this section is repugnant to tacit

confirmation of appointments. Munson v. Territory of Alaska, 16 Alaska 580 (1956).

Sec. 39.05.080. Procedure for all appointments. Appointments shall be made in the following manner:

- (1) The appointing authority shall, within 30 days of the convening of the legislature in regular session, present to the legislature for confirmation the names of the following persons: (A) persons appointed to a position or membership who have not previously been confirmed by the legislature or either house of it; (B) persons appointed by him subject to confirmation to fill an existing position or membership vacancy; (C) persons to be appointed subject to confirmation to fill a position or membership the term of which shall expire before July 2, following the session of the legislature. If an appointment is made after the deadline but while the legislature is in session, the appointing

authority shall, within five calendar days after the appointment is made, present to the legislature for confirmation the name of the person appointed. The deadline may be extended by the legislature by the approval of a concurrent resolution.

(2) When appointments are presented to the legislature for confirmation,

(A) the presiding officer of each house shall assign the name of each appointee to a standing committee of that house for a hearing, report and recommendation; standing committees of the two houses assigned the same person's name for consideration may meet jointly to consider the qualifications of the person appointed and may issue either a separate or a joint report and recommendation concerning that person; then

(B) the legislature shall, before the end of the session in which the appointments are presented, in joint session assembled, act on the appointments by confirming or declining to confirm by a majority vote of all of the members the appointments presented.

(3) When the legislature declines to confirm an appointment, the legislature shall notify the appointing authority of its action and a vacancy in the position or membership exists which the appointing authority shall fill by making a new appointment. The new appointment shall be presented for confirmation to the legislature within 20 calendar days following receipt by the appointing authority of the legislature's notification of its refusal to confirm the prior appointment. If the name of a person is submitted and is not confirmed, the appointing authority may not, upon resubmission of appointments, submit again the name of the person whose confirmation was refused for the same position or membership during the session of the legislature at which confirmation was refused. The person whose name is refused for appointment by the legislature may not thereafter be appointed to the position or membership during the interim between legislative sessions. Failure of the legislature to act to confirm or decline to confirm an appointment during the session in which the appointment was presented is tantamount to a declination of confirmation on the day the session adjourns.

(4) Pending confirmation or rejection of appointment by the legislature, persons appointed shall exercise the functions, and have the powers and be charged with the duties prescribed by law for the appointive positions or membership. (§ 4 ch 64 SLA 1955; am §§ 1—3 ch 1 SLA 1964; am § 1 ch 2 SLA 1967; am § 1 ch 65 SLA 1974; am § 2 ch 82 SLA 1975)

Legislative history of ch. 82, SLA 1975. — See Bradner v. Hammond, Sup. Ct. Op. No. 1297 (File No. 2802), 553 P.2d 1 (1976).

Laws requiring bilateral appointments are mandatory. Munson

v. Territory of Alaska, 16 Alaska 580 (1956).

Paragraph (2) of this section imposes a direct mandate upon the legislature to act upon the nominations of the governor. Munson v. Territory of Alaska, 16 Alaska 580 (1956).

BIOGRAPHY

Mark E. Lewis

Born:

Place: Boston, Massachusetts

Year: June 27, 1951

Education:

Grade School - Marblehead, Massachusetts

High School - Shattuck School
Fairbault, Minnesota

Undergraduate - Washington State University
September 1971 - June 1974; Bachelor of Arts - Political
Science/Public Administration; course work emphasis in
community development; organization and government
administration

Graduate - Washington State University
February 1977 - January 1978; course work emphasis in
finance and accounting

Listings and Offices:

- President, Alaska City Managers Assoc., 1980/81
- Vice President, Alaska City Managers Assoc., 1979/80
- Board of Directors, Alaska City Managers Assoc., 1978/79
- "Who's Who" Among Students in American Universities and
Colleges, 1973/74

Military:

- Graduate of United States Army
Ranger School - 1972
Status: Army Reserves

Work Experience:

- City of Pullman
Pullman, Washington
1972 - 1974

Program Coordinator

Worked part-time while an undergraduate student as staff
assistant to a City Department Head

- City & Borough of Juneau
Juneau, Alaska
June 1974 - February 1977

City/Borough Administrative Assistant (Assistant to the City Manager)

The City of Juneau is a consolidated full-service "home-rule" city/borough government of the capital of the State of Alaska with a population of 22,000; net budget approximately \$40 million, including \$15 million capital budget. Responsibilities as the Assistant to the City Manager included: budget preparation and budget management assignments; direct responsibility for the City's insurance program and State and Federal grant programs. As staff assistant to the manager, I conducted management analysis and review of various City operations, supervised a wide variety of civic projects and aided in the development of staff policy on a broad spectrum of issues.

- City of Valdez
Valdez, Alaska
January 1978 - May 1978

Assistant City Manager

Managed day-to-day routine operations of the City, along with being directly responsible for financial operations. Did research; monitored, evaluated and directly supervised various programs; developed staff policy recommendations on a broad spectrum of issues.

- City of Valdez
Valdez, Alaska
May 1978 - July 1982

City Manager

The City of Valdez is a growing oil pipeline and port community - the terminus of the Trans-Alaska Pipeline and North America's largest oil port. The City is a full-service, "home-rule," local government encompassing 275 square miles, with a 1981 net operating budget of \$29 million and a capital budget of \$70 million. The Community has approximately 80 full-time City employees and a population of approximately 4,000 people.

The Community's goals, as defined and developed, are to expand and diversify the economy - building on the economic base of the pipeline terminal and utilizing the City's unusual tax base to rebuild and establish the community's long term assets while improving the quality of life for its citizens.

I, as City Manager, was able to make significant contributions to the City of Valdez while, at the same time, gaining a great wealth of management experience, especially in the fields of municipal finance and industrial development, as well as obtaining the experience of piloting major construction projects with significant environmental considerations through Federal and State permit process, on schedule and within budget.

Experience Summary

- Identified, developed and implemented comprehensive community goals with the City Council over a period of years.
- Planned and implemented a comprehensive capital improvement program which included: major port facilities, schools, roads, storm and sanitary sewers, parks, library, civic center, administration building and police and fire stations.
- Facilitated the economic development and diversification of the City.
- Developed the City as one of the major leaders in tax-exempt financing.
- Reconstructed and redirected the City's financial systems.
- Developed a capable staff who are able to follow through with the City's diversification programs.

Economic Development and Diversification

The City Administration established a sound working relationship with industry, which has been the basis for Valdez's economic development. The Administration's efforts included the development of the oil industry, port and marine industries, seafood industry, pipeline related industries, as well as small businesses.

Tax-Exempt Financing

The City of Valdez has become a leader in the field of tax-exempt financing. I was the key administrative official for the City of Valdez on the following financing:

- in the final issues of \$1.35 Billion in Marine Terminal Revenue Bonds;

- \$600 million developed to construct oil facilities in Valdez;
- \$48 million Port Redevelopment bond issue to construct a new "interior Alaska" container port at Valdez;
- \$10 million housing mortgage revenue bond (low interest 8 1/2%) which provided tax-exempt housing mortgage money for Valdez residents; and
- \$18 million school bond issue used to construct various school facilities

Capital Construction

Major new capital construction programs completed under my administration include the following:

- Library facilities - \$2.6 million
- Administration and Police buildings - \$3.0 million
- Three fire stations (2 rural and 1 central)
- City shop (heavy equipment, vehicle maintenance facility)
- Roads, storm and sanitary sewers, parks
- Airport reconstruction - \$7.0 million (including Navigational Aid System)
- Port facilities - \$48.0 million (cargo and container)
- Civic Center (includes theater and large convention center)

These construction projects were designed to build Valdez's infrastructure of community facilities while stimulating the economy in the midst of a temporary recession. During these years the tax millage rate was lowered from 8.9 mills to 6.3 mills.

Awards

Valdez-All America City, 1981-82 by the National League of Cities

Excellence in financial Reporting, 1982 by the Municipal Financial Officer's Association

JAN 4 1983

STATE OF ALASKA
ALASKA PUBLIC OFFICES COMMISSION

610 C Street, Suite 211
Anchorage, AK 99501-3598
(907) 276-4176

OR

APOC - JNO
Room 302, Goldstein Bldg.
130 Sewart Street
Mail: Pouch CO
Juneau, AK 99811-0222
(907) 465-4864

CONFLICT OF INTEREST STATEMENT FOR STATE PUBLIC OFFICIAL OR CANDIDATE

PART 1. GENERAL INFORMATION

REPORTING PERIOD: January 1, 1982 to December 31, 1982 *

REPORTING OFFICIAL: Name: Mark Lewis

Resident Address: 150 Third Street Mailing Address: Pouch B

City: Juneau State: AK Zip Code: 99811 Home Phone: (907) 465-4700
Work Phone: (907) 465-4700

APPLICABLE OFFICE (Mark one or more, as appropriate, and complete blanks):

Legislative (Senator or Representative) Judicial: (title)

Executive Commissioner Community and Regional Affairs
(title of position) (name of department)

Board or Commission Alaska Housing Finance Corporation, Alaska Industrial Develop
and others declared by State Statute
(name of Board or Commission)

TERM OF OFFICE: Begin December 6, 1982 End -

If Candidate, Date Declaration of Candidacy or Nominating Petition Filed: _____

If Appointed or Hired, Effective Date of Appointment: December 7, 1982

MEMBERS OF FAMILY OF REPORTING OFFICIAL: (Please list names)

Spouse: N.A. Dependent Children: N.A.

Non-dependent Children Living with Reporting Official: N.A.

PART 2. CERTIFICATION

I, the undersigned, declare under oath and on penalty of perjury that the statements contained in this conflict of interest statement are, to the best of my knowledge, true, correct, and complete.

DATED: 1/3/83 SIGNED: [Signature]

SUBSCRIBED AND SWORN to before me this _____ day of _____, 19 _____.

Notary Public: _____
My commission expires: _____

*The reporting period is the preceding calendar year for public officials and candidates; were an official to be appointed to a position subject to AS 39.50 in 1981 or were a candidate to file for office in 1981, the "current" COI Statement would cover calendar year 1980.

PART 3. SOURCES OF INCOME AND CAPITAL GAINS OVER \$100

NAME (of reporting official, spouse, etc.)

SOURCE OF INCOME (by name; amounts need not be disclosed.)

1) Salary:

Mark Lewis

State of Alaska

Commissioner

Community and Regional Affairs

Office of the Commissioner

2) Rentals (include business name, if any):

(renters)

3) Dividends and Interest:

Mark Lewis

First National Bank of Anchorage

Foster & Marshall, Inc.

4) Self employment (business name):

(clients or customers or "retail")

N.A.

5) Other:

N.A.

(Continue on blank sheet if necessary)

PART 4. BUSINESS INVOLVEMENT OR OWNERSHIP INTEREST AS A STOCKHOLDER, OWNER, OFFICER, DIRECTOR, PARTNER, PROPRIETOR, OR EMPLOYEE

NAME (reporting official, spouse, etc.)	NATURE OF INVOLVEMENT OR INTEREST	NAME AND ADDRESS OF BUSINESS
<u>Mark Lewis</u>	<u>Savings Account</u>	<u>First Nation Bank of Anch. Valdez, AK 99686</u>
_____	<u>Savings Account</u>	<u>Foster & Marshall, Inc. Juneau, AK 99801</u>
_____	_____	_____
_____	_____	_____

(Continue on blank sheet if necessary)

PART 5. REAL PROPERTY INTERESTS OWNED, INCLUDING OPTIONS TO BUY

NAME (of reporting official, spouse, etc.)	IDENTITY OF PROPERTY INCLUDING LOCATION AND CURRENT USE	NATURE OF INTEREST
<u>Mark Lewis</u>	<u>House - 324 Hanagita Valdez, AK 99686</u>	<u>Owner, current Rental</u>
_____	<u>Town house, Juneau</u>	<u>Purchasing house</u>
_____	<u>Douglas Island</u>	<u>Mortgage TBA</u>

(Continue on blank sheet if necessary)

PART 6. BENEFICIAL INTEREST IN TRUSTS OR OTHER FIDUCIARY RELATION

NAME (reporting official, spouse, etc.)	TRUSTOR	PROPERTY	EXTENT OF INTEREST
<u>N.A.</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(Continue on blank sheet if necessary)

**PART 7. LOANS, LOAN GUARANTEES OR OTHER FINANCIAL OBLIGATIONS
OF \$500 OR MORE**

NAME (reporting official, spouse, etc.)	IDENTITY OF MAKER OF LOAN, LOAN GUARANTOR, OR CREDITOR
Mark Lewis	Mortgage on Valdez house - self mtg. w/ FWBA
Mark Lewis	Car loan self-loan w/ FWBA

(Continue on blank sheet if necessary)

**PART 8. CONTRACTS AND OFFERS TO CONTRACT WITH THE STATE
OR AN INSTRUMENTALITY OF THE STATE**

NAME AND RELATIONSHIP (John Doe, reporting off.; Jan Doe, spouse)	STATE CONTRACTING DEPT. OR INSTRUMENTALITY	IDENTITY OF CONTRACT	INDICATE: BID, HELD, OFFERED
N.A.			

(Continue on blank sheet if necessary)

**PART 9. LEASES OR OFFERS TO LEASE MINERAL, TIMBER, OIL,
OR OTHER NATURAL RESOURCES**

NAME AND RELATIONSHIP (John Doe, reporting off.; Mary Doe, mother)	NATURE OF LEASE	IDENTITY OF LEASE	INDICATE: HELD OR OFFERED
N.A.			

(Continue on blank sheet if necessary)

JAN 3 1983

STATE OF ALASKA
ALASKA PUBLIC OFFICES COMMISSION

610 C Street, Suite 211
Anchorage, AK 99501-3598
(907) 276-4176

OR

APOC - JNO
P.M. H.C.
Room 302, Goldstein Bldg.
130 Sewart Street
Mail: Pouch CO
Juneau, AK 99811-0222
(907) 465-4864

CONFLICT OF INTEREST STATEMENT FOR STATE PUBLIC OFFICIAL OR CANDIDATE

PART 1. GENERAL INFORMATION

REPORTING PERIOD: January 1, 1983 to December 31, 1983

REPORTING OFFICIAL: Name: Mark Lewis

Resident Address: 2733 John Street Mailing Address: Pouch B

City: Juneau State: AK Zip Code _____ Home Phone: _____
Work Phone: (907) 465-4700

APPLICABLE OFFICE (Mark one or more, as appropriate, and complete blanks):

Legislative _____ Judicial: _____
(Senator or Representative) (title)

Executive Commissioner of the Department of Community and Regional Affairs
(title of position) (name of department)

Board or Commission Alaska Housing Finance Corporation and the Alaska Industrial Development Association & others by State Statute
(name of Board or Commission)

TERM OF OFFICE: Begin December 6, 1982 End _____

If Candidate, Date Declaration of Candidacy or Nominating Petition Filed: _____

If Appointed or Hired, Effective Date of Appointment: December 6, 1982

MEMBERS OF FAMILY OF REPORTING OFFICIAL: (Please list names)

Spouse: N.A. Dependent Children: N.A.

Non-dependent Children Living with Reporting Official: N.A.

PART 2. CERTIFICATION

I, the undersigned, declare under oath and on penalty of perjury that the statements contained in this conflict of interest statement are, to the best of my knowledge, true, correct, and complete.

DATED: 1/3/83 SIGNED: Mark Lewis

SUBSCRIBED AND SWORN to before me this 3rd day of January, 1983

Notary Public: Walter E. English
My commission expires: 7/16/83

*The reporting period is the preceding calendar year for public officials and candidates; were an official to be appointed to a position subject AS 39.50 in 1981 or were a candidate to file for office in 1981, the "current" COI Statement would cover calendar year 1980.

PART 3. SOURCES OF INCOME AND CAPITAL GAINS OVER \$100

NAME (of reporting official, spouse, etc.)

SOURCE OF INCOME (by name; amounts need not be disclosed.)

1) Salary:

Mark Lewis
Mark Lewis
Mark Lewis

City of Valdez
University of Alaska
State of Alaska/CRA/Commissioner

2) Rentals (include business name, if any):

(renters)

3) Dividends and Interest:

Mark Lewis

First National Bank of Anch
Foster & Marshall, Inc

4) Self employment (business name):

N.A.

(clients or customers or "retail")

5) Other:

N A

(Continue on blank sheet if necessary)

**PART 4. BUSINESS INVOLVEMENT OR OWNERSHIP INTEREST AS A STOCKHOLDER,
OWNER, OFFICER, DIRECTOR, PARTNER, PROPRIETOR, OR EMPLOYEE**

NAME (reporting official, spouse, etc.)	NATURE OF INVOLVEMENT OR INTEREST	NAME AND ADDRESS OF BUSINESS
Mark Lewis	Savings Account	Valdex, AK 99686 Foster and Marshall, Inc.
_____	_____	_____
_____	_____	_____
_____	_____	_____

(Continue on blank sheet if necessary)

PART 5. REAL PROPERTY INTERESTS OWNED, INCLUDING OPTIONS TO BUY

NAME (of reporting official, spouse, etc.)	IDENTITY OF PROPERTY INCLUDING LOCATION AND CURRENT USE	NATURE OF INTEREST
Mark Lewis	House - 324 Hanagita	Owner -
_____	_____	_____
_____	_____	_____

(Continue on blank sheet if necessary)

PART 6. BENEFICIAL INTEREST IN TRUSTS OR OTHER FIDUCIARY RELATION

NAME (reporting official, spouse, etc.)	TRUSTOR	PROPERTY	EXTENT OF INTEREST
N.A.	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(Continue on blank sheet if necessary)

**PART 7. LOANS, LOAN GUARANTEES OR OTHER FINANCIAL OBLIGATIONS
OF \$500 OR MORE**

NAME (reporting official, spouse, etc.)	IDENTITY OF MAKER OF LOAN, LOAN GUARANTOR, OR CREDITOR
Mark Lewis	Car loan self-loan w/FWBA

(Continue on blank sheet if necessary)

**PART 8. CONTRACTS AND OFFERS TO CONTRACT WITH THE STATE
OR AN INSTRUMENTALITY OF THE STATE**

NAME AND RELATIONSHIP (John Doe, reporting off.; Jan Doe, spouse)	STATE CONTRACTING DEPT. OR INSTRUMENTALITY	IDENTITY OF CONTRACT	INDICATE: BID, HELD, OFFERED
N.A.			

(Continue on blank sheet if necessary)

**PART 9. LEASES OR OFFERS TO LEASE MINERAL, TIMBER, OIL,
OR OTHER NATURAL RESOURCES**

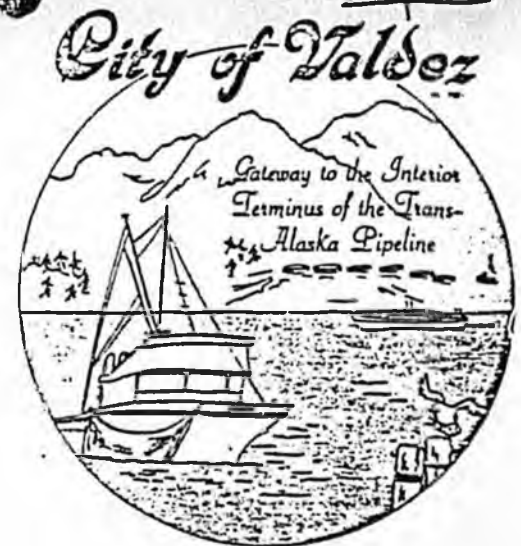
NAME AND RELATIONSHIP (John Doe, reporting off.; Mary Doe, mother)	NATURE OF LEASE	IDENTITY OF LEASE	INDICATE: HELD OR OFFERED
N.A.			

(Continue on blank sheet if necessary)

RECEIVED

JAN 27 1983

POLICE DEPARTMENT
January, 24, 1983 DEPT. OF COMMUNITY
AND REGIONAL AFFAIRS



Governor Bill Sheffield
Pouch A
Juneau, Alaska 99811

Dear Governor Sheffield:

I am writing this letter because I feel that it is important that other views be known. I have never used the news media or other public sources to air my personal opinions. However; recently after reading several stories in the Anchorage Daily News I find myself compelled to ask for a few minutes of your time.

I will not answer each point that has been made by the Anchorage Daily News as I feel this is a blatant attempt by them not only to discredit Mr. Lewis but also a cheap way to sell newspapers.

I have worked closely with Mr. Lewis and was very pleased with his appointment to the state cabinet post. I feel this appointment and others that you have made are a clear sign that we will not only have honesty in our state government but that we will have progressive government rather than business as usual.

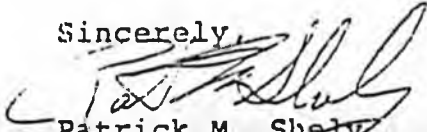
In the time Mr Lewis spent as City Manager with the City of Valdez I found his integrity and honesty to be of the highest level. I would not hesitate to work for or with Mr. Lewis on any matters.

To allow blatant attempts by the Anchorage Daily News and others who appear to have personal grudges against Mr. Lewis to remove Mr. Lewis from office would be a serious miscarriage of justice.

I also feel that this type of political mudslinging would damage our political process if allowed to have any credibility.

Thank you for your time. Please be assured of my support and cooperation.

Sincerely,


Patrick M. Shely
Chief of Police

cc: Mark Lewis



CO—MAN SERVICES

BOX 234
DILLINGHAM, ALASKA 99576

February 24, 1983

The Honorable
Representative Barbara Lacher
Pouch V
Juneau, Alaska 99811

Dear Rep. Lacher:

I have recently met with the Department of Community and Regional Affairs Commissioner and wish to convey to you my favorable impression of him. Mr. Lewis strikes me as a person who is sensitive to municipal problems of communities of all sizes in our state.

It is my hope that you will look favorably on his confirmation. Although I have heard of certain allegations in reference to Mr. Lewis, I am not personally aware of anything substantial against him to cause me to speak against his confirmation.

With this in mind, I am in support of Mr. Lewis as Commissioner of Community and Regional Affairs and I sincerely urge you to vote in favor of his confirmation.

Thank you for your consideration.

Sincerely,

Nels A. Anderson Jr.
Nels A. Anderson, Jr.

NAA:bjb

Alaska State Legislature

SENATOR BETTYE FAHRENKAMP
CHAIRMAN RESOURCES COMMITTEE

4016 EVERGREEN
FAIRBANKS, ALASKA 99701
907-476-3550



Senate

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
OFFICE 907-465-3763
RESOURCES COMMITTEE
907-465-3834
HOME 907-789-9182

March 7, 1983

Mr. Nels A. Anderson, Jr.
Co-Man Services
Box 234
Dillingham, Alaska 99576

Dear Nels:

Thank you for your letter supporting Mark Lewis. I've had the opportunity to work with Mark and I find him to be not only very dedicated, but bright and aggressively motivated. I tend to feel as you do, I'm very impressed.

Nels, as you know, there are no assurances. But, I intend to do all that I can to see this fine young man confirmed. It's just too bad you're not here to cast your official vote. We sure do miss you in the chamber and in the lounge.

I sincerely hope all is well with you professionally and personally. Next time you are in town, don't be such a stranger.

Warm personal regards.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bettye".

Bettye Fahrenkamp
Alaska State Senator

BF/ab



THE FIRST NATIONAL BANK OF ANCHORAGE

November 7, 1980

Mark Lewis
City Manager
City of Valdez
P.O. Box 307
Valdez, Alaska 99686



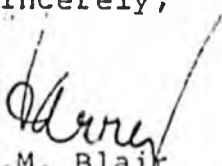
Dear Mark:

I'm sorry to hear you're leaving the City for I've truly enjoyed the candor of our relationship.

You, as well as all who are willing to conscientiously and meaningfully devote some portion of your lives to public service, are to be applauded.

In the meantime, I'm anxious to learn of your future plans, so do let me know.

Sincerely,


H.M. Blaik
Senior Vice President

HMB/ks





Seatrain Pacific Services, Inc.

John W. Graves
President
and Chief Operating Officer



November 20, 1980

Mr. Mark Lewis
City Manager
City of Valdez
P.O. Box 307
Valdez, Alaska 99686

Dear Mark:

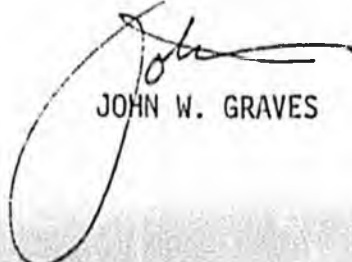
It's with mixed feelings that I received word of your intent to resign as City Manager of Valdez on the first of next year. Certainly, the citizens of Valdez have benefited by your energies and dedication in directing the city into the 80's. Your accomplishments in guiding the economic growth of Valdez in a sensible manner, but always with an eye towards the long-term, are exceedingly noteworthy and will not soon be forgotten.

We, at Seatrain, will miss dealing with you as a representative of Valdez, but there is no doubt your management skills will greatly enhance the prospects of your next endeavor and bring you personal rewards and fulfillment, as well.

I personally wish you much success in the years ahead. Please take leave from Valdez with the thought the city is better for your efforts and take the best wishes of your associates with you as you begin a new journey elsewhere.

Best personal regards.

Sincerely,


JOHN W. GRAVES

/def

*cc'd
11/20/80
by [unclear]
11/20/80*

Alaska Pacific Bank

A Subsidiary of Alaska Pacific Bancorporation



November 17, 1980

Mark Lewis
City Manager
P.O. Box 307
Valdez, Alaska 99686

Dear Mark:

Although your letter of resignation was not a surprise, it was certainly received with deep regret.

You have made a substantial contribution to the City of Valdez and are clearly the most outstanding city manager with whom I have ever dealt.

Naturally—I am extremely interested in your future plans and would appreciate hearing from you in that regard if you deem that appropriate.

My colleagues join me in extending to you our grateful appreciation for the opportunity to work with you in the past, and we send you best wishes for unbounded success in the future.

Cordially,

A handwritten signature in cursive script, appearing to read "Bob".

Robert R. Richards
President

Handwritten notes:
Ward
my file
amid



Charter Resources Company
2525 C Street • Suite 508
Anchorage, Alaska 99503
Telephone 907-276-3545

November 18, 1980



Mr. Mark Lewis
City Manager
City of Valdez
P.O. Box 307
Valdez, Alaska 99868

Dear Mark,

I must say I was mildly surprised to learn of your decision to resign as City Manager of Valdez. However, in light of the success you and the City have realized over the past few years, the temptations and opportunities to tackle new, challenging tasks surely must be considered.

I have enjoyed very much knowing you and working with you over the past year, and look forward to continuing a relationship wherever you ultimately settle.

All my best wishes to you and your family, and good luck on your future endeavors. Please keep in contact and let us know what you are doing.

Very truly yours,

CHARTER RESOURCES COMPANY

W.L. THORPE
President

WLT:jcg

ALASKA POWER AUTHORITY

333 WEST 4th AVENUE - SUITE 31 - ANCHORAGE, ALASKA 99501

Phone: (907) 277-7641
(907) 276-2715

November 13, 1980

Mr. Mark Lewis
City Manager
City of Valdez
P. O. Box 307
Valdez, Alaska 99686



Dear Mark:

I was surprised, as I'm sure many others were, at your decision to leave your position as City Manager. I feel that you served the City well and that you will be missed. I've enjoyed knowing you and am sorry that we did not have an opportunity to work together more.

Again, I am sorry to see you leave and wish you well in your future endeavors either in Alaska or Outside.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric P. Yould".

Eric P. Yould
Executive Director

my file
copy to [unclear]
[unclear]

CC: John Hunter 11-26



NORTHERN TELEVISION, INC.
THE BROADCAST CENTER

P.O. BOX 2200 ANCHORAGE, ALASKA 99510
KTVA-TV/KBYR-AM/KNIK-FM/MUZAK
(907) 272-3456

P.O. BOX 930 FAIRBANKS, ALASKA 99701
KTVF-TV/KPRB-AM
(907) 452-5121

November 14, 1980

Mr. Mark Lewis
City Manager
City of Valdez
P.O. Box 307
Valdez, Alaska 99866

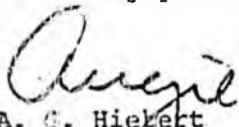


Dear Mark,

Just noticed in the Nov. 5th issue of the Valdez Vanguard that you have resigned from your City Manager post. Needless to say I am extremely sorry to hear this, because my company and I have enjoyed a very fine and cooperative relationship with you and personally I hate to see you leave very much.

Let me take this opportunity to thank you on behalf of Northern Television for all of your efforts on our behalf, and to wish you well in whatever new responsibility you take on where ever you may be once you leave your Valdez position. I sincerely hope you will remain in Alaska and contribute your expertise to some other city or company who I know will benefit considerably from it.

Cordially yours,


A. G. Hiebert
President

cc: Mr. Ron Moore, Vice President, Northern Television
Mr. Randy Kruse, Sales Manager, KBYR-AM Radio

Valdez City Schools

Office of the Superintendent

Box 398
Valdez, Alaska 99686
Phone: (907) 835-4357

November 7, 1980



Mr. Mark Lewis
City Manager
City of Valdez
P. O. Box 307
Valdez, Alaska

Dear Mark:

The news of your resignation is very distressful. You are an asset to this community, and Sue is improving the quality of our educational programs tremendously.

I could go on and on listing your achievements, such as fiscal support, construction support, in-kind services, etc., etc., etc., but I would just like to say that I consider you a true person who devoted his most to the benefit of our community and a kind friend.

I wish you the best in your endeavors, and if any time I can do something for you, please let me know.

Sincerely,


George Maykowskyj
Superintendent

GM:m1

Received
11/10/80
10:50 AM
10/10/80

Holland America Cruises
Two Pennsylvania Plaza
New York, N.Y. 10001

John R. Berry
President

October 27, 1980

Mr. Mark Lewis
City Manager
City of Valdez
Box 307
Valdez, AK 99686



Dear Mr. Lewis:

On behalf of Holland America Cruises, I would like to thank you for your assistance and cooperation in aiding the passengers and crew of the Prinsendam. We have received many comments, both from the passengers and our own personnel, that you went beyond the call of duty to insure that the passengers and crew were taken care of properly.

The spirit of cooperation that you and your fellow Valdez residents displayed was truly extraordinary. You should be very proud and realize that your actions were greatly appreciated.

Sincerely,

John R. Berry

John R. Berry

JRB/sec

*My file
completed
m*

Valdez Chamber of Commerce

P.O. Box 512 • Valdez, Alaska 99686 • Phone 835-2330

March 12, 1981

Mr. Mark Lewis
City Manager
City of Valdez, Alaska

CITY OF VALDEZ

MAR 13 1981

Dear Mr. ~~Lewis~~ ^{Mark};

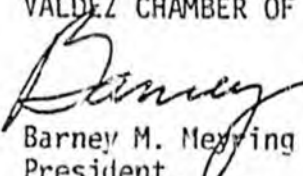
The Valdez Winter Carnival Committee extends a hearty thanks and appreciation to you and your staff's participation and support in this years Sixth Annual Winter Carnival.

Our goal is to provide a well rounded list of events for our community and it's guest participation and to maintain a balanced budget. We feel we have acheived that goal with you help.

We look forward to your continued efforts in our endeavors.

Thank you,

VALDEZ CHAMBER OF COMMERCE


Barney M. Meyring
President

John M. [unclear]

LUTHERAN
Hospitals and Homes
Society of America

BOX 2087 • FARGO, NORTH DAKOTA 58107 • PHONE 701-293-9053



November 19, 1980

Mr. Mark Lewis
City Manager
City of Valdez
P.O. Box 307
Valdez, Alaska 99686

Dear Mark:

I have just learned from Val Stasch, our Valdez hospital administrator, of your resignation effective January 1, 1981 as City Manager of Valdez.

We have enjoyed the finest relationship with you as City Manager and have been pleased in all of our dealings with your office in the administration of your city hospital. You will be missed by the Society.

We want to thank you for past courtesies and wish you the very best in your future career. Hopefully, the future will bring other opportunities for our association.

Sincerely,


GLEN W. BENSON, F.A.C.H.A.
Vice President

GWB/cgs

CC: Val Stasch, Administrator, Valdez, AK

Valdez Chamber of Commerce

P.O. Box 512 • Valdez, Alaska 99686 • Phone 835-2330

November 12, 1980

Stephen A. McAlpine, Mayor
City of Valdez
P.O. Box 307
Valdez, Alaska 99686

Dear Mr. McAlpine:

On this date the Board of Directors of the Valdez Chamber of Commerce held its regular meeting and during a discussion of business matters, the subject of the resignation of City Manager, Mark Lewis, was addressed.

It was the unanimous decision of the Board that it should urge you and the council members to request that Mr. Lewis withdraw his resignation and seriously consider continuing his relationship with the City of Valdez as City Manager.

Our reasons for making this request are many, but to detail a few, we list the following:

1. Mr. Lewis has been professionally and personally involved in the City activities with an intensity almost unknown heretofore. This is a quality we would not like to see lost.
2. If there were a change in the city administration, existing projects currently underway could be severely delayed, curtailed or abandoned; or the direction of these projects could be substantially changed from the original intent.
3. Mr. Lewis has shown outstanding abilities and has demonstrated capability in the administration of the City which would be sorely missed should he leave the community.
4. We are aware of, and would not like to lose, Mr. Lewis' expertise in the area of managing the City's excess funds and maximizing the income therefrom.
5. Mr. Lewis has demonstrated that he has the ability to gain the respect of federal, state and

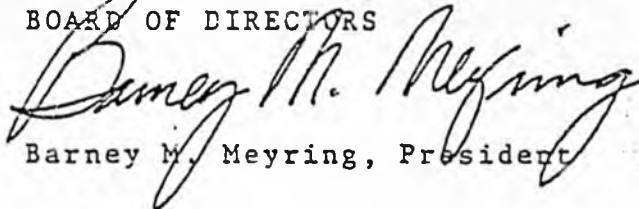
Page Two
Stephen A. McAlpine, Mayor
City of Valdez

industry's top people which is important to Valdez
in our future growth and development.

6. Our contacts with many of the citizenry of
Valdez show that they would like to see Mr. Lewis
continue in his present position.

We feel it is in the best interests of the community of Valdez
that Mark Lewis be retained as City Manager. Therefore, we
urge you and the council to accomplish this in whatever manner
you deem appropriate.

Very truly yours,
VALDEZ CHAMBER OF COMMERCE
BOARD OF DIRECTORS



Barney M. Meyring, President

DLR

cc: Mark Lewis
City Council Members



Mayor and City Council
City of Valdez
Box 307
Valdez, Alaska 99686

Dear Mayor McAlpine and
Members of the City Council:

I hereby respectfully request that you accept the
withdrawal of my letter of resignation dated November
3, 1980.

Respectfully,

Mark Lewis
City Manager

Lewis changes mind, urged to stay here

City Manager Mark Lewis, who two weeks ago said it was time to pack his bags, withdrew his resignation Monday and said he would stay.

The community and City Council members had "convinced me I haven't quite overstayed my welcome yet," said Lewis after he asked the council to disregard his earlier resignation.

No council action was required, because the body had not yet acted on the resignation. Mayor Stephen McAlpine, who helped spearhead an effort to keep Lewis on the city payroll, said the council would gladly turn the matter aside.

"I think the city is the largest beneficiary of his (Lewis') decision," McAlpine said after the regular council meeting Monday.

A major factor in the 29-year-old Lewis' reconsideration apparently was a letter written to McAlpine by the Valdez Chamber of Commerce board of directors. Meeting last week, the board decided to ask the council to keep Lewis, and "to accomplish this in whatever manner you deem appropriate."

Lewis, said the chamber officials, "has been professionally and personally involved in the city activities with an intensity almost unknown heretofore."

With a change in the city manager's spot, "existing projects currently underway could be severely delayed, curtailed or abandoned; or the directions of these projects could be substan-

tially changed from the original intent," the letter continued.

Lewis was praised for his financial management capabilities, with the chamber recognizing his "expertise in the area of managing the city's excess funds and maximizing the income therefrom."

At the same time Lewis was being cited for his "ability to gain the respect" of government officials at various levels by the chamber board, he was in Fairbanks being elected president of the City Managers Association of the Alaska Municipal League.

McAlpine, who also was at the AML meeting, indicated there was a lot of interest expressed by other cities' officials in latching onto Lewis, who had said he would leave his post at the end of the year.

But Lewis said he became convinced that he was still welcome in Valdez, also.

His decision did not involve apprehension about his relationship with the newly elected council, Lewis said. In fact, one of the reasons he asked to resign was because he was getting along so well with the current council, Lewis said.

"It was a team relationship. It was a good relationship," he said.

In deciding to submit his resignation, Lewis said he had also considered that the city was in top financial shape, having just received a spotless audit report.

He said he had come to like Valdez too much "to leave under any other circumstances than the very best."



participate in a Nov. 9 Valdez fight in from Anchorage for the

or hospital

urn combination of reachable and the unreachable things," Mathis said. Sen-

ers' the designer fashions after the show, but Mathis said she sold only "a third of as much as I would have liked to have sold."

Still, Mathis said, "We were terribly pleased. Everything was so organized and prepared. It made it really easy for us.

"We feel we have made a lot of friends in Valdez," she said.

Although the fashions were imported, Rasmus said it was a

Old Post Office Gallery
 Where you'll find that perfect gift
 Mile 101.5 Richardson Hwy. in Copper Center
 Original paintings, drawings and photography. Athabascan bead work.

Valdez Vanguard

Welcome back, Mark

There was a collective sigh of relief at City Council Monday when Mark Lewis asked that his resignation, announced two weeks earlier, be withdrawn.

There was no objection.

There had been much objection the past two weeks to the city manager's decision to look elsewhere for employment. And there was apparently a lot of lobbying going on to get him to change his mind.

The youthful Lewis was as politic this week as he was two weeks ago—revealing little in public about the real reasons behind his decisions. He continued to draw on the analogy that a city manager is like a guest in someone else's house. The worst thing that guest can do is overstay his welcome.

The best thing the guest could do was move on while times were good and everything was running smoothly.

Lewis and many others feel the city is cruising nicely now. But what came out the past two weeks is that there is a strong opinion that Lewis is a necessary gear in the machinery.

The Chamber of Commerce board of directors strongly voiced this opinion in a letter to Mayor Stephen McAlpine urging the council to do what it could to persuade Lewis to stay. The board also said its opinion reflected the community.

"Our contacts with many of the citizenry of Valdez show that they would like to see Mr. Lewis continue in his present position," the board's letter read.

It is an extremely unusual situation for a person in Lewis' position to retract a resignation once tendered. But Lewis is an unusual administrator. His talents are perhaps appropriate for these extraordinary times in Valdez—with so many projects of sizable magnitude in progress.

To whomever or whatever made him change his mind, we take off our hats and say, "Good work."

And now let's get back to work.

LETTERS FROM THE PEOPLE



people' is your space to comment on nearly any topic, considerations of good taste and libel. The shorter the letter the more likely it can be published; in any case the best guideline is 100 words. Prose only, please; no poems or verse. All letters should include a daytime phone number so we can contact you if needed. Address letters to The Daily News, Pouch 6610.

fact that there is a wild and untamed land is here is not much of an sympathy with reality it is.

hat Alaska is cold is a stereotype attitude that you have not facts of Alaskan nation has. If you everybody in Alaska around this "cold," as your attitude one who does.

he best fishing and in the world, and like to come to this for reason that they so, is for the jobs. on the Transalaska years ago, and they

- Robert Armstrong

Support your local jazz musician

I would like to comment about the fledgling jazz opportunities in Anchorage, Alaska. I am an Alaskan since 1967 and have played in various "in town" settings as an entertainer. It seems in the late 70s (disco era), local musicians were given their walking papers by local club owners in favor of "out of towners." Do Alaskans really think "in town" acts can't be quality?

I went to a local "jam session" last Sunday at the Tiki Cove. It seems the house band members (which are composed mostly of non-resident Alaskan residents) seem to get all of the jazz jobs that come in. Why can't local musicians play alone as a group for even one song.

The purpose of "jam sessions" are to let everyone express themselves musically. People have to be able to crawl before we walk.

In the late '30s and early 60s, the "Oasis" club was a frequent stopover spot for many

our forests, and turn our lakes and streams into garbage dumps — all this in only a few years — we'd better hurry, 'cause there isn't much time left.

All that aside, Jerry, you still haven't answered my main question: how much do the oil companies write off when they find a dry hole? And why bother drilling when they know nothing is there? I say, let us put our money and intelligence to better use!

- Dave Carlson

A response from Valdez

The recent letter congratulating your reporters on spotlighting Valdez' profligate ways was not amusing to Valdezeans, nor was it accurate. As with anything that is spotlighted, much of what is really there languishes in the dark.

While we recognize that telling stories on Valdez has become great sport of late, your letter writer's gross exaggeration demands correction. The great "Big Mac Importation" was not quite as exciting a story as it apparently translated by a pilot passing on an amplified anecdote.

Political fund-raisers necessitate unique items to spur contributors and as auction coordinator, I fixed on Big Macs. While lakers, for granted by Anchorageites, we in the hinterlands have Big Mac Attacks that necessarily involve 350-mile ventures upcountry to satisfy. The order for 50 Big Macs was placed and arrangements were made to have them picked up and delivered to Valdez Airlines on their last evening run into Valdez so the burgers would be "fresh" for the big event. A last-minute snag in pick-up arrangements developed, however, and as zero hour approached, prevailed upon a Valdez Airlines employee to run and get them for us and get them to the plane.

Unfortunately, the run took a bit longer than anticipated and because Valdez Airlines was kind enough to accommodate my plea for help, the plane was delayed in its departure, time awaiting delivery. That plane was by no means chartered; it was on a regularly scheduled flight and the accommodations were in time and energy expended by employees who responded to customer requests. We have come to expect that kind of good service by Valdez Airlines and we very much appreciate it.

It should also be pointed out that Messrs. McAlpine and Lewis steered Valdez through years of unparalleled prosperity and activity; during those years an investment plan was developed, a master plan was implemented and the community bonded and put in place: new schools, a dock complex, a civic center, a senior citizens center, a softball complex, a hatchery, a new city hall, and a new library and it increased its network of roads and water and sewer systems. It spruced up its parks and green areas, added flowers and trees and increased the overall quality of life in Valdez immeasurably.

We in Valdez are not blind to the fact that some mistakes were made along the way, but we wish the naysayers and predictors of doom would not be blind to the fact that we have accomplished an enormous amount in a very short period of time and we are well on the road to diversifying Valdez's economy. We are very much alive and well here in Valdez and we are looking forward to a continuing bright future.

- Judy Londo

Thanks for coverage on Brothers

Lewis cleared by probe

A state report clearing Community and Regional Affairs Commissioner Mark Lewis of charges that he illegally changed Valdez tax rolls will be delivered to legislators today.

Commissioner of Revenue Robert Heath, who headed an investigation by his department and the Department of Law, will tell legislators his investigators "have concluded from the facts that Mr. Lewis did not act improperly or illegally . . . and we view the matter as closed."

The Daily News reported Jan. 14 that "tax rolls had been 'improperly altered under Lewis' tenure" as Valdez city manager.

The full reports accompanying the Heath investigation were not available Wednesday night, but a letter from Heath to legislators who will examine Lewis' appointment as commissioner concludes the state did not lose revenue as a result of Valdez tax roll changes.

"While the procedures (involving the assessment changes) may have been irregular, they are by no means clearly improper" or in violation of Alaska law, the attorney general's opinion says.

The Heath report will be delivered to Rep. Barbara Lacher, R-Wasilla, and Sen. Frank Ferguson, D-Kotzebue, who head legislative committees on Community and Regional Affairs. Both committees have announced plans to hold hearings prior to a vote to confirm Lewis's appointment as commissioner.

"In conjunction with the Department of Law, we have completed an investigation of allegations that Mark Lewis, former city manager of Valdez, improperly reduced assessments on local property in

Investigation clears Lewis of improperly altering tax rolls

Continued from Page A-1

1981, and 1982, thereby increasing the overall millage rate in the local tax on petroleum properties and concomitantly reducing taxes paid to the state, and have concluded from the facts that Mr. Lewis did not act improperly or illegally. Therefore the state should not pursue any claim against the City of Valdez for the recovery of additional taxes," Heath's letter says.

Valdez taxes two groups of property. One is commercial and residential property; the other is a special roll of property related to the oil pipeline and terminal operations in the city.

The city assesses its property, but the state is in charge of assessing oil-related property. Lewis changed the assessments delivered by contractor Rappalser & Rich, Randell for the 1981 tax roll. He said that Randell agreed with lowering the figures 15 percent; Randell said he did not.

Randell said he maintained what he considered to be fair assessments in his files for the 1981 year. In 1982 he said he again kept fair-value figures on file but submitted figures 15 percent lower on instructions from the city administration.

All related property did not receive the benefit of the assessment reductions in their year. As a result, the millage rate in each year, which is applied equally to oil and city property, had the effect of increasing taxes by about \$190,000 from the oil property.

Under state law, the oil company is allowed to deduct the taxes it pays the city from its state taxes, meaning the state did not receive \$190,000. It would have gotten had the original assessments been approved.

Lewis argued that a pipeline construction slump in Valdez had lowered property values and that Randell's original assessment was too high. Subsequent state comparisons showed the lowered Valdez assessments were in line with communities around the state.

ALASKA CLIPPING
SERVICE

Anchorage Daily
News
Anchorage, AK

Valdez named All-America city

VALDEZ — The National Municipal League's Citizen Action Awards Program has named Valdez as one of its 10 All-America Cities of 1981. More than 500 cities were nominated. City officials said the award to Valdez was based in part on the depth of citizen involvement in community projects such as the new \$40 million port, a fisheries enhancement program and construction of a recreation complex.

49

ALASKA CLIPPING
SERVICE

Alaska Journal
of Commerce
Anchorage, AK

MAR 1 1982

Chapt. 5: he's resigned 49

Valdez City Manger, Mark Lewis, has notified the Valdez City Council his resignation of Jan. 18 will stand over the protest of local business and community leaders.

Lewis' move follows a rejection of his original Jan. 18 resignation by the City Council at their Feb. 1 meeting. After the city council rejected his resignation, Lewis then announced that he would recon-

sider in light of strong community support for his remaining in the city's top executive position.

"I sincerely appreciate the council's rejection of my resignation," said Lewis. "However, after further reflection, it is my belief that my resignation cannot be rejected."

Lewis' resignation is effective July 18.

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD



Certificate of Merit

IN RECOGNITION of notable services which have
assisted greatly in furthering the aims and
functions of the Coast Guard

This certificate is awarded to

MARI LEWIS

Executed this 15TH day of JANUARY, 1941

at JUNEAU, ALASKA

A handwritten signature in dark ink, appearing to read "J. E. Kelly".

J. E. KELLY
Rear Admiral, U.S. COAST GUARD

UNITED STATES COAST GUARD

THE FOLLOWING DOCUMENT(S) MAY NOT FILM
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ORIGINAL.

Certificate of Merit

to

MARK LEWIS
CITY MANAGER OF VALDEZ

"MARK LEWIS is cited for meritorious service performed during the period of 4 October 1988 through 6 October 1988. Early on the morning of 4 October 1988, five hundred and nineteen passengers and crewmembers of the luxury liner PRINSENDAM were forced, by fire, to abandon ship in lifeboats and life rafts in the Gulf of Alaska. Throughout the day, rescue efforts continued until all 519 passengers and crewmembers of the stricken vessel had been accounted for and placed safely aboard vessels for transportation to port. City Manager LEWIS, working with state and federal agencies coordinated the efforts of the city of Valdez and local citizen groups in preparing to receive and care for the 372 survivors that were transported to Valdez by the tanker WILLIAMSHIRE. As a result of his expert planning the reception of the survivors was conducted in a most exemplary manner. MARK LEWIS' dedication and genuine concern for humanity are reminiscent of Alaskan traditions and are highly commendable."



THE PRECEDING DOCUMENT(S) MAY NOT FILM
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ORIGINAL.

STEPHEN A. McALPINE
LIEUTENANT GOVERNOR

STATE OF ALASKA
POUCH AA
JUNEAU 99811
(907) 465-3520

In light of all of the publicity recently received by the City of Valdez and Commissioner Mark Lewis, I thought the attached information would be of interest to you. It was recently forwarded to me from the City of Valdez.



Stephen McAlpine
Lieutenant Governor



MUNICIPAL FINANCE
OFFICERS ASSOCIATION

EXECUTIVE OFFICES
180 NORTH MICHIGAN AVENUE
CHICAGO, ILLINOIS 60601
312 977-9700

news release

DATE:

RE: Certificate of Conformance in Financial Reporting awarded to

The CITY OF VALDEZ, ALASKA has been awarded a Certificate of Conformance in Financial Reporting by the Municipal Finance Officers Association of the United States and Canada (MFOA) for its Comprehensive Annual Financial Report (CAFR) for the fiscal year ended DECEMBER 31, 1981. The Certificate of Conformance is the highest form of recognition in the area of governmental financial reporting, and its attainment represents a significant accomplishment by a government and its management.

In order to be awarded a Certificate of Conformance, a government must publish an easily readable and efficiently organized Comprehensive Annual Financial Report (CAFR), whose contents conform to program standards. Such reports must satisfy both generally accepted accounting principles and applicable legal requirements.

Eligible CAFRs are evaluated by an impartial Special Review Committee composed of government finance officers, certified public accountants, educators and others with particular expertise in the area of governmental accounting and financial reporting.

When a Certificate of Conformance is awarded to a government, an Award of Financial Reporting Achievement is also presented to the individual(s) designated by the government as primarily responsible for its having earned the certificate. An Award of Financial Reporting Achievement has been awarded to

CITY MANAGER, MARK LEWIS

NOTE: A list of governments holding valid Certificates of Conformance is published periodically. A copy of the most recent list is enclosed. Further information concerning the Certificate of Conformance in Financial Reporting Program is available upon request from MFOA at 180 N. Michigan - Suite 800, Chicago, Illinois 60601 or (312) 977-9700.

THE FOLLOWING DOCUMENT(S) MAY NOT FILM
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ORIGINAL.



The Municipal Finance Officers Association
of the United States and Canada

presents this

AWARD OF FINANCIAL REPORTING ACHIEVEMENT

to:

MARK LEWIS
CITY MANAGER

CITY OF VALDEZ, ALASKA



The Award of Financial Reporting Achievement is presented by the Municipal Finance Officers Association to those individuals who have been instrumental in their governmental unit achieving a Certificate of Conformance in Financial Reporting. A Certificate of Conformance is presented to those governmental units whose comprehensive annual financial reports (CAFR's) are judged to substantially conform to program standards.

Executive Director

Jeffrey A. Emel

Date JANUARY 5, 1983

THE PRECEDING DOCUMENT(S) MAY NOT FILM
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ORIGINAL.



MUNICIPAL FINANCE
OFFICERS ASSOCIATION

January 5, 1983

EXECUTIVE OFFICES:
180 NORTH MICHIGAN AVENUE
CHICAGO, ILLINOIS 60601
312. 977-9700

Mr. Stephen A. McAlpine
Mayor
City of Valdez
Box 307
Valdez, AK 99686

CITY OF VALDEZ
JAN 13 1983

Dear Mr. McAlpine:

We are pleased to notify you that the comprehensive annual financial report of City of Valdez, Alaska for the fiscal year ended December 31, 1981 qualifies for a Certificate of Conformance in Financial Reporting. The Certificate of Conformance is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a governmental unit and its management.

When a Certificate of Conformance is awarded to a governmental unit, an Award of Financial Reporting Achievement is also presented to the individual designated by the governmental unit as primarily responsible for its having earned the certificate. Enclosed is an Award of Financial Reporting Achievement for City Manager, Mark Lewis.

The Certificate of Conformance will be mailed to you under separate cover. We hope that you will arrange for a formal presentation of the certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release is enclosed. We suggest that you provide copies of it to the appropriate local newspapers and radio and television stations.

We hope that this example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting. If you have any questions regarding this matter, or if we may be of any further assistance, please don't hesitate to contact us.

Very truly yours,

MUNICIPAL FINANCE OFFICERS ASSOCIATION

Gila K. Klein
Director/Certificate of Conformance Program

GKK/pdp

Enclosures

**SOMETIMES,
IT PAYS TO CONFORM.**



certificate of conformance

MUNICIPAL FINANCE
OFFICERS ASSOCIATION

The Certificate of Conformance is the highest form of recognition in the area of governmental financial reporting, and its attainment represents a significant accomplishment by a government and its management.

The Certificate of Conformance in Financial Reporting Program was begun by MFOA in 1945 to emphasize the association's belief that every government and public employee retirement system (PERS) should prepare and publish an easily readable and understandable comprehensive annual financial report (CAFR) covering all of its funds and financial transactions during the year. MFOA believes that governments have a special responsibility to fully and fairly disclose their financial affairs. The CAFR is a very detailed report that goes beyond the requirements of generally accepted accounting principles (GAAP) and beyond the requirements of applicable statutes and regulations in an effort to present all of the information necessary to meet the information needs of the many persons and groups with legitimate interests in the financial affairs of government.

To be eligible for a Certificate of Conformance, a report must be the published CAFR of a government or PERS. Eligible CAFRs must include general purpose financial statements prepared in substantial conformance with generally accepted accounting principles which have been independently audited in accordance with generally accepted auditing standards and a reproduction of the auditor's opinion on them. Governmental CAFRs must also include financial statements for individual funds for which an independent auditor has accepted at least "in relation to" supplementary data responsibility.

To earn a Certificate of Conformance, a CAFR must tell its financial story clearly, thoroughly and understandably. Certificate of Conformance reports are efficiently organized, employ certain standardized terminology and formatting conventions, minimize ambiguities and potentials for misleading inference, enhance understanding of current GAAP theory, and generally demonstrate a constructive "spirit of full disclosure."

The Certificate of Conformance Program provides a government with easy and economical access to an extensive amount of technical reference material concerning governmental accounting and financial reporting theory. It provides technical informational tools which can enable government finance officers to help themselves to improve their financial reporting techniques. The standards of the Certificate of Conformance Program are quite rigorous. This is apparent from the large number of governments which do not receive a certificate on their first attempt. There should be no stigma attached to a government's failure to earn a Certificate of Conformance at the time of its first, or even its second, submission of its CAFR. The Certificate of Conformance review process should be viewed as a learning device. A government's follow-up analysis and study of the comments and suggestions for improvements provided through the review can significantly facilitate an improved management by objectives approach to the government's financial reporting activities.

To participate in the program, units must complete an application form, submit the appropriate fee and send five copies of their CAFRs for review by the Certificate of Conformance Program Special Review Committee. Special Review Committee members include finance officers, certified public accounts, educators and others with particular expertise in governmental accounting and financial reporting. Reports must be received by MFOA within six months of the end of the reporting entity's fiscal year.

The governments listed on the following pages held Certificates of Conformance on October 27, 1982. Results of reviews still in process on that date are not reflected in this list.

Further information about the Certificate of Conformance in Financial Reporting Program is available upon request from Gila K. Klein, Director/Certificate of Conformance Program, Municipal Finance Officers Association, 180 North Michigan Avenue, Suite 800, Chicago, IL 60601.

<u>ALABAMA</u> Birmingham Huntsville	Board of County Commissioners, Hillsborough Board of County Commissioners, Seminole County Bradenton Clearwater Coral Gables Coral Springs Daytona Beach Deerfield Beach Escambia County Fort Lauderdale Gainesville Greater Orlando Aviation Authority Holly Hill Hollywood Jacksonville Juno Beach Kissimmee Lakeland Maitland Manatee County Melbourne Metropolitan Dade County Naples New Smyrna Beach Orlando Pensacola Polk County Polk County Board of Commissioners Pompano Beach Port Orange Sarasota St. Cloud St. Petersburg Tallahassee Tampa Temple Terrace Treasure Island Utilities Commission New Smyrna Beach Vero Beach Volusia County West Palm Beach Winter Haven Winter Park	Chicago Metropolitan Sanitary District Community Unit School District #304, Geneva Decatur Department of Water City of Chicago Des Plaines Downers Grove Elgin Flossmoor Hoffman Estates Homewood Illinois Municipal Retirement Fund LaGrange Lake Forest Niles Northlake Oak Brook Oak Lawn Park Ridge Rockford Rock Island Valley View Public Schools #365 U Wheeling Winnebago County Winnebago County Forest Preserve Dist.	Maryland National Capital Park & Planning Commission Montgomery County New Carrollton Prince George's County Prince George's County Public Schools Rockville State of Maryland
<u>ALASKA</u> Fairbanks North Star Borough Kenai Kenai Peninsula Borough			
<u>ARIZONA</u> Phoenix Scottsdale Tempe			<u>MASSACHUSETTS</u> None
<u>ARKANSAS</u> Little Rock			<u>MICHIGAN</u> Big Rapids Burton Genesee County Grand Rapids Lansing Midland Muskegon County Port Huron Southfield
<u>CALIFORNIA</u> Anaheim Bakersfield Beverly Hills California State Teachers Retirement System Costa Mesa Fresno County Grass Valley Inglewood Irvine Lakewood Long Beach Oceanside Orange County Orange County Transit District Pacifica Palm Springs Port of Stockton Riverside Sacramento San Buenaventura Santa Ana Santa Cruz Santa Cruz County Santa Rosa Simi Valley Ventura County			<u>MINNESOTA</u> Anoka Bloomington Brooklyn Center Brooklyn Park Coon Rapids Duluth Fridley Hennepin County Maplewood Minneapolis Ramsey County Robbinsdale Rochester Roseville St. Paul
<u>COLORADO</u> Aurora County of Weld Fort Collins Lakewood Loveland Palm Springs Pueblo Thornton	<u>GEORGIA</u> Atlanta Regional Commission Cartersville Cobb County Board of Education Decatur DeKalb County Forest Park LaFayette Milledgeville	<u>INDIANA</u> Indianapolis <u>IOWA</u> Ames Cedar Rapids Des Moines <u>KANSAS</u> Andover El Dorado Lenexa Olathe Overland Park Wichita <u>KENTUCKY</u> Jefferson County Fiscal Court Owensboro	
<u>CONNECTICUT</u> Greenwich Town of East Hartford			<u>MISSISSIPPI</u> Armory
<u>DELAWARE</u> New Castle County	<u>HAWAII</u> None		<u>MISSOURI</u> Berkeley Bridgeton Columbia Crestwood Gladstone Independence Kansas City Kirkwood Lee's Summit Missouri LGERS Springfield
<u>DISTRICT OF COLUMBIA</u> District of Columbia	<u>IDAHO</u> Boise Nampa	<u>LOUISIANA</u> Baton Rouge Bossier City Shreveport	<u>MONTANA</u> None
<u>FLORIDA</u> Boca Raton	<u>ILLINOIS</u> Bloomington	<u>MAINE</u> Lewiston <u>MARYLAND</u> Anne Arundel County Baltimore County Board of Education & Public Schools of Anne Arundel County Bowie College Park Frederick Frederick County Gaithersburg Howard County	<u>NEBRASKA</u> None
			<u>NEVADA</u> Clark County Division of Colorado River Resources Las Vegas Las Vegas Valley Water District

North Las Vegas
Reno
Sparks

NEW HAMPSHIRE
None

NEW JERSEY
None

NEW MEXICO
Albuquerque

NEW YORK
New York
New York ERDA
White Plains

NORTH CAROLINA
Asheville
Buncombe County
Charlotte-Mecklenburg
Schools
Durham County
Greensboro
Guilford County
High Point
Mecklenburg County
New Hanover County
Raleigh
Sanford

NORTH DAKOTA
None

OHIO
Cincinnati
Columbus
Wooster

OKLAHOMA
Muscogee (Creek) Nation

OREGON
Beaverton
Eugene
Gresham
Marion County Oregon
School District 24J
Milwaukie
Oregon Public
Employees Retirement System
Portland

Portland Public
Schools
Portland School
District #1
Springfield
Washington County
School District #48

PENNSYLVANIA
Allentown
Lancaster County
Mt. Lebanon
Philadelphia

RHODE ISLAND
None

SOUTH CAROLINA
Orangeburg County
School District
Sumter County

SOUTH DAKOTA
Aberdeen
Sioux Falls
Yankton

TENNESSEE
Gallatin
Hamilton County
Hendersonville
Memphis
Oak Ridge
State of Tennessee

TEXAS
Abilene
Addison
Alice
Amarillo
Andrews
Arlington
Arlington Independent
School District
Austin
Bell County
Bexar County
Boerne
Carrollton Farmers
Branch Independent
School District
College Station
Collin County
Conroe Independent
School District

City of Dallas
Dallas County
Dallas Independent
School District
Forest Hill
Fort Worth
Galveston
Garland
Goldsmith
Guadalupe-Blanco
River Authority
Harris County &
Harris County Flood
Control
Harris County--Port
of Houston Authority
Houston Independent
School District
Hurst
Irving
Klein Independent School
District
La Porte
League City
Lubbock County
Mesquite
North Central Texas
Council of Governments
North East Independent
School District
Nueces County
Odessa
Palestine
Pearland
Richardson
Richardson Independent
School District
San Antonio
San Marcos
Seabrook
Spring Independent
School District
Stephenville
Temple

UTAH
Bountiful
Logan
Murray City
Corporation
Salt Lake City
Corporation
Salt Lake City
School District

VERMONT
None

VIRGINIA
Alexandria
Arlington County
Blacksburg
Charlottesville
Chesapeake
Chesterfield County
Colonial Heights
Fairfax
Fairfax County
Hampton
Hampton Roads
Sanitation District
Henrico County
Herndon
James City County
Newport News
Portsmouth
Prince-William County
Roanoke
Rockingham County
Vienna
Virginia Beach

WASHINGTON
Clark County
Edmonds
Kent
Seattle

WEST VIRGINIA
None

WISCONSIN
Fond du Lac
Milwaukee
Milwaukee County
Milwaukee Metro-
politan Sewerage
District
Outagamie County
Waukesha Area
Vocational
Technical & Adult
Education District

WYOMING
Cheyenne Board of
Public Utilities
Laramie

On October 27, 1982, the Special Review Committee membership included the following individuals:

Damon R. Adams, Director of Finance, Fort Lauderdale, Florida

Charles A. Anderson, Partner, Anderson & Whitney, CPAs, Greeley, Colorado

Roy Anderson, Controller, Illinois Municipal Retirement Fund, Chicago, Illinois

Harold L. Ashby, Partner, Coopers & Lybrand, Baltimore, Maryland

Harold H. Bach, Jr., Partner, Arthur Young & Company, Chicago, Illinois

Francois R. Barfuss, Partner, Deloitte Haskins & Sells, New York, New York

David R. Bean, Cusas Coordinator, State of Illinois, Springfield, Illinois

R. Edward Beranek, Partner, Main Hurdman, Newport Beach, California

Leroy R. Bergstrom, Partner, Kafoury, Armstrong & Co., Reno, Nevada

James J. Bolthouse, Director of Accounting, State of Michigan, Lansing, Michigan

Lyle D. Botkin, City Controller, Wichita, Kansas

Walter Bransen, Supervisor, Peat, Marwick, Mitchell & Co., Chicago, Illinois

Michael F. Bresnan, Manager, Deloitte Haskins & Sells, Costa Mesa, California

Gerald D. Brighton, Professor of Accounting, University of Illinois, Urbana, Illinois

Philip T. Calder, Partner, Arthur Young & Company, Detroit, Michigan

Patrick Callan, Supervisor, Cherry, Bekaert & Holland, CPAs, St. Petersburg, Florida

Gary Caporicci, Audit Manager, Apodaca, Finacchiaro & Company, Newport Beach, California

Edward P. Chait, Senior Technical Consultant, Price Waterhouse, Washington, D.C.

Linda S. Chappell, Controller, Atlantic Services, Wichita, Kansas

Joseph L. Christoffel, CPA, Sartoris Inc., Farmington Hills, Michigan

Mary Ellen Clemens, Assistant Director, Bureau of Financial Management Services, Tallahassee, Florida

Tom Cleveland, Partner, Touche Ross & Co., San Francisco, California

Harriet V. Commons, Audit Senior, Price Waterhouse, Sacramento, California

Gary M. Cone, Senior Consultant, Arthur Young & Company, Birmingham, Alabama

Robert K. Cox, Partner, Main Hurdman, Chicago, Illinois

Gilbert W. Crain, Associate Professor of Accounting, School of Business, Montana State University, Bozeman, Montana

John Crider, Manager, Alexander Grant & Company, San Antonio, Texas

Jack R. Crist, Director of Finance, Sacramento, California

William J. Crowley, Partner, Arthur Andersen & Co., Detroit, Michigan

Kenneth Daly, Partner, Peat, Marwick, Mitchell & Co., Philadelphia, Pennsylvania

Irwin T. David, Partner, Touche Ross & Co., Chicago, Illinois

Irwin R. Davis, Executive Director of Finance, School District of Philadelphia, Philadelphia, Pennsylvania

Francis A. Dawson, Finance Director, Cincinnati, Ohio

Mark W. Dick, Partner, Fox & Co., Wichita, Kansas

William B. Dillon, Partner, Arthur Andersen & Co., Dallas, Texas

James B. Dodson, Audit Partner, Harris, Huber & Co. P.C., Casper, Wyoming

Francis J. Dubas, Jr., Manager, Deloitte Haskins & Sells, New York, New York

Dennis F. Dycus, Director, Division of Municipal Audit, State of Tennessee, Nashville, Tennessee

Bert T. Edwards, Partner, Arthur Andersen & Co., Washington, D.C.

Burton Emmer, Partner, Alexander Grant & Co., Fort Lauderdale, Florida

Gary W. Findlay, Consultant, Gabriel, Roeder, Smith & Co., Detroit, Michigan

S. Grady Fullerton, CPA, University of Houston System, Houston, Texas

A. R. Garraway, Partner, Laventhol & Horwath, Las Vegas, Nevada

Gary L. George, CPA, Manager, Fox & Company, Wichita, Kansas

Terry Gordon, CPA, Tucker, Georgia

William T. Gordon, III, Audit Manager, Price Waterhouse & Co., Orlando, Florida

Robert Green, Finance Director, Daly City, California

Richard J. Haas, CPA, Chicago, Illinois

Robert D. Hammond, Partner, Clifton, Gunderson & Co., Denver, Colorado

George Hanna, Supervisor, Governmental Accounting, Derieux, Baker, Thompson & Whitt, CPAs, Richmond, Virginia

Roger Harmelink, Partner, McGladrey Hendrickson & Co., Rock Island, Illinois

Rhett Harrell, Manager, May, Zima & Co., Tallahassee, Florida

Jane Anne Hart, Director of Budget & Research, Dallas, Texas

Stanley C. Henslee, Partner, Fox & Co., Newport Beach, California

Harold Hensold, Partner, Arthur Young & Co., Chicago, Illinois

William W. Holder, Associate Professor, University of Southern California, School of Accounting, Los Angeles, California

Paula J. Horgen, Comptroller, Orlando, Florida

Charles J. Huckleberry, Jr., Deputy Director of Finance, DeKalb County, Decatur, Georgia

Robert L. Hull, Vice President, Selden, Fox & Associates, Ltd., Oak Brook, Illinois

Leo T. Hury, Partner, Davis, Monk, Farnsworth & Company, Gainesville, Florida

Richard J. Hutchinson, Manager, Nowlen, Stewart, Tedamonsen & Holt, West Palm Beach, Florida

Ronald G. Ibarra, Chief Accountant, Tampa, Florida

Charles I. Johnson III, Accounting Supervisor, Alexandria, Virginia

Lawrence F. Johnson, Principal, Arthur Young & Company, Tulsa, Oklahoma

Jeff A. Jones, Manager, Arthur Andersen & Co., Washington, D.C.

Robert Jones, Assistant Administrator & Audit Coordinator, Cleveland, Ohio

Louis G. Karrison, Partner, Karrison & Byrne, Wheaton, Illinois

Steven R. Kay, Manager, Peat, Marwick, Mitchell & Co., Los Angeles, California

William P. Kessler, Deputy Comptroller, Metropolitan Sanitary District of Greater Chicago, Illinois

Alex H. Kish, Manager, Brent Millikan, New Smyrna Beach, Florida

Jeffrey A. Klank, Senior, Ernst & Whinney, Dayton, Ohio

Edward M. Klasny, Partner, Ernst & Whinney, Cleveland, Ohio

Gary S. Kofnovec, Partner, McIntosh & Associates, Austin, Texas

Roger Korvola, Partner, Touche Ross & Co., Portland, Oregon

Alexander L. Leonard, CPA, Principal, Haynes, Moore, VanLandingham & Finney, CPA's, Rome, Georgia

John B. Lilja, Manager, Deloitte Haskins & Sells, St. Paul, Minnesota

John MacDonald, Partner, Coopers & Lybrand, Kansas City, Missouri

Thomas L. Maher, Partner, McGladrey Hendrickson & Co., Davenport, Iowa

Anthony M. Mandolini, Partner, Peat, Marwick, Mitchell & Co., Chicago, Illinois

John M. Mann, CPA, Coral Springs, Florida

Anthony R. Maresca, Audit Manager, Main Hurdman, Houston, Texas

Douglas R. Martin, Executive Secretary, State Board of Public Accountancy, Albany, New York

Mike McDonald, Manager, Touche Ross & Co., Nashville, Tennessee

Frank McHugh, Deputy Comptroller, Metropolitan Sanitary District of Greater Chicago, Illinois

Bob Melville, Manager, Price Waterhouse, Denver, Colorado

Terrill E. Menzel, Senior Audit Manager, Peat, Marwick, Mitchell & Co., Atlanta, Georgia

G. Michael Miller, Director of Finance, Orlando, Florida

Robert E. Moody, Manager, Ernst & Whinney, West Palm Beach, Florida

Anthony J. Mottola, Partner, Coopers & Lybrand, New York, New York

Terry L. Musika, Manager, Coopers & Lybrand, Boston, Massachusetts

R. J. Nachlinger, Finance Officer, Beaumont, Texas

Claude Nixon, Jr., Partner, Bourgeois, Bennett, Thokey & Hickey, New Orleans, Louisiana

Donald Oatman, Executive Director of Business Services, Jefferson County School District #1, Lakewood, Colorado

Paula C. O'Connor, Assistant Director of Finance, Tacoma, Washington

Carl G. Orne, Associate Dean of the School of Business and Economics, California State University, Hayward, California

Jose R. Pagan, Jr., Controller, Metropolitan Dade County, Miami, Florida

James L. Pandolfi, Partner, Pandolfi, Touhy, Weiss & Co., Chicago, Illinois

Dan Patrick, Assistant Director of Finance, Lakewood, Colorado

John S. Pavlik, Partner, Deloitte Haskins & Sells, New Haven, Connecticut

Bob Plain, Partner, Touche Ross & Co., Washington, D.C.

Dennis D. Powell, Partner, Coopers & Lybrand, Portland, Oregon

Louis Profumo, Senior Manager, Peat, Marwick, Mitchell & Co., Miami, Florida

Mike Profumo, Partner, Coopers & Lybrand, Sacramento, California

Robert L. Puckett, Audit Manager, Alexander Grant & Co., Denver, Colorado

David M. Pugh, Manager, Ernst & Whinney,
Harrisburg, Pennsylvania

Steven C. Purvis, Partner, Ripley, Doorn &
Co., Boise, Idaho

James B. Pyers, Director of Finance, City of
Wooster, Wooster, Ohio

Donald L. Rahn, Supervisor, Virchow, Krause
& Co., Madison, Wisconsin

William Reidy, Partner, Coopers & Lybrand,
Cleveland, Ohio

Larry J. Robertson, Partner, Peat, Marwick,
Mitchell & Co., Sacramento, California

Joseph W. Rose, Assistant to County Auditor,
Cook County, Chicago, Illinois

Daniel P. Rosen, Assistant Comptroller, City
of New York, New York

John Ryan, Manager, Ernst & Whinney,
Oklahoma City, Oklahoma

Paul Sachs, Manager, Arthur Andersen & Co.,
Chicago, Illinois

Tom Samp, Manager, Peat, Marwick, Mitchell
& Co., Chicago, Illinois

Rudolph J. Santoro, Partner, Deloitte,
Haskins & Sells, Woodbury, New York

David H. Sarbey, Supervising Manager, Spear,
Safer & Co., Miami, Florida

Raymond M. Saunders, Project Manager Consultant,
Americ. Management Systems, Arlington,
Virginia

Gerald J. Schmidt, CPA, St. Louis, Missouri

Dan Schultz, Manager, Peat, Marwick, Mitchell
& Co., Tulsa, Oklahoma

William R. Schwartz, Executive Secretary,
Missouri Local Government Employees Retirement
System, Jefferson City, Missouri

Robert A. Shonk, Finance Director & Comptroller,
Evanston, Illinois

Joe Shore, Manager, Alexander Grant & Co.,
Fort Lauderdale, Florida

D. Scott Showalter, Manager, Peat, Marwick,
Mitchell & Co., New York, New York

Gary Smith, Manager, Deloitte Haskins & Sells,
Los Angeles, California

Peggy Smith, Manager, Arthur Andersen & Co.,
Washington, D.C.

John G. Smithyman, Deputy Controller,
Philadelphia, Pennsylvania

Thomas W. Snow, Partner, Peat, Marwick,
Mitchell & Co., Los Angeles, California

Robert W. Spence, Partner, Peat, Marwick,
Mitchell & Co., Kansas City, Missouri

Thomas M. Stack, Treasurer, Chicago Board
of Education, Chicago, Illinois

Virginia Stanton, Director of Finance,
Fulton County, Atlanta, Georgia

Barbara Steckel, Municipal Manager, Anchorage,
Alaska

Roger R. Stoltz, Principal, Arthur Young &
Company, Cleveland, Ohio

Robert V. Stout, Manager, Coopers & Lybrand,
New York, New York

Paul C. Sundee, Partner, Price Waterhouse &
Co., Newport Beach, California

Marcia L. Taylor, Director of Finance, Mt.
Lebanon, Pennsylvania

Tommy J. Tompkins, Principal, Arthur Young
& Company, Dallas, Texas

Robert W. Trudeau, Chief Accountant, St.
Paul, Minnesota

Richard C. Vaughan, Partner, Peat, Marwick,
Mitchell & Co., St. Louis, Missouri

Edward J. Virnig, Partner, Arthur Andersen &
Co., Milwaukee, Wisconsin

Carl L. White, Director of Finance, San
Antonio, Texas

James L. Williams, Partner, Deloitte Haskins &
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King Moore Willis, Vice President, John C.
Muse Company, Sanford, North Carolina

William D. Wysocki, Partner, Arthur Young &
Company, Indianapolis, Indiana

Frederick Zahn, Partner, Deloitte, Haskins &
Sells, Cleveland, Ohio

Robert J. Zarlengo, Hines, Condon & Zarlengo,
Arvada, Colorado

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BERING STRAITS COASTAL RESOURCE SERVICE AREA BOARD

c/o City of Unalakleet
Box 28
Unalakleet, Alaska 99684

0471 024 304

18 March 1983

Harry V. Boer
Cordova, AK 99702

Paul Bimloh
Box 135
Seward, AK 99780

Robert Skidgen
Box 945
Teller, AK 99778

Francis Deegan
Box 51
Unalakleet, AK 99684

Dwight Millwright, Sr.
Box 134
Noor, AK 99702

Andrew Danich
Eliot, AK 99734

In Chukchik, Sr.
Michael, AK

THROUGH LEGISLATIVE INFORMATION TELECOPIER

Representative John G. (Jack) Fuller
Senator Frank Ferguson
Repr. Al Adams
Representative Tony Vasco
and Other Members of the Bush Caucus

Gentlemen:

On behalf of the Bering Straits CRSA Board, I am writing to express grave concerns regarding the appointment of Mr. Mark Lewis by Governor Sheffield as Commissioner of the Department of Community & Regional Affairs (DCRA).

At their regular meeting at Unalakleet, Alaska on March 16, 1983, the Bering Straits CRSA Board directed me to convey the Board's extreme disappointment that Governor Sheffield did not appoint a person with known seasoned experience and knowledge of local concerns.

To the Board's knowledge, Mr. Lewis has not demonstrated requisite experience and knowledge of our Inupiat and Yupik cultures in the Bering Straits Coastal Resource Service Area District. From Shishmaref to Stebbins along the coastline and over to St. Lawrence Island, we Inuit along with the Nalunaniut (White People) who live in this Region, have advocated the adoption of a Coastal Management Program, which, when adopted, will provide an opportunity for local residents to express their concerns regarding major coastal land and water resources, uses, and management plans.

We understand that Mr. Lewis's Confirmation Hearings are scheduled before the DCRA Committee - House on Monday and Tuesday of next week, and before the DCRA Committee - Senate on Wednesday.

Please convey to the Committee the Board's feelings, and give a copy of this letter to them and to Governor Sheffield as well.

Thank you for your kind assistance and cooperation.

Very truly yours,

BERING STRAITS CRSA BOARD

BY: Francis A. Deegan
Francis A. Deegan
Secretary/Treasurer

cc Bering Straits CRSA Board

Shishmaref, Wales, Diamond, Brvig Mission, Teller, "Nome Wood", White Mountain, Colville, Selkome, Council, "Name List", Eliot, Koyuk, Haktomik, Unalakleet, Stebbins, St. Michael, Campbell, Seward

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Tuesday

1. Grain Elevator
 2. Mill Processing Plant
 - * 3. Site Plan
 4. Assessment of Value - Risk Rankall
 - * 5. Contract Awards
 - * 6. Others
- Wednesday

Mark Lewis - Testify Background
3rd Day

Introduction -
Qualifications

Mark Lewis Testify, Background, Qualifications,
Goals,

Birba From Mark

1st
2nd

Alaska State Legislature

Barbara Lacher, Chairman
Mae Tischer, Vice-Chairman
Randy Phillips
Milo Fritz
Don Clocksin
Jack McBride
Mike Szymanski



Room 104
State Capitol
Juneau, Alaska 99811
Pouch V
Juneau, Alaska 99811

House of Representatives Committee on Community & Regional Affairs

CONFIRMATION HEARINGS

AGENDA

THURSDAY JUNE 2, 1983

2:00 P.M.

ROOM 124 CAPITOL

1. CALL TO ORDER
2. ROLL CALL
3. CONTINUE COMMITTEE DIALOGUE WITH MARK LEWIS
 - A. SUBJECTS REGARDING VALDEZ ACTIVITIES
 - (1) PERSONNEL POLICY RULE CHANGE
 - (2) VALDEZ TAX ASSESSMENTS *
 - B. CONSULTANT CONTRACT PROCEDURES **
4. DISCUSSION OF GOALS OF COMMISSIONER RE: DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS
5. CONCLUSION OF HEARINGS

NOTE: ADDITIONAL MEETINGS FOR CONTINUATION OF HEARINGS MAY BE SCHEDULED AS NECESSARY. COMMITTEE DISCUSSIONS MAY INCLUDE SUBJECTS NOT LISTED ABOVE.

* MAY INCLUDE TELECONFERENCE TESTIMONY -----RICHARD RANDALL

** MAY INCLUDE TELECONFERENCE TESTIMONY-----LAWRENCE KIMBALL

Attorney general review finds no contract bid conflict

By STEVE SEPLOCHA
and JOHN LINDBACK
Daily News reporters

A company denied a state Department of Community and Regional Affairs contract because of a possible conflict of interest actually had no conflict, an attorney general's office opinion says.

The Kuskokwim Planning and Management Corp. bidding for one-third of a \$395,000 contract for planning in Western Alaska, was called a "runaway winner" in the competition by a department bid review team in January.

But Community and Regional Affairs Commissioner Mark Lewis threw out all bids for the contract amid questions over potential conflicts in Kuskokwim's bid, and in the bid made by the second-ranked competitor, Callista Professional Service Corp.

A Kuskokwim employee, Richard Aks, had been deputy commissioner of the Department of Community and Regional Affairs. He resigned Dec. 3, and became general manager

of Kuskokwim Corp. on Jan. 5.

Thomas Jahnke, an assistant attorney general asked by Aks to review the situation, said in a letter to Aks that his review of documents and discussions with state officials "lead me to conclude that there has been no impropriety on your part."

Jahnke said, "It was appropriate for Commissioner Lewis to inquire about the appearance of conflict in connection with your employment by KP (Kuskokwim). However, on closer examination, the apparent conflict is seen to be illusory."

The Jahnke opinion on Aks said the record was "entirely contrary" to any of the factors required for a conflict finding under Alaska law.

Lewis' actions on the contract have been criticized by the former director of the department's community planning division, Lawrence H. Kimball Jr., and a number of private contractors. They claim Lewis steered the contract to Callista Professional Services Corp. and/or the Association of Village Council Presidents (AVCP).

Lewis has denied any improper actions and has said his actions were aimed at making the contracting procedure fair. He further accused Kimball of having a personal vendetta against him.

Jeff Smith, director of the C&RA Local Assistance Division, said Lewis would have no comment on the ruling. Smith said he felt the actions taken by Lewis were "still justified based on the appearance (that existed at the time) and other issues involved."

Aks began negotiating with Kuskokwim in mid-October and immediately notified superiors that he was talking with the firm and would take no part in department decisions regarding the planning contract.

In January, the bids were graded by a department review team and the Kuskokwim proposal was cited as the best.

The second-ranked proposal, by Callista, was also recommended for two-thirds of the \$395,000 award, since the top firm had only applied for one-third.

However, about the same time, Sen. John Sackett, R-Ruby, complained to Lewis and Gov. Bill Sheffield's office that Aks' employment by Kuskokwim should disqualify that company.

Lewis convened an executive review committee in February, at which Aks' potential conflict was addressed, along with information that Kimball had that a member of the original review committee had been employed by Callista.

After a stormy second meeting of the review committee, in which Kimball said he made charges of impropriety and asked to be relieved of any involvement in the award, Lewis threw out all proposals.

In tossing out the bids, Lewis announced a change in the scope of the work that had the effect of eliminating resubmission of the Kuskokwim bid.

He subsequently made another rule change that allowed Association of Village Council Presidents, a non-profit organization with close ties to

Callista, to enter the second round of bids. Lewis also briefly put a Callista shareholder who is a relative of an influential AVCP member on the second round review committee.

A new review committee appointed after complaints about the Callista shareholder met this week and made a contract award recommendation to Lewis.

Smith said Lewis would issue a press release Tuesday giving his decision on the contract.

Callista, in partnership with AVCP, resubmitted a bid in the second round.

The alleged conflict involving the Callista employee, who had access to all first round bids and an apparent advantage in the second round, has not been resolved.

Smith said earlier this week that he had a preliminary indication that the change that eliminated the Kuskokwim bid represented a significant revision of the proposal and made the point about a potential Callista conflict moot.

U.S.S. Anchorage visiting namesake

Anchorage's namesake on the high seas is paying a holiday visit, and the welcome mat is out to residents.

The U.S.S. Anchorage is docked at the Port of Anchorage and the public has been invited to scurry over its decks, peer in its holds and sit in a captain's chair from noon to 5 p.m. today.

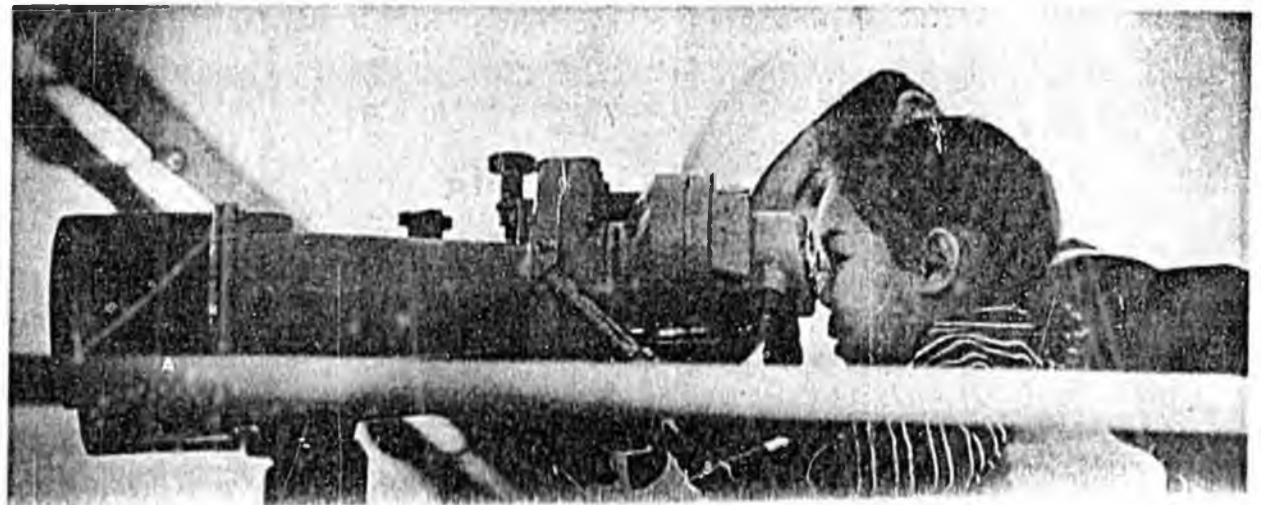
The Anchorage is a Dock Landing Ship (LSD), designed for two main missions. First, it is a cargo ship, capable of toting up to 300 fully equipped troops and their land vehicles and demarcating them on any

as harbor tugs to steer in for overhauls.

"We can get a boat in the lower decks and it works just like a dry dock," said Lt. Jg. Michael Craft. "We can use the cranes and lift an engine right out of a vessel and drop another one in."

The upper deck is also large enough to allow medium-sized helicopters to drop in for service and storage.

The Anchorage carries three twin-barreled 50-caliber gun mounts with a range of six miles. While primarily for



Phillips
Cap. 421
BILL SHEFFIELD, GOVERNOR

STATE OF ALASKA
DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

May 31, 1983
FOR RELEASE 8 a.m.

POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700
 225 CORDOVA STREET - BLDG B
ANCHORAGE, ALASKA 99501
PHONE: (907) 264-2294

PRESS RELEASE

Mark Lewis, Commissioner of the Department of Community and Regional Affairs, announced today that the Anchorage firm of Maynard and Partch has been selected to carry out the Yukon/Kuskokwim Regional Planning Needs Assessment project, subject to successful contract negotiations. This selection implements a unanimous recommendation by the Proposal Evaluation Committee.

Revised Requests for Proposals were issued on April 20, 1983, with an addendum to the RFP issued on April 29, 1983. Using appropriate bidder's lists, maintained by the Alaska Department of Administration, the RFP was distributed to over 180 firms. In addition, public notice was printed in major Alaska newspapers in both Anchorage and Juneau inviting prospective bidders to submit proposals.

Five proposals were received by the deadline for submission on May 19, 1983. A five-member Proposal Evaluation Committee met on May 25 and 26 in Anchorage to consider the proposals which had been submitted in a manner responsive to the terms of the RFP. The final proposals were submitted by Maynard and Partch in association with Kuskokwim Planning and Management Corporation; Kevin Waring and Associates; Woodward and Clyde Consultants and the second from Calista Professional Services joint venture with the Association of Village Council Presidents. The other three proposals were rejected as not complying with the submittal requirements of the RFP.

Proposal Evaluation Committee members were Fred Ali, President, Kuskokwim Community College, Bethel; Tony Stigel, Planning Director, City of Bethel; George Gee, Private Consultant, Ketchikan; Jim Edwards, Department of Transportation and Public Facilities, Anchorage; and Ed Busch, Department of Community and Regional Affairs, Division of Community Planning.

The Proposal Evaluation Committee reviewed the proposals according to criteria established within the RFP. Major criteria included:

1. Quality and Thoroughness of Presentation
 - Understanding of the project
 - Understanding of the communities and the region
 - Responsiveness to contractual requirements
 - Organization and clarity of the proposal
 - Innovativeness of the proposal
2. Capabilities and Organization of the Proposed Team
 - Qualifications and experience
 - Work satisfactorily completed on related projects
 - Organization and management
3. Project Budget

Following their discussions on May 25, the Proposal Evaluation Committee elected to interview both proposed project teams on the morning of May 26. Following these interviews, the members resumed their discussions and, ultimately, moved to recommend the firm of Maynard and Partch as the firm most qualified to carry out this project. The Committee vote was unanimous in favor of the motion.

Subject to successful negotiations, the Yukon/Kuskokwim Regional Planning Needs Assessment Project is expected to be under contract with the firm of Maynard and Partch before June 30, 1983.

The policy of this administration is to award all contracts in a fair and equitable manner and to contract with the firm most capable to successfully complete the project. As evident by the process we have just completed regarding the Regional Planning Needs Assessment for the Yukon/Kuskokwim both of these goals have been met.

Commissioner Mark Lewis said:

"It is unfortunate that the Anchorage Daily News was so quick to judge this contract review process and that their articles were one-sided and had a biased interpretation. I am pleased to announce this award and as I have maintained all along that this contract review process has been fair and equitable to all the participants involved."

CONTACT Jeff Smith - 465-4707.

Alaska State Legislature

Barbara Lacher, Chairman
Mae Fischer, Vice-Chairman
Randy Phillips
Milo Fritz
Don Clocksin
Jack McBride
Mike Szymanski



Room 104
State Capitol
Juneau, Alaska 99811

Pouch V
Juneau, Alaska 99811

House of Representatives Committee on Community & Regional Affairs

TO: Representative Lacher
FROM: Staff
DATE: May 25, 1982
SUBJ: Planning Consultant Contract, Department of Community and Regional Affairs.

CAUTION: The following information has been summarized from articles appearing in the Anchorage Daily News on May 15 and May 17, 1983 and has not been verified by independent investigation.

The articles allege that Commissioner Mark Lewis has directed actions that favor the award of a State-funded Regional Planning Contract to Calista Professional Services Corporation. The amount of the contract is \$395,000. and is one part of a larger multi-part contract.

Earlier portions of the larger Regional Planning Contract were awarded to Calista Professional Service Corporation. Proposals from several consulting and planning firms for the latest contract were reviewed in January by a contract review committee comprised of employees of the Department of Community and Regional Affairs. The review committee recommended award of the contract to Kuskokwim Planning and Management Corporation.

In January, Senator Sackett informed the Governor that a conflict of interest existed in the award of the contract to Kuskokwim because a former employee of the Department, Richard Aks, worked for Kuskokwim. The Senator also wanted to award one contract on a regional basis rather than several smaller contracts on a subregion basis. A decision to follow the Senator's request would mean eliminating the request for contract proposals and the Kuskokwim bid.

Subsequent to receipt of Senator Sackett's letter, Commissioner Lewis directed a newly formed contract review committee to again review the proposals and recommend a winning bid. Reasons given for appointment of a new review committee were to be certain that the program was in line with the new administration policies (not clarified) and possible conflict of interest in the earlier recommendation for contract award.

The new or "executive" review committee met twice but apparently made no recommendation. On March 13, Lewis announced that all of the bids would be discarded but, bidders would be paid for their efforts. He also announced that readvertisements for bids would eliminate the provisions that permitted bids for portions of the work. This change eliminated the proposal submitted by Kuskokwim from further consideration.

During the month of February, a Mr. Jim Pederson who prepared Calista's bid proposal resigned from Calista, which would reduce the strength of that Corporation's proposal. Additionally, Gary Hennigh, a former Department employee who had been a member of the original bid review committee had been hired by Calista. Since Mr. Hennigh had seen all the competitive bids, it could be a conflict of interest in subsequent proposals submitted by Calista.

An Assistant Attorney General, Mr. Janhke, stated that a preliminary review of materials supplied by Lewis indicated that Richard Aks of the Kuskokwim organization did not create a conflict of interest situation in their bid proposal.

The requests for new bid proposals were advertised on April 22. Later, Lewis directed additional changes to the bid rules to allow the Bethel based association of Village Council Presidents to submit a bid proposal. The rule change allowed an organization with no planning staff to submit a bid (the Association had no planning staff), even though an important part of the bid evaluation was based on the expertise of the applicant's planning staff.

The Association of Village Council Presidents has strong ties to Calista Corporation. The rule change could result in the Association being awarded the contract, and then using or hiring the Calista Planning Staff to do the work. In effect, the Calista Corporation may have two chances for the contract.

Lewis is reported to have told Lawrence Kimball and Jim Kohler that he (Lewis) was going to name another committee to review the proposals. The new committee would include Bethel City Manager Lyman Hoffman, nephew of the Chairman of the Association of Village Council Presidents and a Calista shareholder. Lewis later said that he would not name Hoffman to the committee.

Lawrence Kimball, who was the Director of the Departments' Division of Community Planning, has resigned at the request of Lewis. Kimball had advised Lewis of the legal and ethical problems involved in the rejection of the original review committee's recommendations and of subsequent actions. Jim Kohler, Kimball's Deputy Director advised Lewis against changing the bid rules to allow the Association of Village Council Presidents to bid on the contract.

Three charges involving the procedures and circumstances surrounding the bidding procedures have been filed with the State Ombudsman's office.

STATE OF ALASKA

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

May 17, 1983

BILL SHEFFIELD, GOVERNOR

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JUNEAU, ALASKA 99811
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225 CORDOVA STREET - BLDG R
ANCHORAGE, ALASKA 99501
PHONE: (907) 264-2294

Howard Weaver
Anchorage Daily News
200 Potter Drive
Anchorage, Alaska 99504

Dear Mr. Weaver

It has not been my policy to respond directly to the articles that have been appearing in the Daily News. However, following the article that appeared in your May 15 Sunday edition, I feel a response is necessary. In reviewing this entire contract's history, it must be remembered that this project was appropriated and developed during the last year of the Hammond Administration and the associated problems have arisen as a result of their decisions. It has fallen to the Sheffield Administration to correct these problems and to implement the project. This, I have attempted to do in a fair and equitable manner.

The article that was printed contained factual errors, conclusions inconsistent with the facts and, at best, misrepresented the actions that I have taken regarding the Yukon-Kuskokwim Planning Needs Assessment. The article is as interesting for what it doesn't say as much as for what it does. Contradictory documentation that was provided to your reporters does not appear anywhere in the article. This is especially troubling from the standpoint that this proffered documentation was also written by a major source for your story, Larry Kimball. Following is a point by point rebuttal to your article.

In the article you state that decisions made by me have consistently favored the Calista Corp. This is patently not true and I do not believe that this statement is substantiated in the article. While your reporters view the change in the second RFP as benefiting Calista, it was actually made in order that the RFP conform to the original "legislative" intent for this project. The project was instigated by the Legislature in order to provide for a comprehensive regional planning effort, not a subregional planning effort. On what basis DCRA, under the Hammond Administration, made this change in the project remains unclear to us now. We can find no supporting documentation in the files for not meeting the intent of the legislation. Therefore, this change to the RFP that you intimate is so damaging, in actuality only readdresses the original intent of the project. The other change referred to is the amendment to the second RFP that would allow for a firm to disclose the staff that will be hired to implement the project, after selection, but before the contract is let.

Mr. Howard Weaver
May 17, 1983
Page 2

While your reporters view this as giving Calista two chances, in fact, the Association of Village Council Presidents (AVCP) could choose to hire its staff from any firm. As I stated during my interview, the possibility that AVCP would hire Calista did not occur to me and my only motivation was to remove a stumbling block from the path of any firm which desired to respond to the proposal without having to receive firm commitments from professionals to work on a project that may not be awarded to them. In your article you state that this constitutes a pattern. I do not believe two changes are a pattern, especially when at least one of the changes was to bring the project into compliance with the original intent of the legislation.

You go on to mention the complaints received by the Ombudsman's Office and his subsequent review. If carefully scrutinized, you would discover that the majority of the aspects under investigation by the Ombudsman were actions taken by the former Hammond Administration. The concern regarding a favoring of firms with ties to native organizations from that region, refers to the original RFP written in October of 1982 by Larry Kimball of the Division of Community Planning. Both of these complaints were closed by the Ombudsman's Office after we cancelled the old RFP and went out for new bids.

Your point that these actions all figured heavily in the dismissal of Larry Kimball is pure conjecture. Kimball's departure is due to the proposed reorganization of the Department and Mr. Kimball's inability to conform to the stronger management style of this administration. Both Mr. Kimball and I made a good faith effort during the last few months to communicate better, however, this was without success. As stated to me in my last meeting with Mr. Kimball, he felt the same way and was not upset about leaving the Department. He indicated that he was tired and looked forward to entering the private sector.

Your May 15th article stated that my reasons for throwing out the first set of bids was due to the conflicts previously mentioned and was an attempt on my part to provide the Calista Corporation with another chance at the contract. What wasn't stated in the article, and should have been apparent, is that due to the number of problems and apparent conflicts that came up regarding the contract, no matter to whom the contract was awarded, a cloud would have been left hanging over the project. This was apparent and no one, including Mr. Kimball, recommended that we award the project to the third, fourth or fifth bidder. The decision to re-bid was a joint and unanimous decision by all the staff involved.

Mr. Howard Weaver

May 17, 1983

Page 3

You further state that Mr. Kimball repeatedly warned me about legal and ethical problems. This is a very interesting point. The only time that Mr. Kimball stated he felt there were problems with the manner in which I was proceeding was in a memo dated February 24th and that memo was not received in my office until March 14, at almost the same time that it was given to your newspaper by person or persons unknown. However, in a trip report written by Mr. Kimball March 3rd which covers the meeting held February 23 in Juneau, he states:

I met with Jeff Smith and Marty Rutherford to convene as the Executive Review Committee on the Y-K proposals. I had discussed the situation with Bob Rehfeld earlier in the day. He was unable to attend the review committee meeting.

Marty, Jeff and myself spent considerable time discussing the increasing problems with the proposal evaluations and decided to identify the issue areas and pass our concerns on to you prior to issuing a decision from the committee. You have been so informed and I agree with the course of action you have directed Marty to take. I have a separate memorandum coming to you relative to my continued involvement in this matter.

In addition, in another trip report covering the second and last meeting of the review team, Mr. Kimball wrote:

"Met with Marty, Jeff and Bob to discuss the tasks necessary to follow your directives on the Y-K projects. I firmly believe your decisions were sound on these projects".

Both of these trip reports were provided to your reporters here in Juneau and these were never mentioned in your article. It must be remembered that the review committee held only two meetings. The first was held February 23 and the second held March 16. Mr. Kimball was present at both meetings, and his trip reports, I believe, reflect his immediate and therefore more accurate thoughts about the process. I do not believe that contradictory statements can be construed as repeatedly warning me of legal and ethical problems. If the statements made in Mr. Kimball's February 24 memo were true, and his impressions later changed, why did he not immediately come to my office and inform me of those instructions or at the very least utilize our telecommunication system to send me that memo on February 24, which could have been received in my office in minutes.

Mr. Howard Weaver
May 17, 1983
Page 4

Instead, he chose to communicate these concerns to me in a memo I received eighteen days after it was written and on the same day your newspaper received it. With regard to your second point about the change in the RFP attempting to exclude the Kuskokwim Planning and Management Corp. (KPMC) this is simply not true. Again, this action was taken in order to bring the project in line with legislative intent. KPMC can, under these guidelines, still bid on the project, but like everyone else, they have to include the whole region and not just parts of it in their scope of work.

You also brought up in your article a February 10 meeting that never occurred. The first meeting to review the project was held February 23. Further, at no time did Mr. Kimball recommend an Attorney General's opinion on the conflicts that he had pointed out to me.

In the interview I held with your reporters on Friday, May 13, Marty Rutherford, my Special Assistant, stated that she never used the word "orders" at that meeting, however, you imply in the article that she admitted using that word. You also imply that Jeff Smith, the Director of our Local Government Assistance Division, admitted to opening the February 23 meeting with the statement "Larry, you're not going to like this." Mr. Smith did comment that he made that statement at the meeting held on March 16 when he informed Mr. Kimball that I had decided to let the Land Management Contract to Darbyshire and Associates. This action was recommended by the technical evaluation team, however, Mr. Kimball did not want this contract given to that particular firm and Mr. Smith made his remark because he was aware of that fact.

You state that Mr. Kimball was allowed to leave the committee and he began losing influence in the decisions regarding the matter. In reality, in Mr. Kimball's February 24 memo he states categorically that he does not want to have anything further to do with this contract. However, he did continue to play a role as evidenced by his March 16 trip report and his May 2 memo, in which he pointed out problems with the proposed review committee. These comments were taken into consideration when I changed the membership of the new evaluation team.

A conflict of interest or an appearance of one is not to be taken lightly and deserves to be reviewed very carefully. At no time did we state that former Deputy Commissioner Aks had a conflict, but since Senator Sackett had questioned this, we were unable to ignore the concern. The records show that Mr. Aks signed the Authority To Negotiate (ATN) and approved the RFP for Contract Advertisement for the Yukon-Kuskokwim Contract.