

RESOLUTION NO. 20-2020-004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ADAK AUTHORIZING SUIT AGAINST GOLDEN HARVEST ALASKA SEAFOOD, LLC AND OTHER POTENTIALLY RESPONSIBLE PARTIES.

WHEREAS, the City of Adak, on July 17, 2017, entered into an Assignment Agreement and Consent to Transfer (“Agreement”) with Golden Harvest Alaska Seafood, LLC and Premier Harvest, LLC, wherein the City consented to Golden Harvest’s assumption of agreements and debts between the City and Premier Harvest and Golden Harvest agreed to assume such obligations; and

WHEREAS, Golden Harvest is in default under the Agreement and obligations assumed by the Agreement, including, but not limited to, obligations to pay the City according to the terms of a promissory note, pay all taxes when due, and to protect the City’s collateral; and

WHEREAS, Golden Harvest has failed to remit raw seafood product tax as required by Adak Code of Ordinance Chapter 4.13 and the City has recorded a tax lien in accordance as authorized by Chapter 4.13; and

WHEREAS, Golden Harvest has failed to remit sales tax as required by Adak Code of Ordinance Chapter 4.06 and the City has recorded a tax lien in accordance as authorized by Chapter 4.06; and

WHEREAS, Golden Harvest is delinquent in payment of city utilities;

NOW THEREFORE BE IT RESOLVED the City Attorney is authorized to file suit against Golden Harvest Alaska Seafood LLC and any other entity or person responsible for Golden Harvest’s contract defaults, raw seafood product tax delinquency, sales tax delinquency, or utility delinquency.

PASSED AND ADOPTED by a duly constituted quorum of the City Council this 30th day of June, 2020.

Thomas Spitler, Mayor

ATTEST:

Layton J. Lockett, City Manager/Interim City Clerk