

City of Kodiak Regular Council Meeting Agenda for October 11, 2018
7:30 p.m., at 710 Mill Bay Road, Assembly Chambers (Room 232)

- I. Call to Order/Roll Call**
Invocation/Pledge of Allegiance

- II. Previous Minutes**
Approval of Minutes of the September 27, 2018, Regular Council Meeting.....1

- III. Persons to Be Heard**
 - a. Public Comments (limited to 3 minutes) (486-3231)

- IV. Unfinished Business**
 - a. None

- V. New Business**
 - a. Authorization of Bid Award No. 2019-003 for Purchase of Two Pickup Trucks From Kodiak Motors for Public Works Departments.....8

- VI. Staff Reports**
 - a. City Manager
 - b. City Clerk

- VII. Mayor’s Comments**

- VIII. Council Comments**

- IX. Audience Comments** (limited to 3 minutes) (486-3231)

- X. Executive Session**
 - a. Discussion With the City Attorney About Kodiak Public Broadcasting Corporation Litigation.....14

- XI. Adjournment**

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**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, SEPTEMBER 27, 2018
IN THE BOROUGH ASSEMBLY CHAMBERS**

I. MEETING CALLED TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Pat Branson called the meeting to order at 7:30 p.m. Councilmembers Laura B. Arboleda, Charles E. Davidson, Daniel Mckenna-Foster, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. Councilmember Randall C. Bishop was absent. City Manager Mike Tvenge, City Clerk Debra Marlar, and Deputy Clerk Michelle Shuravloff-Nelson were also present.

Salvation Army Sergeant Major David Blacketer gave the invocation and the Pledge of Allegiance was recited.

II. PREVIOUS MINUTES

Councilmember Whiddon **MOVED** to approve the minutes of the September 13, 2018, regular meeting as modified; the roll call on agenda item V. b. was changed to reflect the absence of Councilmember Mckenna-Foster.

The roll call vote was Councilmembers Arboleda, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. Councilmember Bishop was absent. The motion passed.

III. PERSONS TO BE HEARD

a. Public Comments

Craig Aglietti, co-owner of Dankorage, a cannabis business in Anchorage, provided a brief overview of their business. He said they have been operating for the last two years and have been profitable and collected taxes for the Anchorage community. He expressed an interest to have a cannabis store in Kodiak and stated they are interested in purchasing the property at 202 Center Avenue. He commented they only want to set up a business where they are welcomed into a community and they attended the meeting to introduce and make themselves available for any questions.

Lily Bosshart, co-owner of Dankorage, said they are working on additional retail licenses and they would like Kodiak to be their fourth business location. She said they sell handmade gifts, books, socks, and provide education on the products they sell. She said they pride themselves on providing information and have a broad customer base, which includes an older population. She shared they have 25 employees. She encouraged community involvement in their business and said they feel they handle scrutiny well since they have gone through the State licensing process. She welcomed citizens to take a tour of the Anchorage shop.

IV. UNFINISHED BUSINESS

None

V. NEW BUSINESS

a. Resolution No. 2018–09, Naming Election Workers for the October 2, 2018, Regular Municipal Election

Kodiak City Code specifies that prior to each election, the Council shall appoint judges and clerks for each City precinct and will also appoint a canvass board consisting of at least three persons. Resolution No. 2018–09 names election workers and canvass board members for the October 2, 2018, regular municipal election and authorizes the City Clerk to appoint other persons, if necessary, to ensure that an adequate number of workers are present to conduct and canvass the election.

Councilmember Arboleda MOVED to adopt Resolution No. 2018–09.

Councilmember Mckenna-Foster stated he should abstain from voting, since he will be a paid election worker.

Mayor Branson asked for clarification from Clerk Marlar.

Clerk Marlar indicated that Councilmembers would not be paid by the City for serving as election workers. Councilmember Davidson will serve on the Canvass Board and Councilmember Mckenna-Foster will serve on the Receiving Board, which costs are shared with the Borough. She indicated the Borough may pay Councilmember Mckenna-Foster, but the City Charter prohibited paying elected officials for other services.

The roll call vote was Councilmembers Arboleda, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. Councilmember Bishop was absent. The motion passed.

b. Authorization to Purchase a Case 580 Super N T4 Loader/Backhoe from Yukon Equipment, Inc.

The City requested proposals from Yukon Equipment, Inc. for a new CASE 580 Super N T4 loader/backhoe and from NC Machinery for a new CAT 430F2 IT loader/backhoe. Both quotes were for similarly outfitted equipment, FOB Kodiak. The Yukon Equipment Inc. quote was \$128,198 and the NC Machinery quote was \$153,065.

Councilmember Walker MOVED to authorize the purchase of a CASE 580 Super N T4 loader/backhoe from Yukon Equipment, Inc. in an amount not-to-exceed \$128,198 with funds from Wastewater Treatment Plant Fund, machinery and equipment line item and authorize the City Manager to execute the documents on behalf of the City.

The roll call vote was Councilmembers Arboleda, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. Councilmember Bishop was absent. The motion passed.

c. Authorization to Purchase a 2018 Trail King TKT40LP Trailer from Yukon Equipment, Inc.

The Public Works department has a single heavy equipment trailer used to mobilize the excavator and other heavy equipment. They have had very good service from the current Trailmax trailer, but at almost 20 years old, the corrosion from our environment has caused reliability and safety issues.

Councilmember Davidson MOVED to authorize the purchase of a 2018 Trail King TKT40LP trailer from Yukon Equipment, Inc. in the amount of \$36,884.44 with funds from the Water Utility Fund, Water/Distribution, Machinery and Equipment account and authorize the City Manager to execute documents on behalf of the City.

The roll call vote was Councilmembers Arboleda, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. Councilmember Bishop was absent. The motion passed.

d. Appointment to Parks and Recreation Advisory Board

There are three vacant positions on the Parks and Recreation Advisory Board; these include a regular City position and two alternate positions. The Parks and Recreation Director received an application in August 2018 from Domonique Ruiz. Ms. Ruiz resides outside the Kodiak City limits and is eligible for an alternate advisory board position. This advisory board appointment is made by the Mayor and confirmed by the Council.

Mayor Branson appointed Domonique Ruiz to the Parks and Recreation Advisory Board for a term ending on December 31, 2019.

Councilmember Arboleda MOVED to confirm the Mayoral advisory board appointment and term to the Parks and Recreation Advisory Board as stated.

The roll call vote was Councilmembers Arboleda, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. Councilmember Bishop was absent. The motion passed.

VI. STAFF REPORTS

a. City Manager

Manager Tvenge said the 965' Coral Princess will arrive in Kodiak tomorrow and the 883' Westerdam would be the last cruise ship of the season on October 5. He said the tentative 2019 cruise ship schedule was released, and there are 31 confirmed vessels, which is an increase from the 19 this year. He shared that American President Lines (APL) operation has had a larger impact on Pier II than anticipated. He said APL had initially estimated two barges per month for the first year of the contract and is currently averaging three times that amount. He shared that PND Engineers have determined that the back reach area behind the crane at Pier III has stopped settling. He said the Harbor Department is working with the Public Works Department to get a transition paved between the current asphalt and the pier. He said the Boatyard is entering its slow season

and currently only has one paying customer with three more tentatively scheduled for October. He shared that the paving of Alimaq Drive on Near Island was complete. He said the street and sidewalk paving on Birch Avenue is complete with the exception of a short area of sidewalk on Willow Street. He stated the fencing would begin the week of October 8 along with tying in gravel driveway approaches. The project is still on schedule to complete next month.

b. City Clerk

Clerk Marlar reminded citizens to vote at the Municipal Election, on Tuesday, October 2, 2018. She shared the polls are open from 7 a.m. until 8 p.m. and the City precincts are located at the Teen Center and Fisherman’s Hall buildings. She said the Canvass of the Election would be on Wednesday, October 10, 2018, at 9 a.m. in the City conference room and it will be open to the public. Clerk Marlar further clarified her statement earlier regarding payment to Councilmembers serving as election officials. She informed the public of the next scheduled work session and regular Council meeting.

VII. MAYOR’S COMMENTS

Mayor Branson thanked Deputy Mayor Davidson for presiding over the meeting in her absence. She said she was at the rural leadership forum where she gave an update on the replacement of the Tustumena from Captain Falvey and said it will take several years to get a new ship. She thanked Ms. Ruiz for volunteering for the Parks and Recreation Advisory Board and thanked all of the election workers. She said she was asked to present at the White House as a member of the Alaska Municipal League with Hawaii and California on infrastructure and community needs during the third week of October.

VIII. COUNCIL COMMENTS

Councilmember Mckenna-Foster said he does not mind forfeiting any funds for serving as an election worker. He commented that he previously asked not to speak first during Council comments. He said it was his last meeting and he is generally disappointed in his term as a Councilmember; he said he has seen why people do not want to serve on local government. He said he observed opposition for real discussion, new ideas, proactive problem solving, or anything that is not business as usual. He said he does not think it is a good idea to have a strong Mayor and costly City Manager. He said if we do what we have always done, we would be where we have always been.

Mayor Branson stated she is not a strong Mayor.

Councilmember Walker had no comments.

Councilmember Whiddon said he thinks it is great that Mayor Branson will be attending the White House meetings. He provided an update from the Alaska Civilian Armed Service Team (ACAST) and said he recently met with members of the Coast Guard and Navy Seal Base. He provided a Fisheries Work Group update and highlighted previous agenda items stating they are now looking at the climate change and Alaskan fisheries. He said there was an outstanding presentation by Mike Litzow, University of Alaska

Fairbanks on climate change and the effects of global warming. He referred citizens to the City’s website for Mr. Litzow’s Powerpoint presentation. He said they had a report from ADF&G and he shared a salmon report: reds and pinks are down; chum and silvers are up. He said the Oscar Dyson is waiting to go to the shipyard and anticipates a long wait time. He said there is a critical need for surveys. He said there was a recent letter to the Board of Fish sent by the City and Borough Mayors, regarding salmon and hatcheries.

Councilmember Arboleda thanked everyone that works hard to keep the City running.

Councilmember Davidson encouraged everyone to get out and vote in the elections. He expressed disappointment in Councilmember Mckenna-Foster’s comments.

In response to Councilmember Mckenna-Foster’s earlier comments, Clerk Marlar clarified Councilmember Mckenna-Foster’s term was through October 28, 2018, therefore, there were two more meetings before the newly elected officials take office and his term ended.

Councilmember Mckenna-Foster stated he will be available for those meetings and apologized for the confusion. He said his comments still stand.

IX. AUDIENCE COMMENTS

None

X. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

The roll call vote was Councilmembers Arboleda, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. Councilmember Bishop was absent. The motion passed.

The meeting adjourned at 8:01 p.m.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Minutes Approved:

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NEW BUSINESS

MEMORANDUM TO COUNCIL

To: Mayor and City Councilmember's
From: Mike Tvenge, City Manager *MT*
Thru: Craig Walton, Public Works Director
Date: October 11, 2018

Agenda Item: V. a. Authorization of Bid Award No. 2019-003 for Purchase of Two Pickup Trucks From Kodiak Motors for Public Works Departments

SUMMARY: The Public Works Department budgeted for the replacement of two existing maintenance pickups in fiscal year 2019. Both vehicles have been through a mechanical evaluation by the City maintenance shop and have been recommended to be replaced. I recommend award of two, 1 ton 4x4 pickup trucks to Kodiak Motors for Bid No. 2019-003.

PREVIOUS COUNCIL ACTION: The City Council adopted a vehicle and equipment replacement policy in 2011. The proposed two replacement vehicles were budgeted in the FY2019 budget.

BACKGROUND: The 2011 vehicle replacement policy was based on research that created an estimated life of service before a vehicle or piece of heavy equipment would need replacing. The idea was to create a system that kept equipment or vehicles from becoming extremely expensive to keep operating. At the same time, prevent having a fleet of equipment all needing replacement at the same time. As a piece of equipment or vehicle approaches its scheduled replacement it is evaluated by the maintenance shop to determine if we should recommend replacing or extend its time in service.

DISCUSSION: The Public Works maintenance shop does mechanical evaluations on all City vehicles and equipment up for replacement. By using a mechanical and structural evaluation process, each piece is evaluated first for safety issues and second for significant mechanical issues requiring major investment in repairs. We then weigh the estimated repair or component replacement cost against the potential additional years of service. In our environment, structural deterioration of the frames on smaller vehicles typically determine the remaining time in service. As each vehicle or piece of heavy equipment is evaluated, we also weigh the risk of extending the time in service. We evaluate the equipment and vehicles prior to the department preparing their budgets. This means that most vehicles or equipment would be evaluated by April for the coming year's budget preparation. If a piece of equipment or vehicle is extended one year, that piece typically remains in service for 18 months to two years before we actually replace it. We have modified our bid specifications to accept current year models in an effort to save cost and improve delivery times.

Kodiak Motors was the sole bidder for 2- 2019 1 ton 4x4 Ford pickups for \$32,067.00 each. I have reviewed the sole bid submitted by Kodiak Motors for Bid # 2019-003.

LEGAL: Advertising for bids complied with KCC 3.12.040.

ALTERNATIVES:

- 1) Award the bid to Kodiak Motors, the lowest responsible bidder, in the amount of \$32,067.00 for each pickup truck.
- 2) Reject the bids and do not authorize purchase of the new vehicles. This is not recommended, since mechanical evaluations of these vehicles have identified numerous mechanical and structural issues.

FINANCIAL IMPLICATIONS: The funding for replacing the vehicles was approved in the FY2019 budget. One pickup was funded in the Sewer Utility Fund, Wastewater Treatment, machinery and equipment line item, and one from the Water Utility Fund, Water/Distribution, machinery and equipment line item.

STAFF RECOMMENDATION: Staff recommends two 1 ton 4x4 pickup trucks for the Public Works Department fleet, vehicle Bid No. 2019-003, be awarded to Kodiak Motors in the amount of \$32,067.00 each, \$64,134 in total.

CITY MANAGER'S COMMENTS: Each vehicle will be used by crew and have the ability for towing equipment necessary within their respective departments.

NOTES/ATTACHMENTS:

Attachment A: Kodiak Motors Bid Form

PROPOSED MOTION:

Move to award Bid No. 2019-03 to Kodiak Motors for two 1 ton 4x4 pickup trucks in the amount of \$64,134 with funds in the amount \$32,067 from the Sewer Utility Fund, Wastewater Treatment, and \$32,067 Water Utility Fund, Water/Distribution, Machinery and Equipment Greater Than \$5,000 accounts and authorize the City Manager to execute the documents on behalf of the City.

BID FORM

TO: Mike Tvenge, City Manager
 City of Kodiak
 710 Mill Bay Road, Room #114
 PO Box 1397
 Kodiak AK 99615

Any exceptions to the published bid specifications must be listed by item.

In compliance with your Invitation to bid for Bid No. 2019-003 dated August 20, 2018, the undersigned hereby proposes to provide the following:

1. Two (2), 2019, 1 ton, four wheel drive, standard cab, Standard long bed pickup truck.

Bid amount

\$32,067 each


Total 64,134.00

(Turn in Page 5 & 6 in as part of your bid)

Bid price valid for 30 days.

Submitted by:

Dated: 9/21/18

 Kodiak Motors, Inc
Signature Business Name

President 201 Center Ave
Title Address

907-486-3204 Kodiak, AK 99615
Telephone City, State, Zip

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EXECUTIVE SESSION

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager *MT*

Date: October 11, 2018

Agenda Item: X. a. Discussion With the City Attorney About Kodiak Public Broadcasting Corporation Litigation

SUMMARY: The City Council will enter into executive session for a discussion with the City Attorney about Kodiak Public Broadcasting Corporation litigation.

PROPOSED MOTION:

Move to enter into executive session pursuant to Kodiak City Code 2.04.100(b)(1) for a discussion with the City Attorney about Kodiak Public Broadcasting Corp. litigation, the immediate knowledge of which would clearly have an adverse effect upon the finances of the City.

OCTOBER 11, 2018
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