

City of Kodiak Regular Council Meeting Agenda for June 13, 2019
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 May 30, 2019, Special Council Meeting.....	1
III. Persons to Be Heard	
a. Proclamation: Declaring Filipino American Heritage Month	5
b. Public Hearing: Amending Sections 9 and 12 of the Schedule of Fees, Charges, and Tariffs.....	7
c. Public Comments (limited to 3 minutes) (486-3231)	
IV. Unfinished Business	
a. Second Reading and Public Hearing, Ordinance No. 1386 Levying Taxes in the Amount of 2 Mils and Appropriating Funds for the Expenses and Liabilities of the City of Kodiak for the Fiscal Year Commencing on the First Day of July 2019 And Ending on the Thirtieth Day of June 2020.....	13
V. New Business	
a. First Reading, Ordinance No. 1387, Replacing the Existing Addendum B, Sexual Harassment and Anti-Harassment Policy in the City Personnel Rules and Regulations with a New Addendum B, Non-Discrimination, Anti-Harassment and Equal Employment Policy.....	26
b. Resolution No. 2019–10, Amending Sections 9 and 12 of the Schedule of Fees, Charges, and Tariffs.....	36
c. Resolution No. 2019–11, Appropriating Necessary Funds From the Sewer Improvement Fund for Emergency Sewer Lift Station Repairs for Sewer Repairs.....	43
d. Authorization of FY2020 Special Services Contract with Alaska Department of Public Safety.....	52
e. Authorization of Program Agreement with Alaska Public Entity Insurance (APEI) or the Alaska Municipal League/Joint Insurance Association (AML/JIA).....	56
f. Authorization to Purchase a Primary Sludge/Wasting Pump from APSCO, LLC.....	62
g. Authorization of Amendment No. 3 Lease No. 219595 for City Hall Office Space in the Kodiak Island Borough Building.....	67
h. Authorization to Cancel the June 27 and July 11 Regular Meetings and Authorize the City Manager to Schedule a Special Meeting if Needed.....	75

VI. Staff Report

- a. City Manager
- b. City Clerk

VII. Mayor's Comments

VIII. Council Comments

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

X. Adjournment

<p>DRAFT</p>

**MINUTES OF THE SPECIAL COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, MAY 30, 2019
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Mayor Pat Branson called the meeting to order at 7:35 p.m. Councilmembers Laura B. Arboleda Charles E. Davidson, Terry J. Haines, 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 Nova Javier, and Deputy Clerk Michelle Shuravloff-Nelson were also present.

Salvation Army Major Dave Davis gave the invocation and the Pledge of Allegiance was recited.

II. PREVIOUS MINUTES

Councilmember Whiddon MOVED to approve the minutes of the May 9, 2019, regular meeting, as presented.

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

III. PERSONS TO BE HEARD

a. Public Comments

Alexis Kwatcha thanked the Mayor and Council for their work on the letter addressed to the U.S. Army Corps of Engineers Alaska District regarding the Draft Environmental Impact Statement (EIS) for the Pebble Mine Project. He said he was pleased with the closing of the downtown road for Crab Festival and suggested that future parades go through downtown Kodiak, as it historically did. He shared his concern about boats not mooring properly to avoid harbor fees.

IV. UNFINISHED BUSINESS

None

V. NEW BUSINESS

a. First Reading, Ordinance No. 1386, Levying Taxes and Appropriating Funds for the Expenses and Liabilities of the City of Kodiak for the Fiscal Year Commencing on the First Day of July 2019 and Ending on the Thirtieth Day of June 2020

Mayor Branson read Ordinance No. 1386 by title. Ordinance No. 1386 provides for the adoption of the City of Kodiak's FY2020 budget. The budget document, which supports the ordinance, estimates all sources of revenue the City anticipates receiving between July 1, 2019, and June 30, 2020. The budget document also establishes an operating and capital expenditure plan for FY2020 that is based on staff's assessment of operational and community needs and the Coun-

cil's FY2020 budget goals. Staff made the FY2020 budget presentation to Council and the public during a special budget work session on April 27, 2019.

Councilmember Walker MOVED to pass Ordinance No. 1386 in the first reading and advance to second reading and public hearing at the next regular or special Council meeting.

Councilmember Whiddon stated this is the budget during his term that he is most pleased with because it meets the budget goals and does not use the general fund reserve. He thanked staff for their efforts and diligence to prepare this budget, especially with the unknown in state funding.

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

b. Approval of a Letter Addressed to the U.S. Army Corps of Engineers Alaska District Regarding the Draft Environmental Impact Statement (EIS) for the Pebble Mine Project

The City Council met on April 27, 2019, during a special work session and discussed the Draft Pebble Mine Project Environmental Impact Statement (EIS). Given the connection of Kodiak's seafood industry to the Bristol Bay region, the Council expressed concern for the need of better study and understanding of the potential impact of the proposed alternatives on the Bristol Bay salmon fisheries.

There are over 70 commercial fishermen and fishing families from Kodiak who are Bristol Bay permit holders. An average of 30 of Kodiak's large capacity fishing boats work as salmon tenders to service the fleet and deliver to seafood processors in Bristol Bay. The combined fishing and tender fleet from Kodiak represents over 500 jobs that depend on a healthy Bristol Bay fishery. At various times during the season, deliveries of Bristol Bay sockeye are tendered back to Kodiak to be processed by our shore side fish processors, further supplementing local wages and income, including a "raw fish" tax at \$1.8M (City share \$859,000 FY 2019) that funds local government services. The multiplier impact of purchases of fishing gear, fuel, marine supplies, and boat repair and servicing further benefits the Kodiak Island economy.

Councilmember Arboleda MOVED to approve the letter addressed to the U.S. Army Corps of Engineers Alaska District Regarding the Draft Environmental Impact Statement (EIS) for the Pebble Mine Project.

Councilmember Whiddon clarified that this letter does not take a stance for or against the Pebble Mine project; he stated that it focuses on the EIS study and the affects.

Councilmember Haines thanked Councilmember Whiddon for working on the letter.

VI. STAFF REPORTS

a. City Manager

Manager Tvenge stated that Senior Harbor Officer Mark Keplinger has retired after nearly 17 years with the City. He wished Mark the best in his retirement. He shared that the Parks and Rec-

reation had 70 racers participate in the Crab Fest Sunday Pillar Mountain Classic and the Bike race from Pasagshak into town. He shared that several other summer activities are sponsored by the department and citizens should contact the Teen Center for reservations 486-8665 or use the City Parks and Recreation Department website to join various activities.

He thanked the Public Works Crew, Engineering, Brechan Construction, High Mark Fabrication and Tim Willman Surveying for their immediate response to the sewer main break earlier this month. He said they have worked around the clock, making decisions to restore the system with little interruption in service to the utility customers. He stated the repair is complete and informed the public that it was the largest sewer break in over 25 years.

b. City Clerk

Clerk Javier gave an overview of the upcoming meeting schedule work session and regular Council meetings.

VII. MAYOR'S COMMENTS

Mayor Branson thanked the following: the Public Works Department for their work on restoring the sewer line; Deputy Mayor Arboleda for presiding over the last meeting; and Councilmember Whiddon for spearheading the letter to the U.S. Army Corps of Engineers Alaska District. She said she is very pleased with the budget process and she thanked the Manager, Finance Director, and Department Heads for their work. She thanked Manager Tvenge for his monthly report and said it will be on the website and thanked the manager and deputy for this report. She highlighted that City staff received the following pins for years of service: Daniel Farmer, KFD Captain received his 20 year pin; Susan Stout, KPD Public Safety Dispatcher and Steel McNeil, KFD Captain both received their 10 year pins; and Kathleen Gambling, KPD Detective received her five year service pin. She congratulated Constantino Bormuel for receiving the "Large System Manager of the Year" a statewide award from the Alaska Water Wastewater Management Association.

VIII. COUNCIL COMMENTS

Councilmember Walker thanked Councilmember Whiddon for his eloquent way of writing. He thanked Public Works Director Walton and staff along with Brechan for their work on the sewer line. He thanked Finance Director Mayes for her work on the budget and he thanked the Parks and Recreation Department staff for their work at Crab Festival. He wished everyone a great summer.

Councilmember Davidson said school is out and he asked the public to watch out for children on the road. He thanked Public Work's staff and stated he was pleased with the budget process. He thanked the Mayor and Councilmember Whiddon for the letter regarding the draft EIS for the Pebble Mine project.

Councilmember Arboleda said there is much to be thankful for and it is of high importance the fishing industry is well taken care of. She commended Crab Festival and those that participated in the event and thanked the military for their service. She said she recently presented cruise ships with plaques and was thankful for the opportunity.

Councilmember Whiddon said when the City’s sewer line broke while Manager Tvenge was in Washington D.C. and he was able to share the pictures of the City’s aging infrastructure to legislators. He provided an update on the Fisheries Work Group meeting. He said the amount of usage at Baranof Park is amazing, which demonstrates the health and wellness of the community. He thanked the Parks and Recreation departmental staff for their work to provide the park services. He commented on the budget process and stated the mill rate and taxes were not increased and all City services continue during the state’s uncertainty in the budget.

Councilmember Haines thanked the veterans for their service. He said at the City’s shipyard there is a new operator. He thanked City staff for their work on the budget and he realizes the importance of the budget process and the impacts of the budget on the citizens and the affordability within the community.

Mayor Branson said on the City and Borough website is Providence’s Community Health Assessment for the public’s participation. She said the State’s website has a new Board of Fish member from Willow. She indicated that Kodiak could use more representation and encouraged citizens to get involved in local and statewide boards and committees.

IX. AUDIENCE COMMENTS

None

X ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

The meeting adjourned at 8:10 p.m.

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

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Minutes Approved:

PERSONS TO BE HEARD

MEMORANDUM TO COUNCIL

Date: June 13, 2019

Agenda Item: III. a. Proclamation: Filipino American Heritage Month

SUMMARY: This proclamation recognizes Filipino Americans for their vital contributions to our community and urges citizens to participate in festivities celebrating the rich heritage and traditions of the Philippine Islands.

ATTACHMENT:

Attachment A: Proclamation: Declaring Filipino American Heritage Month

PROCLAMATION

Declaring Filipino American Heritage Month

WHEREAS, the City of Kodiak is made up of a wonderful mosaic of culturally diverse people; and

WHEREAS, Filipino Americans have enriched our city through their vital contributions to the economic, social, political, and cultural quality of life in the community; and

WHEREAS, June 12, 2019, marks the 121st anniversary of the declaration of Philippine independence; and

WHEREAS, this momentous occasion provides an opportunity for all Filipino Americans to share their cultural heritage with people of all races, ethnicities, and nationalities; and

WHEREAS, local observances will include a traditional church service and potluck.

NOW, THEREFORE, I, Pat Branson, Mayor of the City of Kodiak, do hereby proclaim June 2019, as

Filipino American Heritage Month

in Kodiak and urge all citizens to participate in the festivities celebrating the rich heritage and traditions of the Philippine Islands.

Presented this 13th day of June 2019.

City of Kodiak

Pat Branson, Mayor

MEMORANDUM TO COUNCIL

Date: June 13, 2019

Agenda Item: III. b. Public Hearing About Amending Sections 9 and 12 of the Schedule of Fees, Charges, and Tariffs

SUMMARY: The City sets its fees and charges for various services by a resolution of the Council. The Council has requested a public hearing prior to amending fees, which is scheduled as New Business item V. b, Resolution No. 2019–10, Amending Section 9, (Harbor) and Section 12 (Parks and Recreation) of the Schedule of Fees, Charges and Tariffs. The proposed fee changes are recommended to become effective July 1, 2019.

ATTACHMENTS:

Attachment A: Resolution No. 2019–10

**CITY OF KODIAK
RESOLUTION NUMBER 2019–10**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK AMENDING
SECTIONS 9 AND 12 OF THE SCHEDULE OF FEES, CHARGES, AND TARIFFS**

WHEREAS, at the February 14, 2019, regular meeting the Kodiak City Council approved its budget goals for FY2020, including annually reviewing and updating the Schedule of Fees, Charges, and Tariffs; and

WHEREAS, staff reviewed the Schedule of Fees and Charges, and it was decided to bring forth amendments to the City fees; and

WHEREAS, the suggested fee amendments herein reflect the City's cost to provide services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that Sections 9 and 12 of the City's Schedule of Fees, Charges, and Tariffs are hereby amended as follows:

BE IT FURTHER RESOLVED that this resolution shall supersede previous resolutions amending Sections 9 and 12 of the Schedules of Fees, Charges and Tariffs.

BE IT FURTHER RESOLVED that the changes to Sections 9 and 12 of the Schedule of Fees, Charges, and Tariffs herein shall be effective July 1, 2019.

BE IT FURTHER RESOLVED that the City Clerk is authorized to make the required changes to the Schedule of Fees, Charges, and Tariffs.

Section 8 General Services

8.16	Memorial bench dedication fee	500.00 <u>1,500</u>
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Section 9 Harbor

A day is defined as a calendar day, midnight to midnight or portion thereof.

9.1	Disposal	
9.1.1	Drums, each 55 gallon.....	24.50 <u>25.00</u>
9.1.2	Containment boom, per foot, per day, plus labor	0.60 <u>0.62</u>
9.1.3	Sorbent pads and boom	cost + 10%
9.1.4	Petroleum products and bilge waste, per gallon	
9.1.4.1	Used oil	1.25 <u>1.30</u>
9.1.4.2	Oily bilge water, vessels under 400 gross tons	2.75 <u>2.80</u>
9.1.4.3	Oily bilge water, vessels over 400 gross tons	5.25 <u>5.40</u>
9.1.4.4	Testing and other necessary services	cost + 10%
9.2	Dry Storage	
	<i>No charge for fishing gear storage for the first three (3) days. Minimum charge is \$10.00 or per square foot fee, whichever is greater.</i>	
9.2.1	Daily, per square foot	0.04 <u>0.05</u>
9.2.2	Weekly, per square foot.....	0.14 <u>0.15</u>
9.2.3	Monthly, per square foot.....	.48 <u>0.49</u>

9.2.3	Monthly, per square foot.....	-48 <u>0.49</u>
9.2.4	Annual, per square foot	1.50 <u>1.54</u>

Section 9 Harbor (continued)

9.2.5	Impounded vessels: cost of labor, equipment, and storage.....	cost + 10%
9.3	Electric Service, temporary, per day	
9.3.1	120-volt single-phase or actual KWH cost, whichever is greater	18.00 <u>18.40</u>
9.3.2	208-volt single-phase or actual KWH cost, whichever is greater	43.00 <u>44.20</u>
9.3.3	208-volt three-phase or actual KWH cost, whichever is greater.....	49.00 <u>50.35</u>
9.3.4	Electric cord rental, per day	
	30-amp 120-volt twist lock cords	9.00 <u>9.25</u>
9.3.5	Electric plug rental, per day	
	30-amp twist lock GFI to 20-amp straight blade	6.00 <u>6.15</u>
	208 single phase to 30-amp twist lock.....	12.00 <u>12.30</u>
	208 three phase to 208 single phase.....	18.00 <u>18.50</u>
9.4	Tidal Grid, per foot, per tide	2.50 <u>2.57</u>
9.5	Services and equipment rental	
9.5.1	Backhoe/loader, with operator, per 1/2 hour	91.50 <u>94.00</u>
9.5.2	Fork Lift	
9.5.2.1	4-ton, with operator, per 1/2 hour	91.50 <u>94.00</u>
9.5.3	Labor and Materials	
9.5.3.1	City employees, straight time, per hour	79.00 <u>81.00</u>
9.5.3.2	City employees, overtime, per hour	110.00 <u>113.00</u>
9.5.3.3	Non-City labor and miscellaneous materials	cost + 10%
9.5.4	Pumps	
9.5.4.1	Dewatering, electric, per day	36.00 <u>37.00</u>
9.5.4.2	Dewatering, electric, per week.....	146.00 <u>150.00</u>
9.5.4.3	Dewatering, electric, per month	365.00 <u>375.00</u>
9.5.4.4	Dewatering gasoline, per day	61.00 <u>62.50</u>
9.5.4.5	Sewage, vessel or RV pump-out, per use	12.00 <u>12.25</u>
9.5.5	Tanker, used oil, with operator, per hour.....	158.00 <u>162.00</u>
9.5.6	Vessel, with operator, per hour	129.00 <u>132.50</u>
9.6	Dockage for commercial fishing vessels at piers and docks (all other vessels charged per port tariff)	
9.6.1	• Vessels 80' and under	1.85 <u>1.90</u>
9.6.2	• Vessels 81' and over.....	2.15 <u>2.20</u>
	• Includes Dock 1, Oscar's Dock, Piers 1, 2, & 3.	
	• Dockage fees shall be equal to the vessel's daily moorage rate, or the per foot rate, whichever is greater. Vessels with exclusive moorage, and vessels which have paid their annual daily moorage ceiling, receive the first day free when scheduled in advance. Dockage fees do not apply to the moorage ceiling.	
9.7	Moorage, exclusive, annual	
	• Exclusive moorage means a permanently assigned slip for a specific vessel. Moorage is calculated depending upon vessel length: Length x rate per linear foot.	
	• Length = length of vessel, including all fixed protuberances or length of slip, whichever is greater.	
	• Vessels moored at posted restricted areas in excess of the allotted time shall incur a moorage charge at double the daily rate, until the vessel has departed.	
	• 20% surcharge for vessels wider than 80% of the slip water space	
	• 50% surcharge for vessels wider than 100% of the slip water space	
9.7.1	0 to 20 feet.....	36.55 <u>37.50</u>
9.7.2	21 to 30 feet.....	36.55 <u>37.50</u>
9.7.3	31 to 40 feet.....	36.55 <u>37.50</u>
9.7.4	41 to 60 feet.....	49.95 <u>51.30</u>

9.7.5	61 to 80 feet.....	74.31 <u>76.40</u>
9.7.6	81 to 100 feet.....	87.10 <u>89.50</u>
9.7.7	101 to 120 feet.....	99.89 <u>102.70</u>
9.7.8	121 to 150 feet.....	108.42 <u>111.40</u>

Section 9 Harbor (continued)

9.7.9	151+.....	121.82 <u>125.20</u>
9.8	Moorage, open/daily.....	1/60 of the annual moorage rate
	<ul style="list-style-type: none"> • Daily moorage shall stop accruing when an amount equal to 100% of the annual exclusive moorage has been reached. • Vessels moored at posted restricted areas in excess of the allotted time shall incur a moorage charge at double the daily rate, until the vessel has departed. • Vessels under 21' receive one free day per month at designated areas only, on first-come, first-served basis. 	
9.9	Parking	
9.9.1	Trailers at designated long-term parking areas	
9.9.1.1	Daily	6.00 <u>6.17</u>
9.9.1.2	Monthly	91.50 <u>94.00</u>
9.9.2	Permit parking for harbor customers in designated 30-day lots adjacent to the harbors, per day	1.00 <u>1.03</u>
	<ul style="list-style-type: none"> • Permits available to vessel slip holders and paid up transient vehicles only. Except that permits may be sold to the general public in the 30-day lot north of Ramp 1, St. Herman Harbor. 	
9.10	Gravel ramp use at SHH and SPH	
9.10.1	Aircraft, per launch or retrieval	91.50 <u>94.00</u>
9.10.2	Vessels under 76 feet in length, per foot, per tide.....	1.25 <u>1.29</u>
9.10.3	Vessels 76 feet and longer, per foot, per tide	1.80 <u>1.85</u>
9.10.4	Annual usage fee (must be paid in advance)	2437.00 <u>2,500</u>
9.11	Waiting list, per year.....	30.50 <u>31.00</u>
9.12	Launch ramp (exclusive slip holders and personal pleasure boats of persons sixty-five years of age or older are exempt)	
9.12.1	Daily.....	10.00
9.12.2	Annual	122.00 <u>125.00</u>
9.13	Administrative fees	
9.13.1	Slip transfer fee, per vessel	18.00 <u>18.50</u>
9.13.2	Account sent to collections	122.00 <u>125.00</u>
9.14	Vessel sewage disposal at Pier II per day (dockage charged	
9.15	separately)	91.50 <u>94.00</u>
9.16	Harbor Shower Fee, per time period.....	6.00
	Crane Use Fee, per 15 minute period or portion thereof	25.00
9.17	Shipyard	
9.17.12	Utilities (includes water)	
9.17.12.1	120v single-phase 30 amp or actual kWh cost, whichever is greater	20.00 <u>18.50/day</u>
9.17.12.2	208v single-phase 50 amp or actual kWh cost, whichever is greater	40.00 <u>44.20/day</u>
9.17.12.2	208v single-phase 100 amp or actual kWh cost, whichever is greater	50.00 <u>50.35/day</u>
9.17.12.3	480v single-phase 100 amp or actual kWh cost, whichever is greater	70.00/day

9.17.13	Equipment Rental	
9.17.13.1	Fork Lift.....	75.00 <u>94.00</u> /half hr
9.17.13.2	Man Lift	75.00 <u>94.00</u> /half hr
9.17.15	Waste Disposal	
	Used oil	1.20 <u>1.30</u> /gallon
9.17.15.3	Non-Hazardous liquids, including oil bilge	
	Water	2.25 <u>2.80</u> /gallon

Section 12 Parks and Recreation

Note: For activities including micro tournaments and clinics not listed, the Parks & Recreation Department will establish the activity/program fee. Youth includes ages 4-18; Adult 19-65; Senior 65+. Activity fees can be waived for parent volunteers for coaching and officiating. A sponsor can contribute to activities fee to reduce cost of Person or group participants. Promotional events may occur throughout the year that are not listed in the fee schedule when fees and events are approved by the City Manager.

12.1	City Organized Activities	
12.1.1	<u>Basketball</u>	
12.1.1.1	Adult Recreation Basketball Class A & Open Per Season Per Team ..	450.00
12.1.1.2	Adult Recreation Basketball Class B & C Per Season Per Team.....	350.00
12.1.1.3	Adult Recreation Basketball Half Season Per Team	250.00
12.1.1.4	Adult Recreation Basketball B & C (Student) Per Season Per Team...	175.00
12.1.1.5	Adult Recreation Basketball Class A & Open Per Person	75.00
12.1.1.6	Adult Recreation Basketball Class B & C Per Person	75.00
12.1.1.7	Adult Recreation Basketball (Student/Tournament/Half Season) Per Person	50.00
12.1.1.8	Little Dribblers Per Season (6 weeks) Per Person.....	40.00
12.1.2	<u>Volleyball</u>	
12.1.2.1	Adult Recreation Volleyball Per Season Per Team	200.00
<u>12.1.2.2</u>	<u>Adult Recreation Volleyball Half Season Per Team</u>	<u>100.00</u>
12.1.2.23	Adult Recreation Volleyball Per Person	40.00
12.1.2.34	Adult Recreation Women's Volleyball Per Person	25.00
12.1.3	<u>Soccer</u>	
12.1.3.1	Youth Soccer Per Season (6 weeks) Per Person	40.00
12.1.4	<u>Races</u>	
12.1.4.1	Per Race Per Adult.....	30.00
12.1.4.2	Per Race Per Youth/Senior.....	20.00
12.1.5	<u>Summer Program</u>	
12.1.5.1	Per Session (2 Week) Per Child	40.00
<u>12.1.5.2</u>	<u>Half Session (1 Week) Per Child</u>	<u>25.00</u>
12.1.6	<u>Softball</u>	
12.1.6.1	Adult Recreation Softball Per Season Per Team	200.00
12.1.6.2	Adult Recreation Softball Per Season Per Person.....	25.00
	<u>Hockey</u>	
12.1.7.1	Adult Recreation Hockey Per Season Per Person	75.00
12.2.1	City Facility	
12.2.1	<u>Ice Rink</u>	
12.2.1.1	Ice Time -Per Session Per Adult.....	5.00
12.2.1.2	Ice Time -Per Session Per Student/Senior	2.00

12.2.1.3	Ice Time Per Month Per Adult	45.00
12.2.1.4	Ice Time Per Month Per Student.....	15.00
12.2.1.5	Ice Time Per Season Per Adult.....	160.00
12.2.1.6	Ice Time Per Season Per Student/Senior	55.00
12.2.1.7	Rental Per Hour	100.00
12.2.1.8	Dasher board sponsor.....	350.00
12.2.2	<u>Swimming Pool</u>	
12.2.2.1	Per Session Per Adult	5.00
12.2.2.2	Per Session Per Youth/Senior	2.00
12.2.42.3	Per Month Per Adult.....	45.00
12.2.42.4	Per Month Per Student.....	15.00
12.2.42.5	Per Month Infant	8.00
12.2.2.6	10 Punch Per Adult	45.00
12.2.2.7	10 Punch Youth/Senior	15.00
12.2.2.8	10 Punch Infant	8.00
12.2.2.9	Per Year Per Adult	360.00
12.2.2.10	Per Year Youth/Senior	120.00
12.2.2.811	Infant - 3 years	1.00
12.2.2.912	Lessons Per Persons Per Session.....	40.00
12.2.2.13	<u>Pool Rental 2 Hour Block & Cleaning Fee (2 Guards)</u>	<u>200.00</u>
12.2.2.14	<u>Pool Rental 2 Hour Block & Cleaning Fee (3 Guards)</u>	<u>250.00</u>
12.2.2.15	<u>Lifeguard Certification Course</u>	<u>80.00</u>
12.2.3	<u>Teen Center</u>	
12.2.3.1	Racquetball Per Adult Per Session (1 hour)	5.00
12.2.3.2	Racquetball Per Student/Senior Per Session (1 Hour)	2.00
12.2.3.3	Racquetball Per Month Per Adult.....	45.00
12.2.3.4	Racquetball Per Month Per Youth/Senior <u>Student</u>	15.00
12.2.3.5	Racquetball Per Year Per Adult	360.00
12.2.3.6	Racquetball Per Year Per Youth/Senior <u>Student</u>	120.00
12.2.3.7	Auditorium Cleaning Fee.....	25.00
12.2.3.87	Auditorium Per 4 Hour Block (Under 50 people) <u>& Cleaning</u>	100.00 <u>125.00</u>
12.2.3.98	Auditorium Per 4 Hour Block (Over 50 people) <u>& Cleaning</u>	200.00 <u>225.00</u>
12.2.3.109	Folding Table Rental (Cost is per table)	5.00
12.2.3.110	Folding Chair Rental (Cost is per chair)	2.00

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted:

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UNFINISHED BUSINESS

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Thru: Kelly Mayes, Finance Director

Date: June 13, 2019

Agenda Item: IV. a. **Second Reading and Public Hearing, Ordinance No. 1386, Levying Taxes and Appropriating Funds for the Expenses and Liabilities of the City of Kodiak for the Fiscal Year Commencing on the First Day of July 2019 and Ending on the Thirtieth Day of June 2020**

SUMMARY: Ordinance No. 1386 provides for the adoption of the City of Kodiak's FY2020 budget. The budget document, which supports the ordinance, estimates all sources of revenue the City anticipates receiving between July 1, 2019, and June 30, 2020. The budget document also establishes an operating and capital expenditure plan for FY2020 that is based on staff's assessment of operational and community needs and the Council's FY2020 budget goals. Staff made the FY2020 budget presentation to Council and the public during a special budget work session on April 27, 2019. The Council further discussed the budget at the work session of May 28. Staff recommends Council adopt Ordinance No. 1386.

PREVIOUS COUNCIL ACTION:

- Prior to the start of each fiscal year, the City Council adopts the City's operating and capital budget by ordinance.
- Council discussed the FY2020 Draft Budget Goals on January 26, 2019.
- Council adopted Resolution No. 2019-05, approving the City Council's Budget goals for FY2020 on February 14, 2019.
- Staff presented the proposed FY2020 budget to the Mayor and Council at a special work session on April 27, 2019.
- On May 28, 2019, Council reviewed Ordinance No. 1386 at their work session.
- On May 30, 2019, Council passed Ordinance No. 1386 in the first reading and advanced to second reading and public hearing at the next regular or special Council meeting.

DISCUSSION: The FY2020 budget funds the services provided by the City of Kodiak to residents and visitors: law enforcement (including animal control and contract jail services), fire and emergency medical services (including ambulance services), public works (public water system, wastewater system, street and property maintenance), engineering, port and harbor facilities, parks and recreation facilities and programs, public library, and general administrative functions (municipal recordkeeping and financial management).

The proposed FY2020 budget was developed as a maintenance level budget and will attempt to provide the same level of services as the current year's budget with a reduction in expenses. This is a prudent approach since revenues are expected to remain static as expenses continue to increase. The City Council adopted FY2020 budget goals by resolution in February of this year (Attachment B), and staff used the goals to develop and evaluate the proposed operating budget. The proposed budget is consistent with the Council's FY2020 budget goals.

Combined Revenues and Expenses for All Funds

The FY2020 budget projects combined revenues from all funds excluding capital projects to be \$38,659,350, which is an increase of 2.22 percent from FY2019's combined budgeted revenues of \$37,779,453. Revenues are forecasted based on the current fiscal year even though some sources may fluctuate slightly. Expenses for all City funds, excluding capital projects, are expected to also be \$38,659,350, an overall decrease of 2.22 percent from FY2019. Lower employee benefits and fewer capital equipment purchases account for the largest decreases in expenses.

Operating Budget

The FY2020 operating budget is primarily a maintenance budget as it has been for at least the past eight years. As directed, City staff developed a conservative budget. The City, like everyone in the community, continues to face rising costs, but the departments are careful to absorb cost increases whenever and wherever possible. As outlined in the City Council FY2020 goals, a review of all categories of General Fund expenditures was conducted to identify ways to decrease expenses.

General Fund

The General Fund provides funding for those City services that aren't required to be accounted for differently, like the enterprise funds. The General Fund uses revenues from sources such as sales and property taxes to fund the City's administrative functions such as tax collection and audits, billing, emergency preparedness, information technology, and management of all City functions. It also funds services such as municipal recordkeeping functions, law enforcement, fire and ambulance, library and recreational services and facilities, and public works and engineering services.

General Fund revenues for FY2020 are projected at \$20,484,766, a decrease of approximately 5.54 percent from FY 2019 projections with the largest changes due to an increase in the appropriation of the fund balance (-196.76%) which was required in FY2019 to fund the operating expenses. The General Fund is projected to recognize a surplus in the amount of \$321,450. These budget figures are consistent with Council's FY2020 goal that the General Fund would be budgeted without a deficit with appropriations from the fund balance when/if necessary, and that General Fund operating expenses (non-personnel) will be consistent with those of FY2019.

Fund Balance

The City's General Fund balance has been accumulated from various revenue sources, large and small. The FY2020 budget is projected to have \$9.4 million remaining in the fund balance. The FY2019 budget is projected to have an estimated \$9.0 million remaining in the fund balance after the FY2019 deficit of \$368,400 and transfers in the operating budget. The estimated FY2020 fund balance, if projections are correct, will be needed to offset expenses and provide the City with approximately 5.54 months of operating reserves. Of course there are many budget variables, so this is only a projection and cannot be guaranteed so early in the budgeting process. The proposed FY2020 budget anticipates a surplus and an increase to fund balance of approximately \$321,450.

Personnel

Salaries, wages and benefits are the single largest expense in the City's annual budget, totaling 47 percent. Salaries and wages for FY2020 are estimated to total \$10.0 million or 26 percent of the City's overall expenses. This is less than 1 percent change from FY2019 citywide salaries and wages and reflects the Personnel Rules and Regulations scheduled salary increases and a 3 percent COLA for all full-time and part-time employees. Employee benefit costs are projected at \$8.0 million, 21 percent of the City's overall expense budget, which is a 15.52 percent decrease from FY2019.

The FY2020 budget reflects an increase of one full-time employee for the IT administrator, replacement of a full-time position with a part-time Parks & Recreation maintenance technician, and replacement of a part-time administrative position in Sewer to a full-time administration position across all public works departments. These changes adjust the number of City employees from 133.20 in FY2019 to 134.15 for FY2020. The City's work force for FY2020 remains at 129 regular full-time employees and 5.15 regular part-time positions working from 20-30 hours per week for a total of 134.15 FTEs. (.15 increase in Water, 1.0 increase in IT, .02 decrease in Fire, .10 increase in Public Works, and .28 decrease in Parks).

These changes to the FY2020 budget meet Council's personnel goals. The tracking of part-time personnel is a necessary step in meeting Council's goal to complete an analysis of the need, costs, and hiring process for the City's use of temporary or seasonal employees.

Enterprise Funds

The City has eight separate enterprise funds; the Harbor Department's Cargo Terminal, Boat Harbor, Harbor Electric Utility, and the Boat Yard/Vessel Lift funds; the Water, Sewer, and Trident Basin funds managed by Public Works; and the E911 Fund. The FY2020 budgets for these funds reflect a balance of revenues to expenses.

The E911 Fund was established in FY2010 in preparation for the transfer of E911 extraterritorial authority from the Borough to the City. This transfer has not yet taken place, but the Borough staff has

agreed to work toward the transfer of authority or find another way to fairly share in the expenses and responsibilities of providing the service to Kodiak.

Enhancement Fund

The FY2020 budget proposes no use of Enhancement Fund monies. Enhancement Fund monies have not been used since FY2013, so the fund balance can build up, per Council's budget goals. The projected fund balance for the Enhancement Fund in FY2020 is estimated to be \$4.4 million, which is an increase of \$90,000 from the FY2019 balance.

Capital Projects

The FY2020 budget recommends \$4.8 million in capital project expenditures. This includes fourteen new capital projects in FY2020 ranging in size from \$25,000 to \$1,300,000. It also includes additional funding for established or ongoing capital projects such as annual curb and sidewalk repairs, maintenance projects, and the vehicle replacement fund. Costs for the projects will be covered through use of capital project fund balances, transfers from the respective enterprise funds, and transfers from the General fund. Staff presented the capital projects in detail at the budget work session on April 27, 2019.

ALTERNATIVES:

- 1) Adopt Ordinance No. 1386 after the public hearing at the next regular or special Council meeting. This is staff's recommendation.
- 2) Council may also amend Ordinance No. 1386.

FINANCIAL IMPLICATIONS: The City Council must make appropriations and adopt an annual budget. As presented, this budget retains ongoing service levels while meeting maintenance level budgetary criteria established by Council. The budget meets operational needs and estimates an adequate retention of fund balance in the General Fund.

LEGAL: The Kodiak City Charter and Kodiak City Code grant Council the authority to make appropriations and adopt and amend budgets as required. Article V, Section 2 of the City Charter states the City Manager will prepare and present a proposed budget to the City Council in advance of the fiscal year which begins on July 1st and ends on June 30th. Article V, Section 4 of the City Charter gives the City Council the authority to make appropriations for the next fiscal year and may approve or amend the budget. Appropriations must be made and the budget approved by a majority vote of the City Council no later than the third day before the beginning of the new fiscal year, and if the Council fails to approve the budget by that date, the budget as submitted shall go into effect and be considered adopted by the Council.

STAFF RECOMMENDATION: Staff recommends Council adopt Ordinance No. 1386.

CITY MANAGER'S COMMENTS: We have managed to provide Council with another sustainable budget without affecting services provided, per Council's FY2020 budget goals. The task becomes more challenging as costs continue to rise and other sources of governmental funding become more limited. We do expect to have a modest amount of projected revenues for use on capital project needs, many of which are critical. The preparation of this document and the presentations at the April 27, 2019 budget work session reflect a great deal of work by the City staff, including an assessment of operational and community needs necessary to create this annual financial plan. I want to thank our management team for their serious commitment to meeting Council's goals and for their fiscal responsibility, not just in preparation of this draft budget, but throughout the year.

ATTACHMENTS:

Attachment A: Ordinance No. 1386

Attachment B: Resolution No. 2019-05, FY2020 Council Budget Goals

PROPOSED MOTION:

Move to adopt Ordinance No. 1386.

**CITY OF KODIAK
ORDINANCE NUMBER 1386**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK LEVYING TAXES IN THE AMOUNT OF 2 MILS AND APPROPRIATING FUNDS FOR THE EXPENSES AND LIABILITIES OF THE CITY OF KODIAK FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JULY 2019 AND ENDING ON THE THIRTIETH DAY OF JUNE 2020

BE IT ORDAINED by the Council of the City of Kodiak as follows:

- Section 1:** A tax in the amount of 2.0 mills is hereby levied against all taxable real property within the City of Kodiak for the fiscal year commencing on the first day of July 2019 and ending on the thirtieth day of June 2020.
- Section 2:** The following sums of money are hereby appropriated for corporate purposes and objects of the City of Kodiak for the fiscal year commencing on the first day of July 2019 and ending on the thirtieth day of June 2020 to defray expenses and liabilities of the City during the fiscal year.

FY2020 BUDGET SUMMARY

GENERAL FUND

	Anticipated Revenues	
Taxes	\$ 15,627,500	
Licenses & Permits	80,300	
Intergovernmental Revenues	1,520,000	
Charges for Services	1,820,002	
Fines & Forfeitures	3,000	
Interest	50,000	
Rents & Royalties	120,000	
Miscellaneous	4,500	
Interfund Charges	1,615,914	
Appropriation to Fund Balance	(321,450)	
Total Anticipated Revenues	20,519,766	
		Planned Expenditures
Legislative		\$ 222,069
Legal		75,000
Executive-Administration		816,042
Executive-Emergency Preparedness		45,500
City Clerk-Administration		366,359
City Clerk-Records Management		184,738

GENERAL FUND EXPENDITURES CONTINUED

Finance	1,867,903
Police	7,159,042
Fire	2,702,691
Public Works	2,135,960
Engineering	286,068
Parks & Recreation	1,549,984
Library	908,573
Non-Departmental	2,199,837
Total Planned Expenditures	20,519,766

SPECIAL REVENUE FUND

	Anticipated Revenues	Planned Expenditures
Tourism Fund	\$ 205,000	\$ 205,000
City Enhancement Fund	-	-
Total Anticipated Revenues	205,000	205,000

CAPITAL PROJECTS FUND

	Anticipated Revenues
General Capital	\$ 65,000
Building Improvement Fund	720,374
Streets Improvement Fund	750,000
Parks & Recreation Fund	100,000
Sewer Improvement Fund	390,000
Water Improvement Fund	540,000
Harbor Development Fund	1,930,000
Cargo Improvement Fund	-
Vehicle Replacement Fund	330,536
Total Anticipated Revenues	4,825,910

CAPITAL PROJECTS FUND CONTINUED

	Planned Expenditures
General Capital	\$ 65,000
Building Improvement Fund	720,374
Streets Improvement Fund	750,000
Parks & Recreation Fund	100,000
Sewer Improvement Fund	390,000
Water Improvement Fund	540,000
Harbor Development Fund	1,930,000
Cargo Improvement Fund	-
Vehicle Replacement Fund	330,536
Total Planned Expenditures	4,825,910

ENTERPRISE FUNDS

	Anticipated Revenues
Cargo Fund	\$ 2,530,222
Harbor Fund	3,895,267
Boat Yard Lift	1,150,505
Harbor Electric Fund	957,606
Water Utility Fund	3,220,438
Sewer Utility Fund	4,616,999
Trident Basin Fund	303,500
E-911 Services	506,917
Total Anticipated Revenues	17,181,454

	Planned Expenditures
Cargo Fund	\$ 2,530,222
Harbor Fund	3,895,267
Boat Yard Lift	1,150,505
Harbor Electric Fund	957,606
Water Utility Fund	3,220,438
Sewer Utility Fund	4,616,999
Trident Basin Fund	303,500
E-911 Services	506,917
Total Planned Expenditures	17,181,454

INTERNAL SERVICE FUNDS

	Anticipated	
	Revenues	
Insurance Fund	\$	753,130
Total Anticipated Revenues		753,130
		Planned
		Expenditures
Insurance Fund	\$	753,130
Total Planned Expenditures		753,130
Grand Total Anticipated Revenues	\$	43,485,260
Grand Total Planned Expenditures	\$	43,485,260
	Non- Projects	38,659,350
	Non- Projects	38,659,350
	Project Additions	4,825,910
	Project Additions	4,825,910
	Total	43,485,260
	Total	43,485,260

Section 3: All unexpended appropriation balances, with the exception of capital project fund appropriations, shall lapse to the appropriate fund as of June 30, 2020.

Section 4: A three percent cost of living adjustment will constitute an increase for all City full-time and part-time positions, including the City Manager and City Clerk, who are actively employed on the first day of the pay period following the effective date of this ordinance. This cost-of-living adjustment is calculated based on the most recent two-year average for Anchorage, Alaska CPI-U index.

Section 4: This ordinance shall go into effect July 1, 2019.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

First Reading: May 30, 2019

Second Reading: June 13, 2019

Effective Date:

**CITY OF KODIAK
RESOLUTION NUMBER 2019-05**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK APPROVING
THE CITY COUNCIL'S BUDGET GOALS FOR FY2020**

WHEREAS, budget guidelines help ensure that the City's budget is prepared in a manner consistent with City Council desires; and

WHEREAS, the City Council discussed and selected the list of budget goals at their January 26, 2019, planning meeting; and

WHEREAS, management will use the listed budget goals as a framework when developing the FY2020 budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that the following budget goals will be used in the development of the City of Kodiak's FY2020 budget:

Revenue

Revenues will continue to be estimated conservatively using an analytical and objective approach.

One-time revenues will be used only for one-time expenditures. The City will avoid using temporary revenues or grants to fund routine City services or positions.

Charges for Fees and Services will be reviewed and updated annually to ensure quality service delivery and adequate revenues.

Operating Expenses

General Fund operating (non-personnel) expenses for FY2020 will endeavor to match FY2020 projected revenues. Increases will be justified to the City Manager in writing and, if approved, presented by department heads to the City Council for final consideration during budget presentations.

Review existing programs and services to assess how well budgeted performance indicators met goals and objectives. The City Council will receive quarterly financial updates.

City management will continue to examine ways to maintain efficiencies of expenditures without significant impact to level and quality of services provided to residents.

Personnel Goals

The City will maintain adequate staffing in accordance with the approved FY2020 budget. FTEs will not increase unless new operational needs or mandates require additional employee positions.

Sections of the PR&R will continue to be reviewed and amended to improve practices that reflect recognized Human Resources standards.

General Fund

Council will review ways to increase revenues in the General Fund to help offset increases in operating expenses, meet infrastructure needs, and increase the fund balance, per the plan outlined in "Setting the Course for the Future," 1/14/12.

General Fund revenues will be forecast conservatively and take into consideration possible state funding policies that may affect City revenues such as community assistance program, shared fisheries and other shared business taxes, Medicaid, pension costs and liabilities, and the required allocation of sales tax.

The General Fund will be budgeted without a deficit and with a goal to maintain up to six months' operating reserves in fund balance. Council may appropriate additional funds for capital projects.

Enterprise Funds

The major enterprise funds will develop long-term plans to include maintenance and repairs, needed facility replacement or expansion, and a schedule for rate reviews.

Enterprise Funds will continue to conduct rate studies every five years and present them to the City Council for implementation.

The Shipyard will maintain positive cash flows through charges for services to meet debt service payments and maintain facilities operations and maintenance costs. The Shipyard will develop and implement a business plan and marketing campaign to maximize revenues. This plan will be reviewed annually for marketing effectiveness.

Ensure adequate revenues are established to continue to maintain and improve Harbor facilities that support fisheries and support sector services and activities.

Community Support

The total cash amount available to fund nonprofit organizations is a maximum of one percent of budgeted general fund revenues, not to exceed \$175,000 until such time as the fund balance of the General fund reaches an accumulation of six months of operating expenditures, exclusive of any fund balance appropriation and transfers to capital project funds. In-kind contributions shall be subject to Council approval.

Capital

Within resources available, the City will maintain capital assets and infrastructure at a level that is adequate to protect its investment, to minimize future replacement and maintenance costs, and to maintain existing service levels.

The City Manager and management staff developed the City’s first formal five-year capital improvement plan (CIP) that identifies and ranks projects for capital and major maintenance projects. The plan has additional information for ten-year expense projections for all departments and funds. The City will utilize the planning document and develop policies and procedures identifying criteria and steps for implementation. The capital budget will link to, and flow from, the multi-year capital improvement plan.

Debt Service

The City will not incur new debt without appropriate analysis to:

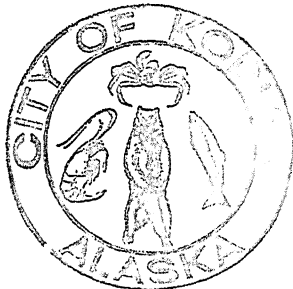
- Show impacts on rates or taxpayers, or
- Analyze financial capacity for proposed capital projects, or
- Determine if the debt is required for projects mandated by the state or federal government, needed for economic development, environmental, aesthetic or quality of life, or health and safety improvements.

Quality of Life

The City will provide adequate services that meet the community needs, priorities, challenges and opportunities with consideration given to the condition of the economy, the composition of the population, technology, legal or regulatory issues, intergovernmental issues, and physical or environmental issues.

Economic Development

The City will promote and support economic development to help ensure a diverse, sustainable, and healthy economy for Kodiak.



ATTEST:

CITY OF KODIAK

Paul Mann


MAYOR

Michelle Anwaroff Nelson
DEPUTY CLERK

Adopted: February 14, 2019

NEW BUSINESS

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Mike Tvenge, City Manager 
Date: June 13, 2019

Agenda Item: V. a. **First Reading, Ordinance No. 1387, Replacing the Existing Addendum B, Sexual Harassment and Anti-Harassment Policy in the City Personnel Rules and Regulations with a New Addendum B, Non-Discrimination, Anti-harassment and Equal Employment Policy**

SUMMARY: The City of Kodiak entered into a settlement agreement with the Alaska State Commission for Human Rights (ASCHR) as a result of Michael Chiesa v. City of Kodiak, Kodiak Police Department, per Settlement Agreement J-15-068 and J-16-291. The City, as required in the agreement, needs to comply with remedial provisions to include adopting a revised non-discrimination, anti-harassment and equal employment policy by ordinance and provide training to a select group, identified in the agreement.

The existing policy in the Personnel Rules and Regulations, Addendum B needs to be replaced with the new Non-Discrimination, Anti-Harassment and Equal Employment Policy.

PREVIOUS COUNCIL ACTION:

- On March 14, 2019, at a regular meeting the Council had an executive session to receive legal advice regarding the Chiesa lawsuit.
- On April 25, 2019, the Council moved to enter into a Settlement Agreement J-15-068 and J-16-291 in the amount of \$56,447 with Michael Chiesa and authorize the City Manager to sign documents on behalf of the City.

LEGAL: The non-discrimination, anti-harassment and equal employment policy has been reviewed and recommended by Patrick Munson, with Boyd, Chandler, Falconer & Munson, LLP.

CITY MANAGER'S COMMENTS: The City is complying with a component of the provisions in the agreement by adopting a revised non-discrimination, anti-harassment and equal employment policy by ordinance. The draft policy has been reviewed by Carleen Mitchell, Deputy Director with Alaska Public Entity Insurance (APEI) and Patrick Munson, with Boyd, Chandler, Falconer & Munson, LLP and is recommended for adoption.

ATTACHMENTS:

Attachment A: Ordinance No. 1387

PROPOSED MOTION:

Move to pass Ordinance No. 1387 in first reading and advance to second reading and public hearing at the next regular or special Council meeting.

**CITY OF KODIAK
ORDINANCE NUMBER 1387**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK REPLACING THE EXISTING ADDENDUM B, SEXUAL HARASSMENT AND ANTI-HARASSMENT POLICY IN THE CITY PERSONNEL RULES AND REGULATIONS WITH A NEW ADDENDUM B, NON-DISCRIMINATION, ANTI-HARASSMENT AND EQUAL EMPLOYMENT POLICY

WHEREAS, it is necessary to amend the Personnel Rules and Regulations (PR&R) to comply with the Settlement Agreement entered into by the City of Kodiak with the Alaska State Commission for Human Rights (ASCHR); and

WHEREAS, the City is required to adopt and disseminate to all City of Kodiak employees a non-discrimination, anti-harassment, and equal employment policy that is approved by ASCHR; and

WHEREAS, the Non-Discrimination, Anti-Harassment, and Equal Employment Policy in Section 1 of this ordinance was submitted and approved by the ASCHR.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kodiak, Alaska, as follows:

Section 1: The existing Addendum B, Sexual Harassment and Anti-Harassment Policy in the PR&R which was adopted in Section 23 of Ordinance No. 1383 is hereby rescinded and replaced as follows:

**NON-DISCRIMINATION, ANTI-HARASSMENT,
AND EQUAL EMPLOYMENT POLICY**

The following sets forth the City of Kodiak's policy of non-discrimination, anti-harassment and equal employment.

All City employees are responsible for complying with this policy, for maintaining a high level of professional conduct in the workplace, and for treating others with respect and fairness. An employee who violates this policy may be subject to disciplinary action, up to and including dismissal.

EQUAL EMPLOYMENT OPPORTUNITIES

The City of Kodiak is committed to the principle of equal employment opportunities being available to everyone. Specifically, all employees will be afforded equal consideration for hiring, promotions, transfers, reassignments, employee benefits, and all other aspects of employment related activities. These decisions will be based on merit principles of qualifications and

performance without regard to age, race, sex, religion, marital status, changes in marital status, pregnancy, parenthood, color, national origin, genetic information, veteran status, physical or mental disability or any other protected class.

DISCRIMINATION

The City strictly prohibits and does not tolerate discrimination of any kind, including harassment, against employees and applicants on the basis of age, race, sex, religion, marital status, changes in marital status, pregnancy, parenthood, color, national origin, genetic information, veteran status, physical or mental disability or any other protected class. This policy also prohibits discrimination against employees and applicants who are perceived to have any of the characteristics listed above or who associate with persons who have any of these characteristics. This policy applies to all employment practices and actions, including, but not limited to, recruitment, hiring, transfer and reassignment, training, discipline, compensation, promotion, dismissal, and any other term or condition of employment.

HARASSMENT

It is the City's policy that harassment relating to an employee's age, race, sex, religion, marital status, changes in marital status, pregnancy, parenthood, color, national origin, genetic information, veteran status, physical or mental disability or any other protected class or an affiliation with any other protected class is a violation of policy.

The City intends to provide a respectful work environment free from intimidation, hostility, or other conduct which might interfere with work performance.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of policy:

- Verbal harassment may include offensive, unwanted or unwelcome comments, slurs, jokes, or innuendoes regarding a person's national origin, race, color, religion, gender, gender identity, sexual orientation, age, body, disability or appearance.
- Nonverbal harassment may include the distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of age, race, sex, religion, marital status, changes in marital status, pregnancy, parenthood, color, national origin, genetic information, veteran status, physical or mental disability or any other protected class.

Courteous, mutually respectful, pleasant, noncoercive interactions between employees that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment.

SEXUAL HARASSMENT

In addition to prohibiting other forms of harassment, the City maintains a strict policy prohibiting sexual harassment. All such harassment is unlawful and will not be tolerated. The City is committed to taking all reasonable steps to prevent sexual harassment from occurring.

Federal and state laws define sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

The above definition includes many forms of offensive behavior. The following is a non-exclusive list of conduct that may constitute harassment:

- Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling or any other similar physical contact that would be considered unacceptable by a reasonable individual.
- Verbal or written abuse, making jokes or comments of a sexual nature that would be considered unacceptable by a reasonable individual. This includes verbal, written, or electronically communicated comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos, or actions that offend others. The harassment policy applies to employees' text messages, emails, social media posts, tweets, etc., that are directed to, about, or may be seen by other employees, customers, etc.
- Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's current or future job or any term or condition of employment.

Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex. The harasser can be the victim's supervisor, a supervisor in another area, a coworker, or someone who is not an employee of the City, such as a contractor.

REPORTING VIOLATIONS

The City of Kodiak strongly encourages employees to promptly report incidents of discrimination, harassment and retaliation. If you believe that you have been discriminated against or harassed, or if you witness someone discriminating against or harassing another person(s), you should promptly report such conduct to your immediate supervisor, manager, Human Resource Manager or Department Head. If your immediate supervisor, manager, Human Resource Manager, or Department Head is the subject of the complaint, or if you feel uncomfortable reporting within your chain of command or to the Human Resource Manager, the complaint should be reported to any supervisor, manager, Department Head or to the City Manager. Employees are encouraged to report incidents of discrimination, harassment and retaliation in writing, but may also report incidents verbally. Employees may also contact the Alaska State Commission for Human Rights or the Equal Employment Opportunity Commission.

DISCRIMINATION & HARASSMENT INVESTIGATION PROCEDURES

The City is committed to providing a prompt, thorough and impartial investigation of any claim of unlawful harassment or discriminatory treatment and administering appropriate corrective action. Appropriate remedies will be made available for any victim of harassment. Supervisors and/or the Human Resource Manager will use the following guidelines when receiving an allegation of harassment or discriminatory treatment:

Step 1: When an employee comes forward with a workplace complaint, supervisors should inform the employee that the City cannot guarantee complete confidentiality due to the need to conduct an effective investigation, which may require revealing certain information to the alleged violator and potential witnesses. Confidentiality of the information received, the privacy of the individuals involved, and the wishes of the employee will be protected to as great a degree as possible. The expressed wishes of the employee for confidentiality will be considered in the context of the City's obligation to act on the harassment allegations.

Step 2: The supervisor must notify his or her supervisor and the Human Resource Manager about the allegations (assuming the allegations do not involve the supervisor).

Step 3: If the nature of the allegations warrants a simple intervention, the supervisor will consult with the Human Resource Manager and the course of action may be to handle the matter informally. The supervisor and/or Human Resource Manager may conduct a coaching session with the offender, explaining the impact of his/her actions and requiring the conduct not reoccur.

This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.

Step 4: If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. The person being interviewed may have someone of his/her own choosing present during the interview. Typically, the investigator will obtain the following description of the incident(s), including date(s), time(s) and place(s):

- Corroborating evidence.
- A list of witnesses.
- Identification of the offender.

Step 5: In most cases, as soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations, and the alleged violator will have the opportunity to answer questions and respond to the allegations. The alleged policy violator will be informed that retaliation is prohibited and that retaliating may result in disciplinary action up to and including dismissal. The individual conducting the investigation will follow any other applicable policies or laws in the investigatory process.

Step 6: After investigation and consultation with the appropriate personnel, a decision will be made regarding whether disciplinary action will be taken.

Step 7: The alleged violator and complainant will be advised of the findings and conclusions as soon as practical. Any employee who submits in bad faith a false claim of harassment will be subject to disciplinary action up to and including dismissal.

RETALIATION

The City will not knowingly permit any retaliation against any employee who complains of discrimination or harassment or who participates in an investigation, proceeding or hearing relating to the report of alleged violations. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or other mistreatment towards an employee based on his or her decision to oppose or report harassment or another discriminatory practice.

Any report of retaliation by the person accused of harassment or by coworkers, supervisor/manager, will also be promptly, thoroughly and impartially investigated in accordance with the investigation procedure outlined above. If a complaint of retaliation is substantiated, the City will take appropriate disciplinary action, up to and including dismissal.

For more information, contact your immediate supervisor or the City's Human Resource Manager. You may also contact the Alaska State Commission for Human Rights or the Equal Employment Opportunity Commission.

EQUAL ACCESS TO THE WORKPLACE

It is the City's policy to reasonably accommodate individuals with disabilities and individuals with religious beliefs or practices where the accommodation does not pose an undue hardship to the City or to fellow employees. The City commits to providing a qualified applicant with a disability a reasonable accommodation to ensure the person has an equal opportunity to compete for a job. Additionally, the City will provide a qualified employee with a disability a reasonable accommodation to enjoy equal access to the benefits and privileges of employment, to perform the essential function of the job, and/or to gain access to the workplace. Essential functions are the basic job duties that an employee must be able to perform.

Definition of a disability:

An individual with a disability is a person who:

1. Has a physical or mental impairment that substantially limits one or more major life activity; or
2. Has a condition that may require the use of a prosthesis, special equipment for mobility, or a service animal; or
3. Has a record of such an impairment; or
4. Is regarded as having such an impairment.

Definition of a religious belief:

Religious beliefs are those associated both with known, established religions, as well as those that are new, uncommon, and not part of a formal church or sect. All aspects of religious belief and observance that are sincerely held will be considered as part of this policy.

Definition of a service animal:

A service animal is a dog, or in some cases another animal, that has been trained to perform tasks or do work for the benefit of a person with a disability. A service animal may also be any animal that alerts a person with a disability to the present impairment of a vital function which is a condition of the individual's disability, and whose ability to alert is verified in writing by a licensed health care provider who has conducted a physical examination of the individual in person. The tasks or work the animal does must be directly related to the person's disability, such as alerting

the handler of a seizure or reminding handlers to take necessary medication. A comfort or support animal is not considered a service animal under the Americans with Disabilities Act (ADA).

ACCOMMODATION PROCEDURES

The City will use the following guidelines when an employee or applicant requests an accommodation based on a disability (including the use of a service animal) or religious belief or practice:

Step 1: The individual should make such a request to his or her supervisor or to the Human Resource Manager, who will then promptly engage in the interactive process to clarify the needs of the person making the request. Although employees are strongly encouraged to submit their requests in writing, they are not required to do so.

Step 2: An employee should clearly communicate to his or her supervisor or to the Human Resource Manager that the employee believes he or she needs a reasonable accommodation. Any such request shall initiate an interactive process by which the employee and the City will determine whether a reasonable accommodation is required and appropriate to allow the employee to carry out the essential functions of his or her job. The interactive process may require that the person requesting the accommodation submit medical documentation to allow the City to ascertain that the disability is protected by law, whether the disability requires an accommodation, and if so, what reasonable accommodation would be most appropriate consistent with the City's legitimate business needs. Any medical information received as part of an accommodation request or during the accommodation process will be kept confidential and in a separate medical file. The nature of the disability and requested accommodation will be kept as confidential as possible under the circumstances. However, the City may need to discuss potential or proposed accommodations with others in order to evaluate the potential impact of the request on other employees or the workplace in general, as well as the specifics of the implementation of the request.

A request to use a service animal will be evaluated just like any other request for an accommodation. Employees and the City will engage in the interactive process to determine whether the presence of the animal is a reasonable accommodation. The City may request information explaining how the service animal's presence will relate to the employee's ability to perform the duties of the job and will discuss potential options for effective accommodations. Service animals may be excluded from the workplace if they pose either an undue hardship or a direct threat in the workplace.

Step 3: If it is determined that the request should be denied, this decision will be explained to the person requesting the accommodation. The City will continue the interactive process with the employee or applicant and explore an alternative request for accommodation if the person making the request desires to do so.

Step 4: If it is determined the request is reasonable and will not impose an undue hardship, the City will provide the accommodation in a timely fashion, will not retaliate against an individual for requesting an accommodation, and will not knowingly tolerate or permit retaliation against an employee or applicant requesting an accommodation by management, employees, or coworkers.

The following is a non-exhaustive list of accommodations that may be considered reasonable, depending on the circumstances:

- Granting breaks or providing a leave of absence
- Altering how, where, or when job duties are performed
- Removing and/or substituting a nonessential or marginal job function
- Providing assistive technology, including information technology and communication equipment, specially designed furniture, or modified tools
- Modification of work schedules
- Allowing for religious dress and grooming practices, such as religious clothing or hairstyles
- Allowing time for prayer during a work day and/or the ability to attend religious events or observe a religious holiday

Examples of accommodations that are not considered reasonable:

- Job assignments outside of an employee's seniority
- Indefinite leaves of absence
- Creating a different position for the employee to fill or a work schedule that is less than full-time if the employee's position is generally expected to be full-time
- Accommodations that would cause an undue hardship to the City or employees by creating significant difficulty or imposing unreasonable expense
- Accommodations that would pose a significant risk of substantial harm to the health and safety of the employee or others
- Altering the content of the job or job environment in such a manner as to alter the essential nature of the position

Employees or applicants may report discrimination related to reasonable accommodations (such as an improper denial of a reasonable accommodation request) using the same procedures outlined above for reporting harassment or discrimination.

SCOPE

This policy applies to all City of Kodiak temporary and regular employees and those individuals doing business with the City who have contact with City employees.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

I certify that I have received and read the above policy explaining the City of Kodiak policy of non-discrimination, anti-harassment and equal employment and understand that discipline, up to and including dismissal, may result from any violation of this policy.

IF YOU HAVE QUESTIONS ABOUT THIS POLICY, OR WISH TO REPORT A POTENTIAL VIOLATION, PLEASE CONTACT THE FOLLOWING OFFICE:

**Human Resource Manager
City of Kodiak
Tel: (907) 486-8653**

Employee Name Printed

Employee Signature

Date

Section 2: This ordinance shall be effective one month after final passage and publication.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

First Reading:
Second Reading:
Effective Date:

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Date: June 13, 2019

Agenda Item: V. b. Resolution No. 2019–10, Amending Sections 9, and 12 of the Schedule of Fees, Charges, and Tariffs

SUMMARY: The City sets its fees and charges for various services by a resolution of the Council. It is important to review and adjust the fee schedule on a regular basis to ensure the City is receiving adequate revenues with which to provide services. The City Council identified the importance of an annual review and update of the schedule of fees and charges by including this as a budget goal since FY2011. Staff completed the review and submitted a list of proposed changes to fees pertaining to the Harbor and Parks & Recreation departments. Changes are proposed to take effect on July 1, 2019. The changes are summarized below and discussed at the Council work session on June 11, 2019. Staff recommends Council adopt Resolution No. 2019–10, which reflects the recommended changes.

PREVIOUS COUNCIL ACTION: The Council updates the City's Schedule of Fees, Charges, and Tariffs on a routine basis by resolution. The most recent changes were adopted in June 2018 by Resolution No. 2018–07 and became effective July 1, 2018.

DISCUSSION: Staff has been reviewing the fee schedule over the past several months. Two City departments – the Harbor and Parks and Recreation submitted recommendations to increase, add, or regroup fees listed in the Schedule of Fees and Charges. The proposed fees for specific services are as follows: Section 8 General Services, Section 9, Harbor and Section 12, Parks and Recreation.

The FY2020 harbor rates will go into effect on July 1, 2019, which were previously adopted by Council in Resolution No. 2017–01. These approved changes are reflected in the resolution. Council approved the purchase and installation of a public crane on Oscars Dock in the FY2018 budget. The proposed new fee is for use of the crane. Customers will be billed \$25 per 15 minutes, with a 15 minute minimum.

The Parks and Recreation fees are reviewed on an annual basis. The P&R Director and staff went through and added some half season fees as well as punch cards. These fees were presented to the P&R Advisory Board on April 17, 2018, and they were supported unanimously.

ALTERNATIVES: Council can adopt, amend, or choose to not approve Resolution No. 2019–10. Staff recommends Council adopt the resolution with the recommended fee changes because the increases and

new fees are necessary. Also, regular reviews and updates of the fee schedule are identified in Council FY2020 budget goals.

STAFF RECOMMENDATION: Staff recommends Council adopt Resolution No. 2019–10 with fee changes effective on July 1, 2019.

CITY MANAGER’S COMMENTS: It is important to revise and update the City’s Schedule of Fees, Charges, and Tariffs on a regular basis to ensure the City is receiving acceptable revenues for the services provided including new services such as the harbor crane. This set of updates reflects changes in the operational aspects and goals in two departments and is consistent with Council’s FY2020 budget goals. Other adjustments are expected in July or August, such as the sewer rates, cargo wharfage and dockage for the next fiscal year

ATTACHMENTS:

Attachment A: Resolution No. 2019–10

PROPOSED MOTION:

Move to adopt Resolution No. 2019–10.

JUNE 13, 2019
Agenda Item V.b. Memo Page 2 of 2

**CITY OF KODIAK
RESOLUTION NUMBER 2019–10**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK AMENDING
SECTIONS 9 AND 12 OF THE SCHEDULE OF FEES, CHARGES, AND TARIFFS**

WHEREAS, at the February 14, 2019, regular meeting the Kodiak City Council approved its budget goals for FY2020, including annually reviewing and updating the Schedule of Fees, Charges, and Tariffs; and

WHEREAS, staff reviewed the Schedule of Fees and Charges, and it was decided to bring forth amendments to the City fees; and

WHEREAS, the suggested fee amendments herein reflect the City's cost to provide services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that Sections 9 and 12 of the City's Schedule of Fees, Charges, and Tariffs are hereby amended as follows:

BE IT FURTHER RESOLVED that this resolution shall supersede previous resolutions amending Sections 9 and 12 of the Schedules of Fees, Charges and Tariffs.

BE IT FURTHER RESOLVED that the changes to Sections 9 and 12 of the Schedule of Fees, Charges, and Tariffs herein shall be effective July 1, 2019.

BE IT FURTHER RESOLVED that the City Clerk is authorized to make the required changes to the Schedule of Fees, Charges, and Tariffs.

Section 8 General Services

8.16	Memorial bench dedication fee	500.00 <u>1,500</u>
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Section 9 Harbor

A day is defined as a calendar day, midnight to midnight or portion thereof.

9.1	Disposal	
9.1.1	Drums, each 55 gallon.....	24.50 <u>25.00</u>
9.1.2	Containment boom, per foot, per day, plus labor	0.60 <u>0.62</u>
9.1.3	Sorbent pads and boom	cost + 10%
9.1.4	Petroleum products and bilge waste, per gallon	
9.1.4.1	Used oil	1.25 <u>1.30</u>
9.1.4.2	Oily bilge water, vessels under 400 gross tons	2.75 <u>2.80</u>
9.1.4.3	Oily bilge water, vessels over 400 gross tons	5.25 <u>5.40</u>
9.1.4.4	Testing and other necessary services	cost + 10%
9.2	Dry Storage	
	<i>No charge for fishing gear storage for the first three (3) days. Minimum charge is \$10.00 or per square foot fee, whichever is greater.</i>	
9.2.1	Daily, per square foot	0.04 <u>0.05</u>
9.2.2	Weekly, per square foot.....	0.14 <u>0.15</u>
9.2.3	Monthly, per square foot.....	.48 <u>0.49</u>

9.2.3	Monthly, per square foot.....	-48 <u>0.49</u>
9.2.4	Annual, per square foot	1.50 <u>1.54</u>

Section 9 Harbor (continued)

9.2.5	Impounded vessels: cost of labor, equipment, and storage.....	cost + 10%
9.3	Electric Service, temporary, per day	
9.3.1	120-volt single-phase or actual KWH cost, whichever is greater	18.00 <u>18.40</u>
9.3.2	208-volt single-phase or actual KWH cost, whichever is greater	43.00 <u>44.20</u>
9.3.3	208-volt three-phase or actual KWH cost, whichever is greater.....	49.00 <u>50.35</u>
9.3.4	Electric cord rental, per day	
	30-amp 120-volt twist lock cords	9.00 <u>9.25</u>
9.3.5	Electric plug rental, per day	
	30-amp twist lock GFI to 20-amp straight blade	6.00 <u>6.15</u>
	208 single phase to 30-amp twist lock.....	12.00 <u>12.30</u>
	208 three phase to 208 single phase.....	18.00 <u>18.50</u>
9.4	Tidal Grid, per foot, per tide	2.50 <u>2.57</u>
9.5	Services and equipment rental	
9.5.1	Backhoe/loader, with operator, per 1/2 hour	91.50 <u>94.00</u>
9.5.2	Fork Lift	
9.5.2.1	4-ton, with operator, per 1/2 hour	91.50 <u>94.00</u>
9.5.3	Labor and Materials	
9.5.3.1	City employees, straight time, per hour	79.00 <u>81.00</u>
9.5.3.2	City employees, overtime, per hour	110.00 <u>113.00</u>
9.5.3.3	Non-City labor and miscellaneous materials	cost + 10%
9.5.4	Pumps	
9.5.4.1	Dewatering, electric, per day	36.00 <u>37.00</u>
9.5.4.2	Dewatering, electric, per week.....	146.00 <u>150.00</u>
9.5.4.3	Dewatering, electric, per month	365.00 <u>375.00</u>
9.5.4.4	Dewatering gasoline, per day	61.00 <u>62.50</u>
9.5.4.5	Sewage, vessel or RV pump-out, per use	12.00 <u>12.25</u>
9.5.5	Tanker, used oil, with operator, per hour.....	158.00 <u>162.00</u>
9.5.6	Vessel, with operator, per hour	129.00 <u>132.50</u>
9.6	Dockage for commercial fishing vessels at piers and docks (all other vessels charged per port tariff)	
9.6.1	• Vessels 80' and under	1.85 <u>1.90</u>
9.6.2	• Vessels 81' and over.....	2.15 <u>2.20</u>
	• Includes Dock 1, Oscar's Dock, Piers 1, 2, & 3.	
	• Dockage fees shall be equal to the vessel's daily moorage rate, or the per foot rate, whichever is greater. Vessels with exclusive moorage, and vessels which have paid their annual daily moorage ceiling, receive the first day free when scheduled in advance. Dockage fees do not apply to the moorage ceiling.	
9.7	Moorage, exclusive, annual	
	• Exclusive moorage means a permanently assigned slip for a specific vessel. Moorage is calculated depending upon vessel length: Length x rate per linear foot.	
	• Length = length of vessel, including all fixed protuberances or length of slip, whichever is greater.	
	• Vessels moored at posted restricted areas in excess of the allotted time shall incur a moorage charge at double the daily rate, until the vessel has departed.	
	• 20% surcharge for vessels wider than 80% of the slip water space	
	• 50% surcharge for vessels wider than 100% of the slip water space	
9.7.1	0 to 20 feet.....	36.55 <u>37.50</u>
9.7.2	21 to 30 feet.....	36.55 <u>37.50</u>
9.7.3	31 to 40 feet.....	36.55 <u>37.50</u>
9.7.4	41 to 60 feet.....	49.95 <u>51.30</u>

9.7.5	61 to 80 feet.....	74.31 <u>76.40</u>
9.7.6	81 to 100 feet.....	87.10 <u>89.50</u>
9.7.7	101 to 120 feet.....	99.89 <u>102.70</u>
9.7.8	121 to 150 feet.....	108.42 <u>111.40</u>

Section 9 Harbor (continued)

9.7.9	151+.....	121.82 <u>125.20</u>
9.8	Moorage, open/daily.....	1/60 of the annual moorage rate
	<ul style="list-style-type: none"> • Daily moorage shall stop accruing when an amount equal to 100% of the annual exclusive moorage has been reached. • Vessels moored at posted restricted areas in excess of the allotted time shall incur a moorage charge at double the daily rate, until the vessel has departed. • Vessels under 21' receive one free day per month at designated areas only, on first-come, first-served basis. 	
9.9	Parking	
9.9.1	Trailers at designated long-term parking areas	
9.9.1.1	Daily	6.00 <u>6.17</u>
9.9.1.2	Monthly	91.50 <u>94.00</u>
9.9.2	Permit parking for harbor customers in designated 30-day lots adjacent to the harbors, per day	1.00 <u>1.03</u>
	<ul style="list-style-type: none"> • Permits available to vessel slip holders and paid up transient vehicles only. Except that permits may be sold to the general public in the 30-day lot north of Ramp 1, St. Herman Harbor. 	
9.10	Gravel ramp use at SHH and SPH	
9.10.1	Aircraft, per launch or retrieval	91.50 <u>94.00</u>
9.10.2	Vessels under 76 feet in length, per foot, per tide.....	1.25 <u>1.29</u>
9.10.3	Vessels 76 feet and longer, per foot, per tide	1.80 <u>1.85</u>
9.10.4	Annual usage fee (must be paid in advance)	2437.00 <u>2,500</u>
9.11	Waiting list, per year.....	30.50 <u>31.00</u>
9.12	Launch ramp (exclusive slip holders and personal pleasure boats of persons sixty-five years of age or older are exempt)	
9.12.1	Daily.....	10.00
9.12.2	Annual	122.00 <u>125.00</u>
9.13	Administrative fees	
9.13.1	Slip transfer fee, per vessel	18.00 <u>18.50</u>
9.13.2	Account sent to collections	122.00 <u>125.00</u>
9.14	Vessel sewage disposal at Pier II per day (dockage charged	
9.15	separately)	91.50 <u>94.00</u>
9.16	Harbor Shower Fee, per time period.....	6.00
	Crane Use Fee, per 15 minute period or portion thereof	25.00
9.17	Shipyard	
9.17.12	Utilities (includes water)	
9.17.12.1	120v single-phase 30 amp or actual kWh cost, whichever is greater	20.00 <u>18.50/day</u>
9.17.12.2	208v single-phase 50 amp or actual kWh cost, whichever is greater	40.00 <u>44.20/day</u>
9.17.12.2	208v single-phase 100 amp or actual kWh cost, whichever is greater	50.00 <u>50.35/day</u>
9.17.12.3	480v single-phase 100 amp or actual kWh cost, whichever is greater	70.00/day

9.17.13	Equipment Rental	
9.17.13.1	Fork Lift.....	75.00 <u>94.00</u> /half hr
9.17.13.2	Man Lift	75.00 <u>94.00</u> /half hr
9.17.15	Waste Disposal	
	Used oil	1.20 <u>1.30</u> /gallon
9.17.15.3	Non-Hazardous liquids, including oil bilge	
	Water	2.25 <u>2.80</u> /gallon

Section 12 Parks and Recreation

Note: For activities including micro tournaments and clinics not listed, the Parks & Recreation Department will establish the activity/program fee. Youth includes ages 4-18; Adult 19-65; Senior 65+. Activity fees can be waived for parent volunteers for coaching and officiating. A sponsor can contribute to activities fee to reduce cost of Person or group participants. Promotional events may occur throughout the year that are not listed in the fee schedule when fees and events are approved by the City Manager.

12.1	City Organized Activities	
12.1.1	<u>Basketball</u>	
12.1.1.1	Adult Recreation Basketball Class A & Open Per Season Per Team ..	450.00
12.1.1.2	Adult Recreation Basketball Class B & C Per Season Per Team.....	350.00
12.1.1.3	Adult Recreation Basketball Half Season Per Team	250.00
12.1.1.4	Adult Recreation Basketball B & C (Student) Per Season Per Team...	175.00
12.1.1.5	Adult Recreation Basketball Class A & Open Per Person	75.00
12.1.1.6	Adult Recreation Basketball Class B & C Per Person	75.00
12.1.1.7	Adult Recreation Basketball (Student/Tournament/Half Season) Per Person	50.00
12.1.1.8	Little Dribblers Per Season (6 weeks) Per Person.....	40.00
12.1.2	<u>Volleyball</u>	
12.1.2.1	Adult Recreation Volleyball Per Season Per Team	200.00
<u>12.1.2.2</u>	<u>Adult Recreation Volleyball Half Season Per Team</u>	<u>100.00</u>
12.1.2.23	Adult Recreation Volleyball Per Person	40.00
12.1.2.34	Adult Recreation Women's Volleyball Per Person	25.00
12.1.3	<u>Soccer</u>	
12.1.3.1	Youth Soccer Per Season (6 weeks) Per Person	40.00
12.1.4	<u>Races</u>	
12.1.4.1	Per Race Per Adult.....	30.00
12.1.4.2	Per Race Per Youth/Senior.....	20.00
12.1.5	<u>Summer Program</u>	
12.1.5.1	Per Session (2 Week) Per Child	40.00
<u>12.1.5.2</u>	<u>Half Session (1 Week) Per Child</u>	<u>25.00</u>
12.1.6	<u>Softball</u>	
12.1.6.1	Adult Recreation Softball Per Season Per Team	200.00
12.1.6.2	Adult Recreation Softball Per Season Per Person.....	25.00
	<u>Hockey</u>	
12.1.7.1	Adult Recreation Hockey Per Season Per Person	75.00
12.2.1	City Facility	
12.2.1	<u>Ice Rink</u>	
12.2.1.1	Ice Time -Per Session Per Adult.....	5.00
12.2.1.2	Ice Time -Per Session Per Student/Senior	2.00

12.2.1.3	Ice Time Per Month Per Adult	45.00
12.2.1.4	Ice Time Per Month Per Student.....	15.00
12.2.1.5	Ice Time Per Season Per Adult.....	160.00
12.2.1.6	Ice Time Per Season Per Student/Senior	55.00
12.2.1.7	Rental Per Hour	100.00
12.2.1.8	Dasher board sponsor.....	350.00
12.2.2	<u>Swimming Pool</u>	
12.2.2.1	Per Session Per Adult	5.00
12.2.2.2	Per Session Per Youth/Senior	2.00
12.2.42.3	Per Month Per Adult.....	45.00
12.2.42.4	Per Month Per Student.....	15.00
12.2.42.5	Per Month Infant	8.00
12.2.2.6	10 Punch Per Adult	45.00
12.2.2.7	10 Punch Youth/Senior	15.00
12.2.2.8	10 Punch Infant	8.00
12.2.2.9	Per Year Per Adult	360.00
12.2.2.10	Per Year Youth/Senior	120.00
12.2.2.811	Infant - 3 years	1.00
12.2.2.912	Lessons Per Persons Per Session.....	40.00
12.2.2.13	<u>Pool Rental 2 Hour Block & Cleaning Fee (2 Guards)</u>	<u>200.00</u>
12.2.2.14	<u>Pool Rental 2 Hour Block & Cleaning Fee (3 Guards)</u>	<u>250.00</u>
12.2.2.15	<u>Lifeguard Certification Course</u>	<u>80.00</u>
12.2.3	<u>Teen Center</u>	
12.2.3.1	Racquetball Per Adult Per Session (1 hour)	5.00
12.2.3.2	Racquetball Per Student/Senior Per Session (1 Hour)	2.00
12.2.3.3	Racquetball Per Month Per Adult.....	45.00
12.2.3.4	Racquetball Per Month Per Youth/Senior <u>Student</u>	15.00
12.2.3.5	Racquetball Per Year Per Adult	360.00
12.2.3.6	Racquetball Per Year Per Youth/Senior <u>Student</u>	120.00
12.2.3.7	Auditorium Cleaning Fee.....	25.00
12.2.3.87	Auditorium Per 4 Hour Block (Under 50 people) <u>& Cleaning</u>	100.00 <u>125.00</u>
12.2.3.98	Auditorium Per 4 Hour Block (Over 50 people) <u>& Cleaning</u>	200.00 <u>225.00</u>
12.2.3.409	Folding Table Rental (Cost is per table)	5.00
12.2.3.4410	Folding Chair Rental (Cost is per chair)	2.00

CITY OF KODIAK

MAYOR


ATTEST:

CITY CLERK

Adopted:

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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Mike Tvenge, City Manager 
Thru: Kelly Mayes, Finance Director
Date: June 13, 2019

Agenda Item: V. c **Resolution No. 2019–11, Appropriating Necessary Funds From the Sewer Improvement Fund for Emergency Sewer Lift Station Repairs**

SUMMARY: On May 9, 2019, a waste water overflow occurred on Metrokin Way. The overflow was discovered at approximately 5 p.m. Thursday when a waste water leak was reported to the City Public Works Department. City personnel responded immediately and shut down Lift Station Number 5 on Metrokin Way. The cause of the leak is due to aging sewer infrastructure. Staff recommends Council adopt Resolution No. 2019–11 to appropriate the funds required for the emergency repairs.

DISCUSSION: City personnel responded immediately and shut down the Lift Station Number 5 off Metrokin Way. Staff worked with Brechan Construction, other local vendors, and City Public Works Department staff. Construction crews began excavating the sewer lines located approximately 15-28 feet below the surface. Staff notified the State of Alaska Department of Environmental Conservation. Effluent was discovered at Mission Lake and Mission Beach. Staff notified the residents and placed signage to notify the public of potential contamination of surface water.

Staff determined the cause was failure of an underground sewer force main that services 80 percent of the City's sewer system. Within one week of the failure, repairs were in the final stages of completion. The failure of the discharge pipe was caused by a collapsed section at Metrokin Way. It lasted approximately six days and left wastewater overflow in Mission Lake and Mission Beach. As a result of the failure, the City was forced to turn off pumps at Lift Station Number 4 on Father Herman Road and wastewater overflow discharge occurred just offshore in Mission Bay. All areas of discharge were monitored and water samples taken and tested daily until determined to be permit compliant. The sewer force main is approximately 45 years old and was found to be completely corroded, causing the collapse.

As of 9 p.m. on May 15, 2019, the repairs were completed and the system was fully operational. The City remains in compliance with the State of Alaska Department of Environmental Conservation permit. City staff shifted focus to cleanup efforts in the area. The City continued to monitor the affected sites for public health hazards.

On May 24, 2019, City Staff notified the public that Mission Lake and Mission Beach were reopened after being closed as a precaution following the wastewater overflow caused by Sewer Lift Station

Number 5. Laboratory results of water quality samples collected in the area remained normal since the repairs were completed. As a precautionary measure, the City performed daily tests for fecal coliform for a period of one additional week before reopening the areas to the public.

Water and Sewer infrastructure improvements are planned in the upcoming fiscal year 2020 budget. These infrastructure improvements are part of the City's long-term plan to provide high quality services to the entire Kodiak community and to remain in compliance with all Alaska Department of Environmental Conservation and US Environmental Protection Agency regulations.

Once all costs have been identified and paid, staff will file a claim with the City's insurance carrier and include these damages. The deductible is \$25,000, so anything over that amount is expected to be reimbursed by the City's carrier, APEI.

ALTERNATIVES:

- 1) Adopt Resolution No. 2019-11, which is staff's recommendation because it is the method by which Council appropriates the funds necessary to make the emergency repairs and allows the City Manager to pay for the repair work.
- 2) Do not adopt the resolution, which is not recommended, because to do so would delay the appropriation of funds need to compensate the contractor for the emergency repairs, which could lead to additional costs and prevent the City from filing a full insurance claim.

FINANCIAL IMPLICATIONS: Staff identified the unassigned funds available within the Sewer Improvement Fund. \$200,000 of these funds will be assigned to newly created Project No. 7525 Lift Station 5 Emergency Repairs. The City will remit a claim to the insurance company. Deductibles will be \$25,000 and any insurance recovery will be determined by review from the insurance company.

LEGAL: The City Attorney recommends that Council appropriate the funds for the repair by resolution, because this is not a budgeted project. He explained that this action is consistent with requirements of the City Charter Article 5, Section V-4. The repair project can be awarded without competitive bidding per KCC 3.12.070(b) due to the nature and urgency of the repairs.

STAFF RECOMMENDATION: Staff recommends Council adopt Resolution No. 2019-11.

CITY MANAGER'S COMMENTS: The damages sustained were substantial and required immediate action to remediate and prevent further damage. The full extent of the damage was unknown until excavation of the site occurred. This resolution will provide funding for the repairs, not including city staff time which is billed to the city's department budgets. I recommend Council approve the resolution. Once all costs are in and paid, we will file a claim with APEI for reimbursement above our \$25,000 deductible.

ATTACHMENTS:

Attachment A: Resolution No. 2019–11

Attachment B: Photos of damages

PROPOSED MOTION:

Move to adopt Resolution No. 2019–11.

**CITY OF KODIAK
RESOLUTION NUMBER 2019–11**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK APPROPRIATING NECESSARY FUNDS FROM THE SEWER IMPROVEMENT FUND FOR EMERGENCY SEWER LIFT STATION REPAIRS

WHEREAS, on May 9, 2019, a waste water leak occurred at Sewer Lift Station Number 5 on Metrokin Way; and

WHEREAS, the City’s insurance carrier has been notified and emergency costs were incurred to repair the damage; and

WHEREAS, the work of repairing the damage to the Sewer Lift Station Number 5 must proceed expeditiously to reduce further potential damages; and

WHEREAS, KCC 3.12.070(b) permits the City to issue contracts for services necessitated by an emergency if the delays required to meet bidding requirements would jeopardize the public health, safety, or welfare, and the delays required to meet bidding requirements for the work of repairing the facility would have that effect in this case; and

WHEREAS, after consulting the City Attorney and Insurance Broker, the City Manager ordered repairs to be undertaken immediately to prevent further loss or damage to the City facilities.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska:

Section 1. The Fiscal Year 2019 Capital Budget is amended by appropriating unassigned funds for \$200,000 from the City’s Sewer Improvement Fund and assigning \$200,000 to a new project Lift Station 5 Emergency Repairs.

Section 2. The City Manager is authorized to expend funds for the repairs to Sewer Lift Station 5 without competitive bidding pursuant to KCC 3.12.070(b) in an amount not to exceed \$200,000 and to execute any necessary documents.

Section 3. This resolution shall become effective upon adoption.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted:











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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Mike Tvenge, City Manager *MT*
Thru: Timothy Putney, Chief of Police
Date: June 13, 2019

Agenda Item: V. d. Authorization of FY2020 Special Services Contract with Alaska Department of Public Safety

SUMMARY: The Alaska Department of Public Safety (DPS) requests the renewal of its contract with the City to provide services, which support the mission and operations of the Alaska State Troopers (AST) and Alaska Wildlife Troopers (AWT) in Kodiak. In exchange for providing these services, DPS will compensate the City \$78,750 for FY2020. Staff recommends Council authorize the FY2020 Special Services Contract with the Alaska Department of Public Safety.

PREVIOUS COUNCIL ACTION: Council has approved this contract in previous years.

DISCUSSION: The Alaska Department of Public Safety has contracted with the City to provide support services to Kodiak based Alaska State Troopers for over fifteen years.

If Council approves this contract, the City will provide the following services:

1. Dispatch service during emergencies for up to 48-consecutive hours.
 - a) Emergencies are defined as those instances where natural or manmade disasters prevent AST from utilizing regular dispatch capabilities.
 - b) In the event the City is required to provide more than 48-consecutive hours of dispatch service to AST, the City shall be reimbursed for the costs of services at a rate of \$24.43 per hour.
2. Provide administrative support to AST by processing, filing, recording, entering into/deleting from the Alaska Public Safety Information Network (APSIN)/National Crime Information Center (NCIC) database, and returning to the court all process relative to Kodiak Police Department cases, investigations and business.
3. Provide field support to AST, by serving in the corporate limits of the City of Kodiak, court process relative to Kodiak Police Department cases, investigations, and business.

4. Provide one correctional transport officer or one police officer, to transport and guard prisoners appearing in the Kodiak Court.

ALTERNATIVES:

- 1) Council may approve this contract in which case continuity of operations with essential criminal justice services, i.e. process service, and prisoner guarding and transportation shall be maintained. Staff believes this is in the best interest of public safety in Kodiak.
- 2) Council may choose not to approve this contract. If this contract is not approved AST will be responsible for providing these services. The Department does not have the local resources to do this. Staff's assessment is this would be contrary to the interest of public safety.

FINANCIAL IMPLICATIONS: The City's FY2020 budget reflects \$78,750 in revenue for this contract. Staff does not foresee any financial implications to the City because of approving the contract, and under the terms of FY2020 contract, staff believes the City will be adequately compensated for the services KPD will be obligated to provide.

LEGAL: N/A

STAFF RECOMMENDATION: Staff recommends Council authorize the FY2020 Special Services Contract with the Alaska Department of Public Safety for \$78,750.

CITY MANAGER'S COMMENTS: The City has contracted these services with the Alaska State Troopers to support their operations in Kodiak for over fifteen years. The FY2020 contract contains the same terms as the one approved last year. The Chief of Police believes the additional services are manageable and worthwhile to both the City and Alaska State Troopers. I support staff's recommendation and ask Council to authorize me to sign the contract for FY2020.

ATTACHMENTS:

Attachment A: Alaska Department of Public Safety Contract for Special Services FY2020

PROPOSED MOTION:

Move to authorize the FY2020 Special Services Contract No. 245223 with the Alaska Department of Public Safety, Division of Alaska State Troopers, and authorize the City Manager to sign the contract on behalf of the City.

**ALASKA DEPARTMENT OF PUBLIC SAFETY
CONTRACT FOR SPECIAL SERVICES**

July 1, 2019 to June 30, 2020

GENERAL PROVISIONS

The parties. The parties to this contract are the Alaska Department of Public Safety (hereinafter referred to as the “Department”) and the City of Kodiak (hereinafter referred to as the “City”).

Sole Agreement. The City and the Department undertake this contract under the terms set forth below. This contract is the sole agreement between the parties relating to special services, and there are no other agreements, express or implied.

Effective Date/Termination/Amendments. This contract is effective July 1, 2019 and continues in force until June 30, 2020. Either party may terminate the agreement with thirty (30) days written notice to the other party. This agreement may be amended by written agreement of the parties.

1. The Department will pay the City for services provided in accordance with, and under the terms of, this contract. Payments will be made quarterly in the amount of \$19,687.50, for a total of \$78,750.00. Payment for services provided under this contract will be made in four payments in the amount of and covering the period indicated below:

Period Covered	Amount	Payment Process Can Be Initiated
07/01/19 - 09/30/19	\$19,687.50	10/01/19
10/01/19 - 12/31/19	\$19,687.50	01/01/20
01/01/20 - 03/31/20	\$19,687.50	04/01/20
04/01/20 - 06/30/20	\$19,687.50	06/01/20
12 Month Total	\$78,750.00	

2. The City will provide and perform the services specified in this contract to the satisfaction of the Department, in support of Department personnel and operations.

**ALASKA DEPARTMENT OF PUBLIC SAFETY
CONTRACT FOR SPECIAL SERVICES**

July 1, 2019 to June 30, 2020

SPECIFIC PROVISIONS

3. The City will:
- a. Dispatch services will be provided in emergency situations. Emergency situations are those instances where natural or man-made disasters disable DPS dispatch capabilities; such as earthquakes, fires, etc. The need for the City to provide dispatch service in these situations is not anticipated to last longer than forty eight hours. In the event the City is required to provide more than 48 consecutive hours of dispatch service, the City shall be reimbursed for all dispatch related services provided at the rate of \$24.43 per hour.
 - b. Provide administrative support to the Department by processing, filing, recording, entering into/deleting from APSIN/NCIC, and returning to the court, all process relative to Kodiak Police Department cases, investigations, and business;
 - c. Provide field support to the Department by serving in the corporate limits of the City of Kodiak court process relative to Kodiak Police Department cases, investigations, and business;
 - d. Provide one correctional transport officer or one police officer, to transport and guard prisoners appearing in the Kodiak Court.

IN WITNESS OF THIS AGREEMENT, the undersigned duly authorized officers have subscribed their names on behalf of the Department and the City respectively.

For the City of Kodiak:

For the Department of Public Safety:

By _____

By _____

Printed Name _____

Printed Name _____

Official Title _____

Official Title _____

Date _____

Date _____

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Date: June 13, 2019

Agenda Item: V. e. Authorization of Program Agreement with Alaska Public Entity Insurance Agreement or AML/JIA

SUMMARY: The City receives its property, casualty, liability, and Workers' Compensation coverage through its membership in the Alaska Public Entities Insurance (APEI) pool since the City joined APEI in 2010. In September 2018, Council directed staff to work with the City's broker to get quotes for FY2020 to compare rates and benefits between the two municipal insurance pools. The City's broker worked to get quotes, which were presented to Council at the June 11, 2019 work session. Once the quotes have been fully analyzed and presented to the Council, the Manager and broker will have a recommendation of the insurance pool that will serve the City's best interest.

PREVIOUS COUNCIL ACTION:

- July 22, 2010, Council authorized the Manager to sign a 3 year agreement to join the APEI insurance pool through 2013.
- July 12, 2012, Council authorized an extension to remain with APEI for three years, through FY16.
- June 25, 2015, Council did not approve the extension requested for FY17-FY20 and directed staff to get quotes from both pools for City coverage
- June 7, 2016, Council concurred with Broker and Manager's recommendation to remain with APEI due to costs and coverage.
- June 21, 2016, Council reviewed the decision to renew with APEI at the work session.
- June 23, 2016, Council authorized a 3-year program agreement with APEI
- September 11, 2018, Council discussed about the City's Renewal Process
- November 2018, City Manager sent a letter of request for proposals to APEI and AML/JIA
- June 5, 2019, City Manager received a business insurance proposal summary that included quotes from both APEI and AML/JIA
- June 11, 2019, Council received a presentation from Marsh & McLennan Agency

DISCUSSION: The City Manager will have additional analysis and a written recommendation for the Council on June 13, 2019.

LEGAL: The City is required to adequately insure its assets and to provide workers compensation coverage to employees.

STAFF RECOMMENDATION: Staff recommends Council authorize the City Manager to sign an agreement for insurance coverage.

CITY MANAGER'S COMMENTS: I was pleased to be able to provide renewal quotes from both pools to Council and also appreciated that our broker, Marsh & McLennan, was able to make the presentation to Council.

ATTACHMENTS:

Attachment A: Marsh & McLennan Broker's Business Insurance Proposal Summary dated June 5, 2019

PROPOSED MOTION:

Move to authorize the City Manager to sign the three-year agreement with _____ on behalf of the City.

JUNE 13, 2019
Agenda Item V. e. Memo Page 2 of 2

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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Thru: Craig Walton, Public Works Director

Date: June 13, 2019

Agenda Item: V. f. Authorization to Purchase a Primary Sludge/Wasting Pump from APSCO, LLC

SUMMARY: This Primary Sludge/Wasting Pump is a critical part of the process at the Waste Water Treatment Plant. This pump moves the solids from the Primary Clarifier to three different areas. The primary sludge/wasting pump mainly delivers sludge to the Gravity Thickener. This pumps six percent solids at a very slow rate and is the preferred method. When a pump fails it increases the organic loading on the activated sludge process by increasing aeration requirements. It also affects the gravity thickening, dewatering and the bio-solids process which in turn affects the Centrifuge process and composting process.

PREVIOUS COUNCIL ACTION: The Council routinely authorizes equipment purchases for the Public Works / WWTP department.

DISCUSSION: The WWTP department has two sludge/wasting pumps. At times it is necessary to run both pumps. Generally, they only use one pump at a time, but their second pump has a bad seal and housing, which is off line. Both of these pumps are over 25 years old and are due for replacement. According to the manufacture these types of pumps have a general use expectancy of 10-15 years before they are no longer efficient. We are requesting authority to purchase this Primary Sludge/Wasting Pump.

Apsco is the dealer for the replacement Wemsco pump. The lead time for this type of pump is approximately 14-16 weeks for delivery.

ALTERNATIVES:

- 1) Authorize the purchase of Primary Sludge Pump, which is staff's recommendation.
- 2) Do not purchase Primary Sludge Pump, which is not recommended, because this would have a significant impact on the processes at the WWTP.

STAFF RECOMMENDATION: Staff recommends Council approve the purchase of a Primary Sludge/Wasting Pump from APSCO, LLC in the amount of \$36,107.14

CITY MANAGER’S COMMENTS: These equipment purchases are included in the Long-Term Capital Improvement Plan. Staff will be installing the replacement pump.

ATTACHMENTS:

Attachment A: APSCO, LLC Quote

Attachment B: Pictures of current pumps

PROPOSED MOTION:

Move to authorize the purchase of a Primary Sludge/Wasting Pump from APSCO, LLC in the amount of \$36,107.14 with funds from the Sewer Utility Deferred Maintenance, Machinery and Equipment account and authorize the City Manager to execute documents on behalf of the City.



APSCO, LLC
 PO Box 2639 • Kirkland, WA 98083-2639
 PH: (425) 822-3335 • FAX: (425) 827-6171
 EMAIL: apSCO@apSCO-llc.com
 www.apSCO-llc.com

Quote

Date	Quote #
4/4/2019	4741

Invoice/Bill To
City of Kodiak WWTP 2853 Spruce Cap Rd Kodiak, AK 99615

Ship To
City of Kodiak WWTP 2853 Spruce Cap Rd Kodiak, AK 99615

Contact:	Payment Terms	FOB
Sev Reed	Net 30	UT

Item	Description	Qty	Lead Time	Cost	Total
Replacement P...	2 X 11 Model CEVP General Pump Options: - Clockwise rotation (CW) - Steel pump hardware Bearing lubrication: - Grease lubricated bearings. - Nitrile elastomers - Suction and Discharge Arrangement: Arrangement A Case Assembly: - 2x2 Case - Ni-Hard case (650+ BHN hardness) - No case vent & drain - Suction elbow - Cast iron suction elbow Rotating Assembly: - Ni-Hard impeller (650+ BHN hardness) - Steel shaft - Steel impeller lockscrew Pump Sealing: - Seal Type: Single Mechanical Seal - Slurry Dynamics Flushless Seal - 416 SST shaft sleeve - Cast iron gland housing/backplate - Stainless steel gland.	1	14-16 weeks	35,457.14	35,457.14T

	Subtotal
	Sales Tax (0.0%)
	Total



APSCO, LLC

PO Box 2639 • Kirkland, WA 98083-2639
 PH: (425) 822-3335 • FAX: (425) 827-6171
 EMAIL: apSCO@apSCO-llc.com
 www.apSCO-llc.com

Quote

Date	Quote #
4/4/2019	4741

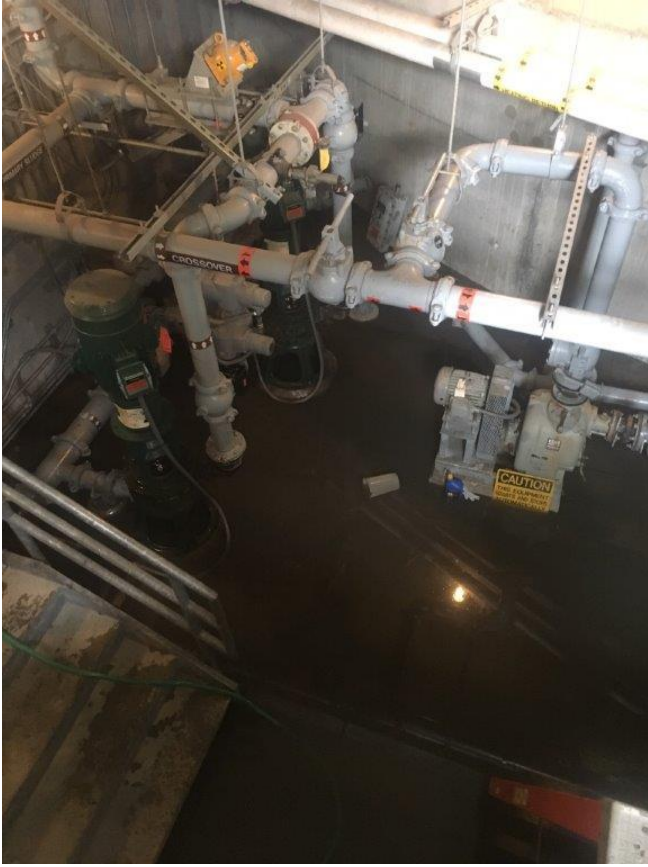
Invoice/Bill To
City of Kodiak WWTP 2853 Spruce Cap Rd Kodiak, AK 99615

Ship To
City of Kodiak WWTP 2853 Spruce Cap Rd Kodiak, AK 99615

Contact:	Payment Terms	FOB
Sev Reed	Net 30	UT

Item	Description	Qty	Lead Time	Cost	Total
	Motors: - WSP Supplied Motor: WSP Supplied Motor - 15HP 1800RPM 254LP Premium Efficiency TEFC-XT Motor. Baseplate and Drive - Coupling - WSP Standard Paint type: Epoxy 2 Coat Paint - Blue (Prime and Top Coat)				
Freight	<<<<<Freight>>>>>ESTIMATE			650.00	650.00T
	Replacement to SN: 00W24739				

Prices are subject to change without notice.	Subtotal	\$36,107.14
	Sales Tax (0.0%)	\$0.00
	Total	\$36,107.14



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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Thru: Kelly Mayes, Finance Director

Date: June 13, 2019

Agenda Item: V. g. Authorization of Amendment No. 3 Lease No. 219595 for City Hall Office Space in the Kodiak Island Borough Building

SUMMARY: The City entered into a five-year lease for office space in 2015 that included new office space on the ground floor of the Borough Building for the City Manager's offices and a conference room. Staff worked with the KIB Borough Manager for a lease amendment in May 2019 to acquire additional office space for the IT personnel. This would encompass three additional offices for an additional 752 square feet at the current rate of \$2.20/sf. Staff recommends Council approve the third amendment to lease No. 219595 for City Hall office space in the Kodiak Island Borough building for an additional rental amount of \$1,654.40 per month. The City's total monthly rent will increase from \$12,749 to \$14,403.40.

PREVIOUS COUNCIL ACTION:

- July 28, 2011, Council authorized the City Manager to sign the most recent five-year lease for office space with the Borough
- June 23, 2015, work session, Council expressed support of leasing additional office space
- July 23, 2015, Council rescinded Lease No. 196508 and authorized Lease No. 219595 for City Hall office space in the Kodiak Island Borough building in the annual amount of \$124,766
- July 14, 2016, Council approved Amendment No. 1 to the lease to add two additional offices for records storage
- December 9, 2016, Council approved the addition of two human resource positions to the City Manager's Executive department and appropriated costs associated with the new positions including additional office space
- January 24, 2017, work session, Council reviewed the lease amendment for additional office space
- January 26, 2017, regular meeting, Council approved the second lease amendment

DISCUSSION: The City has a five-year lease for office space in the Kodiak Island Borough building at a lease rate of \$2.20 per square foot from July 2015 through June 2020 (Attachment D). This office space includes the City's administrative, Clerk, Finance, Human Resource and IT offices. During 2015, the City had preliminary plans to move the IT department to the historical Barn located at Egan Way. Through discussions of required upgrades to the Barn, the City began discussing alternative sites for IT

JUNE 13, 2019

Agenda Item V.g. Memo Page 1 of 2

offices. The finance director manages the City's IT division. In addition, IT encompasses critical aspects of the citywide financial and sales tax software programs. Therefore, staff feels that it is more prudent to house the IT administrators within the same offices/building as the Finance department.

Currently, the two IT administrators are located in one small office on the second floor of the Kodiak Island Borough building. Due to increased IT needs, the two IT administrators need additional areas for staging new servers, new workstations, and troubleshooting problem areas. In addition, one additional IT entry-level administrator is included in the FY2020 budget. Therefore, it is staff's recommendation to add these three additional offices to the City's lease to allow for increased workspace.

ALTERNATIVES:

- 1) Approve the third lease amendment for three additional offices and authorize the manager to execute the agreement.
- 2) Do not approve the third amendment to the lease.

STAFF RECOMMENDATION: Staff recommends Council approve the amended office space lease in the Borough Building with the Kodiak Island Borough as agreed by both parties for an additional \$1,654.40 per month.

CITY MANAGER'S COMMENTS: I support the need for additional office space. The amended lease will provide 752 SF of additional office space for IT staff. It's more convenient they be located within the administrative building where the immediate needs are.

ATTACHMENTS:

- Attachment A: Draft Third Amendment to the Office Lease Agreement No. 219595
- Attachment B: Request Letter to KIB Manager
- Attachment C: Floor Plan

PROPOSED MOTION:

Move to authorize the third amendment to Lease No. 219595 for additional Office Space in the Kodiak Island Borough Building, Rooms 110, 111, and 120 in the additional amount of \$1,654.40 per month from the General Fund Non-departmental Building Rental line item and authorize the City Manager to execute the lease amendment document on behalf of the City.

FY2016-14C

DRAFT

**Third Amendment
Between the City of Kodiak and Kodiak Island Borough**

Third AMENDMENT, dated June 1, 2019, (the "Amendment") to the lease for Kodiak Island Borough Office Space (the "lease") between the CITY OF KODIAK (the "tenant") and Kodiak Island Borough (the "landlord"), dated July 24, 2015.

WHEREAS, the lease provides for the landlord to lease office space to the tenant for a term expiring on June 30, 2020; and

WHEREAS, the tenant would like to rent additional office space.

DRAFT

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein, the parties agree as follows:

Terms of Section 1 and 4 are amended to read as follows.

Section 1. Premises. Landlord, for and in consideration of the rents, covenants and conditions hereinafter specified to be paid, performed and observed by Tenant, does hereby let, lease and demise to Tenant the improved real estate described as follows:

Office space of 3,137 square feet known as Suites 210 to 222 located on the second floor, and office space of 2,630 square feet known as Suites 110-115, 117-118, 120 and a 553 square foot conference room (Room 116) all located on the first floor of the Kodiak Island Borough Building and, in addition, a proportional fifteen percent (15%) share or 227 square feet of the common area described as the Assembly Chambers (1,515 sq. ft.), resulting in 6,547 square feet of total lease area. The Premises is located at 710 Mill Bay Rd., which is also the following described real property

Lot Seven A (7A), USS 2538A, Township 27S, Range 19W, Seward Meridian, Kodiak Recording District, Third Judicial District, State of Alaska.

The aforesaid office space and common area, hereinafter referred to as the leased premises, is more specifically depicted or outlined on the floor plan attached hereto as Exhibit A.

Tenant, upon paying the rents, and performing all of the terms and covenants on this part to be performed, shall peaceably and quietly enjoy the leased premises subject nevertheless, to the terms of this lease, and to any deed of trust or mortgage to which this lease is subordinated.

Section 4 Rental. In consideration of the demise and leasing of the premises aforesaid by Landlord, the Tenant covenants, stipulates and agrees to pay to the Landlord as rental for said premises hereinabove described, at the rate of two dollars and twenty cents (\$2.20) per square foot, the sum of fourteen thousand four hundred three dollars and forty cents (\$14,403.40) the for office space, conference room and proportional common area use monthly in advance, on or before the first day of each month of the lease term.

**Third Amendment
Between the City of Kodiak and Kodiak Island Borough**

All rentals, unless and until otherwise directed in writing by Landlord, shall be paid to the Landlord at 710 Mill Bay Road, Kodiak, Alaska 99615, or at such other place as Landlord may designate from time to time in writing.

Landlord reserves the right to increase the rent cost per square foot based on utility cost increases on an annual basis. A ninety (90) day notice will be provided to tenant before the change is made.

All other terms and provisions of the Lease Agreement Between the City of Kodiak and Kodiak Island Borough, City Record No. 219595/Borough Contract #FY2016-14 effective July 24, 2015, shall remain unchanged.

Dated this ____ day of _____, 2019

City of Kodiak

"City"

By _____
Mike Tvenge

Title: City Manager

Dated this ____ day of _____, 2019

Kodiak Island Borough

"Borough"

By _____
Michael Powers

Title: Borough Manger

DRAFT



71

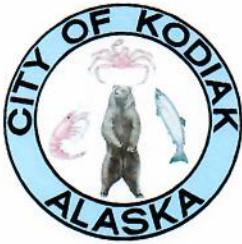
752

LOWER LEVEL

Borough Building

DRAFT

Office Space: 1,340 S.F.
 Conf. Room: 553 S.F.
 Total Lease Area of Lower Level: 1,893 S.F.



Office of the City Manager

710 Mill Bay Road, Room 114, Kodiak, Alaska 99615

June 4, 2019

Mr. Michael Powers
Kodiak Island Borough Manager
710 Mill Bay Road
Kodiak, AK 99615

sent via email: mpowers@kodiakak.us

Subject: Amendment No. 3 Lease No. 219595

Dear Mr. Powers,

The City of Kodiak is requesting a lease amendment to acquire additional office space for the City's Information Technology (IT) Department in the Kodiak Island Borough Building. The City entered into a five-year lease for office space in 2015 that included new office space on the ground floor of the Borough Building for the City Manager's offices and a conference room.

The City proposes amending the lease to add rooms 110, 111, and 120 which equals 752 square feet at the rate of \$2.20/sq ft. This would increase the City's monthly rent to the Borough with an additional \$1,654.40 per month. In advance of occupancy, the City is requesting preparation of the rooms including dry wall repairs and new paint in newly leased spaces to be paid for and provided by the Borough.

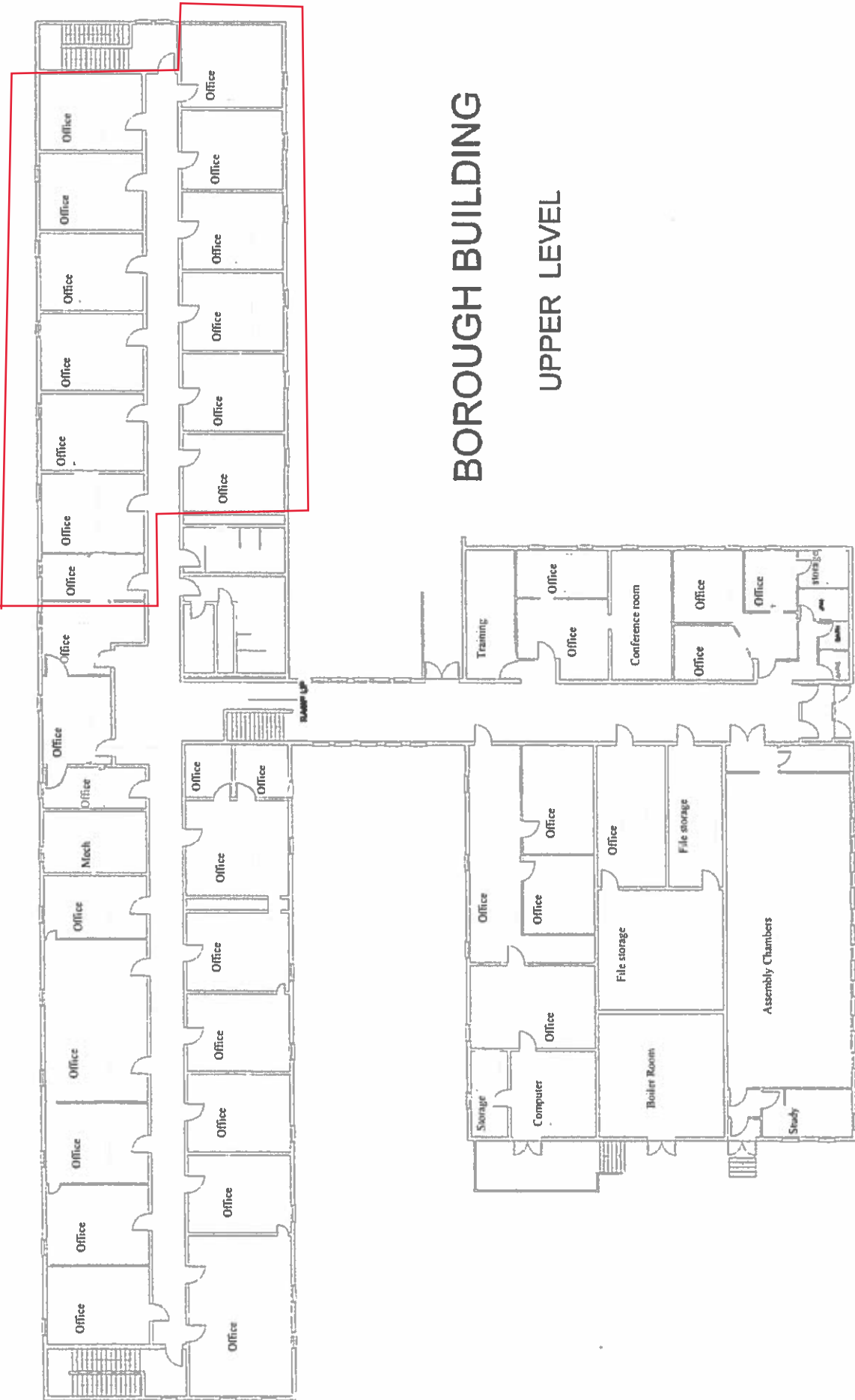
Attached is a DRAFT amendment for your consideration. Please approve the lease agreement.

Respectfully,
CITY OF KODIAK

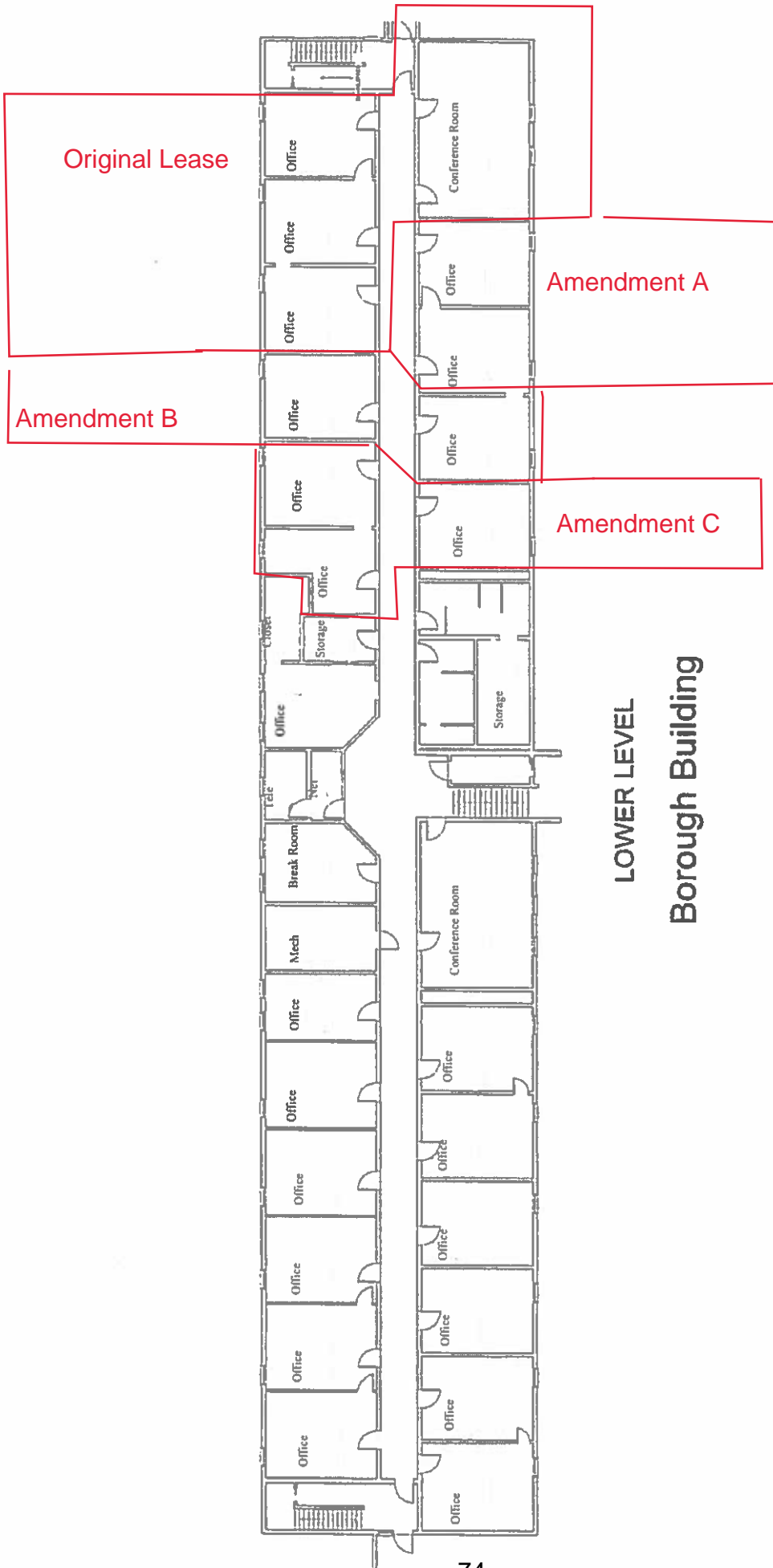
A handwritten signature in blue ink that reads "Mike Tvenge".

Mike Tvenge
City Manager

Original Lease



BOROUGH BUILDING
UPPER LEVEL



LOWER LEVEL
Borough Building

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Date: June 13, 2019

Agenda Item: V. h. Authorization to Cancel the June 27 and July 11, 2019, Regular Meetings and Authorize the City Manager to Schedule a Special Meeting if Needed

SUMMARY: The regularly scheduled Council meetings for June and July may be cancelled to reflect the summer meeting schedule. Staff discussed the meeting schedule with the Council at the May 28, 2019, work session, and Council recommended cancelling the June 27 and July 11, 2019, regular meetings and scheduling a special meeting if needed.

PREVIOUS COUNCIL ACTION: The City Council cancels regular meetings and schedules special meetings from time to time due to travel and other scheduling conflicts.

LEGAL: Kodiak City Code identifies regular meetings are held on the second and fourth Thursdays of each month. If a regular meeting must be cancelled, a special meeting may be scheduled. The attendance requirements do not apply to special meetings.

PROPOSED MOTION:

Move to cancel the June 27 and July 11, 2019, regular meetings and authorize the City Manager to schedule a special meeting if needed.