

**City of Kodiak Regular Council Meeting Agenda for December 12, 2019**  
**7:30 p.m., at 710 Mill Bay Road, Assembly Chambers (Room 232)**

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- I. Call to Order/Roll Call**  
Invocation/Pledge of Allegiance
  
- II. Previous Minutes**  
Approval of Minutes of the November 14, 2019, Regular Council Meeting .....1
  
- III. Persons to Be Heard**
  - a. Public Comments (limited to 3 minutes) (486-3231)
  
- IV. Unfinished Business**
  
- V. New Business**
  - a. Election of the Deputy Mayor.....6
  - b. Ordinance No. 1391 Amending Title 10 of the Kodiak City Code to Establish Parking Tickets as Minor Offense, Consolidate the Chapters on Vehicle Impound and Abandonment, and Make Further Revisions to the Title.....9
  - c. Resolution No. 2019-24 Urging the State of Alaska Department of Environmental Conservation to Provide Necessary Information on the Existing Oil Spill Statutes and Regulations That the Department Claims Can Be Eliminated or Significantly Reformed...28
  - d. Appointment of City Representatives to the Kodiak Fisheries Work Group .....31
  - e. Recommendation of Appointment to City Planning and Zoning Commission Seat .....34
  - f. Appointment of City Advisory Board Members .....38
  
- VI. Staff Reports**
  - a. City Manager
  - b. City Clerk
  
- VII. Mayor’s Comments**
  
- VIII. Council Comments**
  
- IX. Audience Comments** (limited to 3 minutes) (486-3231)
  
- X. Adjournment**

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**MINUTES OF THE REGULAR COUNCIL MEETING  
OF THE CITY OF KODIAK  
HELD THURSDAY, NOVEMBER 14, 2019  
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

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

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

**II. PREVIOUS MINUTES**

Councilmember Arboleda MOVED to approve the minutes of the October 24, 2019, regular meeting, as presented.

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

**III. PERSONS TO BE HEARD**

**a. Public Comments**

**Senior Citizens of Kodiak Inc. Board Director Mr. Lawrence Anderson** praised the Kodiak Fire Department for their service. He provided a report of the services provided by the senior center. He highlighted that many senior citizens have the lifeline button at home and he complimented Pat Branson for her leadership at the senior center.

**Patrick O'Donnell** via telephone requested that the Council consider the online sales tax issue relating to the already high the cost of living in Kodiak and along with the tax cap within the City.

**IV. UNFINISHED BUSINESS**

None

**V. NEW BUSINESS**

**a. Resolution No. 2019–22, Accepting an Edward Byrne Memorial Justice Assistance Grant (JAG) From the U. S. Department of Justice**

Mayor Branson read Resolution No. 2019–22 by title. The City of Kodiak has been awarded an Edward Byrne Memorial Justice Assistance Grant (JAG), by the Office of Justice Programs to

provide funding for approved purchases. This grant will reimburse the purchase of 19 new ballistic helmets and new hard armor rifle plates with carriers; and protective gear for 19 commissioned Kodiak Police Officers at a cost of \$39,349.

Councilmember Walker MOVED to adopt Resolution No. 2019–22.

Councilmember Walker praised the Chief of Police for obtaining this funding.

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

**b. Resolution No. 2019–23, Authorizing the City of Kodiak to Join the Alaska Remote Seller Sales Tax Commission for the Purpose of Developing, Implementing, and Enforcing a Remote Sellers Sale Tax Code, Authorizing the Manager to Execute Documents on Behalf of the city, and Designating a City Representative to the Commission**

Mayor Branson read Resolution No. 2019–23 by title. The South Dakota vs. Wayfair U.S. Supreme Court case redefined sales tax across many states and local governments. On June 21, 2018, the U.S. Supreme Court upheld the state of South Dakota’s right to require online sellers to collect and remit sales tax on orders delivered to that state. Resolution No. 2019–23 authorizes the City to enter into an intergovernmental agreement to form a commission for a centralized administration of collection of sales tax imposed by remote sellers and designates a representative on the newly created Commission.

Councilmember Davidson MOVED to adopt Resolution No. 2019–23.

Councilmember Haines said this resolution is not about more taxes; it is about fairness for those paying taxes.

Councilmember Davidson confirmed his support of the resolution, which he stated creates a fairness for the local businesses and online shopping.

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

**c. Approval of Third Amendment to Near Island Communications Site Sublease Between Kodiak Island Broadcasting, Inc. and New Cingular Wireless PCS, LLC**

Kodiak Island Broadcasting Co., Inc. is requesting an amendment to the sublease held with New Cingular Wireless PCS LLC. Any communication sublease must be approved by Council per City Code Title 18, Section 18.20.230. This amendment will be the third amendment to the sublease between Kodiak Island Broadcasting Co., Inc. and New Cingular Wireless PCS LLC.

Councilmember Walker MOVED to approve the third amendment between Kodiak Island Broadcasting, Inc. and New Cingular Wireless PCS, LLC for Near Island Communications Site Lease and authorize the City Manager to execute documents on behalf of the City.

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

**d. Authorization to Award a Vehicle Purchase for a 1 ½ Ton Regular Chassis Cab for Public Works Department to Kodiak Motors**

The Public Works Department budgeted for four vehicles in fiscal year 2020. We have received three of the vehicles already and we were not able to bid for the fourth one at that time as this vehicle was not available at the dealer. Once this vehicle became available, the City advertised for bids. Kodiak Motors was the qualifying bidder in Bid No. 2020-003.

Councilmember Haines MOVED to authorize the award for the purchase of a 1 ½ Ton Chassis Cab in an amount not to exceed \$40,465 with funds coming from the Public Works-Streets, Machinery and Equipment greater than >\$5,000 account to Kodiak Motors and authorize the City Manager to execute documents on behalf of the City.

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

**e. Non-objection to Transfer of Location of El Chicano Inc. Liquor License 3299**

El Chicano Inc. filed an application for the transfer of location licenses with the State of Alaska Alcoholic & Marijuana Control Office for their alcohol liquor license 3299. The new address will be 402 Marine Way Suite 100; the previous address was 103 Center Ave. State regulations require the Alcohol & Marijuana Control Office forward the applications to the City Council for the option to protest the approval of the applications for the transfer of the alcoholic beverage license location.

Councilmember Davidson MOVED to voice non-objection to the Alcohol & Marijuana Control Office regarding the Transfer of Location El Chicano Inc. Liquor Licenses 3299.

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

**VI. STAFF REPORTS**

**a. City Manager**

Manager Tvenge provided an update on the search for the new Fire Department building site. He said there are 44 points of criteria for a new site location. He informed the public that the Mayor and Council is looking for two members of the public to serve on a Steering Committee for the Future Fire Station Replacement Project. He shared that the City is looking for expertise to provide advisory support, guidance, and advocacy for the overall project. He stated that applications are on the website and at the Clerk's office. He commended the Kodiak Police Department and Chief Putney for the award they received from the Chamber of Commerce on October 19 for member of year. He provided an update on Selief Lane and some of the suggestions for the mitigation of the flooding.

**b. City Clerk**

Clerk Javier announced that the Mayor and Councilmembers will be attending the Alaska Municipal League Conference next week in Anchorage. She stated the City Clerk’s Office staff will be attending the Alaska Association of Municipal Clerk’s Conference and the Clerk’s Office will be closed Monday and Tuesday and will reopen on Wednesday at 10 a.m.

She shared that the Kodiak Fisheries Work Group will hold a meeting tomorrow at 10 a.m. in the Borough Conference Room and said that the next Council work session is scheduled on Tuesday, December 10 and the next regular meeting is scheduled on Thursday, December 12. She highlighted that the City Offices will be closed on Thursday, November 28 in observance of the Thanksgiving Day.

**VII. MAYOR’S COMMENTS**

Mayor Branson said the “Friends of the Marine Highway System” asked if the Council would like to be a part of the coalition, which is working to advocate and restore ferry service funding. There was no objection to her inquiry of joining the coalition. She said the City is very involved in the Alaska Municipal League and there is a request to support a resolution requesting the Alaska State Legislature approve coastal infrastructure general obligation bond for the 2020 election. She asked if the Council objected to supporting the resolution. There was no objection. She thanked Deputy Mayor Arboleda for presiding over the last meeting.

**VIII. COUNCIL COMMENTS**

Councilmember Haines reminded the public about the Fisheries Work Group meeting on Friday, November 15. He wished everyone a happy Thanksgiving.

Councilmember Bishop thanked the Public Works Department for their work on the drainage. He wished everyone a happy and safe holiday.

Councilmember Arboleda thanked Senator Stevens and Representative Stutes for their attendance at the work session. She urged citizens to attend the City Council meetings to voice their opinions, after viewing recent comments on Facebook about the Fire station.

Councilmember Davidson commended and thanked the City staff. He wished everyone a happy Thanksgiving and asked citizens to drive with caution.

Councilmember Walker commended the Kodiak Police Department on the Chamber of Commerce award and for obtaining the JAG grant. He thanked KPD for patrolling on Selief Lane during the bear activity.

Mayor Branson thanked Mary Forbes for a complimentary letter she sent to the City.

**IX. AUDIENCE COMMENTS**

None

**XII. ADJOURNMENT**

Councilmember Davidson MOVED to adjourn the meeting.

The meeting adjourned at 8:05 p.m.

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

CITY OF KODIAK

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MAYOR

ATTEST:

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CITY CLERK

Minutes Approved:

## **PERSONS TO BE HEARD**




# **NEW BUSINESS**

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## MEMORANDUM TO COUNCIL

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**To:** Mayor Branson and City Councilmembers  
**From:** Nova M. Javier, City Clerk   
**Date:** December 12, 2019

**Agenda Item:** V. a. Election of Deputy Mayor

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**SUMMARY:** Under the provisions of City Charter Article II, Section 2, the City Council shall elect one of its members as Deputy Mayor no sooner than thirty days, nor more than sixty days, from the beginning of the newly-elected Councilmembers' terms. The Deputy Mayor serves a one-year term and acts as Mayor in the Mayor's absence. If a vacancy occurs in the office of Mayor, the Deputy Mayor serves until another Mayor is elected by the Council.

**ATTACHMENTS:**

Attachment A: City Charter Article II, Section 2  
Attachment B: List of Previous Deputy Mayors

**PROPOSED MOTION:**

Move to elect \_\_\_\_\_ as Deputy Mayor for a one-year term.

OR

Move to elect the Deputy Mayor by a secret vote on paper ballot, provided that the first candidate to receive four affirmative votes be appointed for a one-year term, and further provided that if no candidate receives four affirmative votes in the first ballot, that the applicant with the fewest votes be removed from consideration on subsequent ballots, until a candidate receives four affirmative votes.

## **Charter of the City of Kodiak, Alaska**

### **Article II**

#### **II-2 Mayor and Deputy Mayor**

There shall be a mayor who shall have all the qualifications of a councilmember, and, in addition, must be at least thirty (30) years of age at the time of his election or choice to fill a vacancy. The mayor shall preside at meetings of the council, and shall certify the passage of all ordinances and resolutions passed by it. The mayor shall have no regular administrative duties, except that the mayor shall sign such written obligations of the City as the council may require. If a vacancy occurs in the office of mayor, the council shall elect a qualified person, who may or may not be a councilmember at the time, to be mayor for completion of the unexpired term or until the vacancy is filled by election. If a councilmember is elected mayor, the councilmember's office shall be vacated upon taking office as mayor, and then be filled as prescribed elsewhere by this charter.

Not sooner than thirty (30) days nor more than sixty (60) days from the beginning of the terms of newly elected councilmembers, the council shall elect one of its members deputy mayor, who shall serve as such until the next such first meeting. The deputy mayor shall act as mayor during the absence or disability of the mayor or, if a vacancy occurs in the office of mayor, until another mayor is elected by the council and qualifies. If the office of deputy mayor becomes vacant, the council shall elect from its members another deputy mayor for the completion of the unexpired term. The deputy mayor, when acting as mayor, shall continue to have a vote as councilmember; but the deputy mayor shall not have veto power.

Should both mayor and deputy mayor be absent from a council meeting, a temporary mayor shall be appointed by the council to serve during such absence.

## Deputy Mayor Elections

Date <u>Elected</u>	
01/16/1993	Bernie Ballao
11/10/1994	Gary Gilbert
11/09/1995	Tom Walters
11/14/1996	Kathy Colwell
11/20/1997	Steven Hobgood
02/12/1998	Tom Walters
11/12/1998	Charles Davidson
11/10/1999	Jesse Vizcocho
11/16/2000	Barbara Stevens
11/15/2001	Tom Walters
12/12/2002	Lydia Olsen
01/08/2004	David Woodruff
12/14/2004	Charles Davidson
12/15/2005	David Woodruff
12/14/2006	Josie Rosales
11/29/2007	Gabriel Saravia
12/11/2008	Jack Maker (resigned 6/9/09)
07/24/2009	Paul Smith
12/10/2009	Terry Haines
12/9/2010	Gabriel Saravia
12/8/2011	John Whiddon
12/13/2012	John Whiddon
12/12/2013	Gabriel Saravia
12/12/2014	Terry Haines
12/10/15	Rich Walker
12/08/16	Randall C. Bishop
12/14/17	Gabriel Saravia
05/24/18	Charles Davidson
12/13/18	Laura Arboleda

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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:** December 12, 2019

**Agenda Item:** **V.b. Ordinance No. 1391 Amending Title 10 of the Kodiak City Code to Establish Parking Tickets as Minor Offense, Consolidate the Chapters on Vehicle Impound and Abandonment, and Make Further Revisions to the Title**

**SUMMARY:** The proposed ordinance consists of 22 different sections that repeal, repeal and re-enact, or amend existing chapters of Title 10; however, the majority of Title 10 remains substantively unchanged. The purpose is to have a code that is both easier for the public to understand and for the City to enforce.

**PREVIOUS COUNCIL ACTION:** The City Council periodically reviews City Code and will make amendments as necessary.

**BACKGROUND/DISCUSSION:** The proposed ordinance accomplishes several goals in addition to “housekeeping” changes made throughout. The primary reason for this amendment is to once again establish parking violations as a minor offense and transfer processing authority to the court system. Under the existing code, parking violations are subject to an administrative hearing conducted by the City Manager or their designee. The current system is not efficient. The revised process would allow a ticketed person to pay the fine online or request a trial in front of a magistrate.

Second, the chapters on vehicle impound and abandonment are combined into a single chapter because these two areas overlap in practice. The revision allows for a streamlined process for removing and impounding vehicles. It also more clearly defines the penalties for an abandoned or junk vehicle by allowing the City to fine the last registered owner of the vehicle. Currently the City will occasionally send an invoice to the last registered owner, but the invoice is rarely paid because there are no consequences for nonpayment.

Third, chapter 10.24 is repealed and adopts by reference 13 AAC 08.140, titled “Unlawful Use of Classified License.” This section of Alaska Administrative Code has been repealed since the last time this section of City Code was amended, and it no longer makes sense for this chapter to remain in effect.

Fourth, a significant portion of chapter 10.28, Off-road vehicles, has been revised to reflect current realities and concerns of the City.

Lastly, the bail/fine schedule for Title 10 has been updated. The revised schedule individually identifies each offense, and the associated fine, which is the method preferred by the court system.

**ALTERNATIVES:**

- As proposed, Ordinance No. 1391 focuses on those sections and chapters where changes are made and keeps the reasons for this amendment clear. This is staff's recommendation.
- Council could consider an ordinance that would repeal and re-enact all of Title 10. The benefit is that the ordinance currently before you would be easier to read; however, the reasons for these changes would not be as transparent.
- Council can decide that no amendment is necessary.

**FINANCIAL IMPLICATIONS:** Implementing these changes should not cost the City more money than it currently spends on the enforcement activities described in Title 10. In theory, the proposed amendments should make it easier for the City to recover parking fines and fees associated with impounding or towing vehicles.

**LEGAL:** The City Attorney worked with the Kodiak Police Chief to draft this Title 10 amendment.

**CITY MANAGER'S COMMENTS:** I have discussed the needs for this amendment with the Police Chief and believe these proposed changes will benefit the enforcement provisions of abandoned vehicles and provide a better venue for parking and traffic violations through the court system. I support moving forward with the first reading of this ordinance.

**NOTES/ATTACHMENTS:**

Attachment A: Ordinance No. 1391

**PROPOSED MOTION:**

Move to pass Ordinance No. 1391 in first reading to advance to second reading and public hearing at the next regular or special Council meeting.

**CITY OF KODIAK  
ORDINANCE NUMBER 1391**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK AMENDING TITLE 10 OF THE KODIAK CITY CODE TO ESTABLISH PARKING TICKETS AS MINOR OFFENSE, CONSOLIDATE THE CHAPTERS ON VEHICLE IMPOUND AND ABANDONMENT, AND MAKE FURTHER REVISIONS TO THE TITLE**

**WHEREAS**, the Alaska Court System’s Minor Offense rules have been amended such that parking tickets may be issued as minor offense violations and processed by the Alaska Court System; and

**WHEREAS**, the City’s existing ordinances relating to vehicle impound and abandonment are insufficiently integrated with each other; and

**WHEREAS**, periodic revision to the Kodiak City Code facilitates efficient administration of City business;

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

**Section 1: Repeal and Re-Enactment of Section 10.04.040**. Kodiak City Code Section 10.04.040 is hereby repealed and replaced by the adoption of a new Section 10.04.040 to read as follows:

**10.04.040 Citation of authority**

(a) When a person is stopped or contacted by a city peace officer for the commission of a motor vehicle or traffic offense that is a violation of this title, the officer shall, except when otherwise required by law or the immediate circumstances, issue a citation to the person in charge of, or operating, the motor vehicle involved. A citation issued pursuant to this subsection must meet the requirements of AS 12.25.200 and the Alaska Rules of Minor Offense Procedures. The city shall use the Alaska Uniform Citation form, or the electronic version, if authorized.

(b) A citation for a violation of a state motor vehicle law that has been incorporated by reference in this title shall reference the Alaska Statute or Alaska Administrative Code section that has been violated and indicate that the law or regulation has been incorporated in this city code by reference. All such citations shall identify the City of Kodiak as the prosecuting entity and shall be submitted to and processed by the Alaska Court System. Fines paid to the court for that violation shall be remitted to the city, less administrative expenses required by law.



(c) A citation for a violation of a provision of this title that does not adopt by reference a provision of the state motor vehicle laws may be issued by any city official and shall reference only the appropriate city code section. Fines paid to the court for that violation shall be remitted to the city, less administrative expenses required by law.

**Section 2: Amendment of Section 10.04.050.** Kodiak City Code Section 10.04.050 is hereby amended to read as follows [deleted words are struck; added words are bolded and underlined]:

**10.04.050 Definitions**

(a) ~~AS 28.40.100~~ **28.90.990**, titled “Definitions for title,” and 13 AAC 40.010, titled “Definitions,” are adopted by reference to provide definitions of terms used in this title.

(b) As used in this title:

(1) “AAC” means the Alaska Administrative Code.

(2) “AS” means the Alaska Statutes.

**(3) “City parking lot” means any off-street parking area owned or operated by the city that is available for public parking and any place so designated by the council.**

**Section 3: Amendment of Section 10.08.010.** Kodiak City Code Section 10.08.010 is hereby amended to read as follows [deleted words are struck; added words are bolded and underlined]:

**10.08.010 Rules of the road**

(a) Except as provided in subsection (b) of this section, 13 AAC Chapter 02, titled “Motor Vehicle and Driving Offenses: Rules of the Road,” is adopted by reference, ~~subject to the local amendments set forth in this chapter.~~

~~(b) The following provisions of 13 AAC Chapter 02 are not adopted by reference in subsection (a) of this section:~~

~~(1) Article 8 of 13 AAC Chapter 02, titled “Stopping, Standing and Parking.”~~

~~(2) 13 AAC 02.480, “Unattended motor vehicle.”~~

**(b) 13 AAC 02.275, “Basic rule and maximum limits” is not adopted by reference in subsection (a) of this section.**

**Section 4: Repeal and Re-Enactment of Section 10.08.020.** Kodiak City Code Section 10.08.020 is hereby repealed in its entirety and replaced by the adoption of a new Section 10.08.020 to read as follows:

**10.08.020 Prudent Speed and Maximum speed limit**

(a) No person may drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazard then existing. Consistent with this provision, every person shall drive at a safe and appropriate speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or street conditions.

(b) The maximum lawful speed on city streets is twenty miles per hour, and no person may drive a vehicle at a speed in excess of this maximum limit, unless a different maximum limit is otherwise posted.

**Section 5: Repeal of Section 10.08.040.** Kodiak City Code Section 10.08.040 is hereby repealed in its entirety.

**Section 6: Repeal of Section 10.12.020.** Kodiak City Code Section 10.12.020 is hereby repealed in its entirety.

**Section 7: Renumbering of 10.12.030.** Kodiak City Code Section 10.12.030 is hereby renumbered as Section 10.12.020.

**Section 8: Repeal and Re-Enactment of Chapter 10.16.** Kodiak City Code Chapter 10.16 is hereby repealed in its entirety and replaced by the adoption of a new Chapter 10.16 to read as follows:

**Chapter 10.16**

**STOPPING, STANDING, AND PARKING**

Sections

- 10.16.010 Additional parking regulations
- 10.16.020 Restricted parking—designation
- 10.16.030 Limited time parking
- 10.16.040 Parking in city parking lots
- 10.16.050 Motor vehicles used as living or sleeping accommodations
- 10.16.060 Violation of chapter a public nuisance
- 10.16.070 Service of citation
- 10.16.080 Owner of vehicle presumed responsible for violation
- 10.16.090 Vehicle defined

**10.16.010 Additional parking regulations**

(a) No person may park a vehicle upon a street, roadway, alley, vehicular way or area, or a city parking lot for the purpose of:

- (1) Washing the vehicle if the person parking the vehicle is a dealer, agent, or employee of a garage, filling station, or car wash;
- (2) Repairing or performing maintenance work on the vehicle except repairs or maintenance work necessitated by an emergency;
- (3) Displaying the vehicle for sale or hire in the regular course of the person's business except that a motor bus, sightseeing vehicle, airline service vehicle, or taxicab may park in accordance with the provisions of 13 AAC 02.372 (see also sections 5.04.010 and 5.04.015 of this code);
- (4) Storing or parking, without being attended by a driver, a vehicle to be used for hire to another person; or
- (5) Commercial advertising.

(b) No person may park a vehicle on a street, highway, public way, or area, or other public property, including a city parking lot, for more than twenty-four consecutive hours unless the location where the vehicle is parked is designated by an official traffic control device for parking for a different maximum time.

**10.16.020 Restricted parking—designation**

For the purpose this title, including those regulations adopted by reference by KCC 10.16.010, the following official traffic control devices have the following meanings:

- (a) Parking is prohibited next to a curb that is painted red.
- (b) A curb that is painted yellow designates the adjacent parking space as a taxi or loading zone.
- (c) A parking space designated with a sign bearing the federal handicapped symbol, or with the federal handicapped symbol painted on the parking space, is a designated handicapped zone.

**10.16.030 Limited time parking**

(a) The chief of police may designate, by placing official traffic control devices, time limits for parking on those parts of a street, roadway, alley, or vehicular way where the chief of police has determined that demand for parking warrants the designation.

(b) No person may stop, stand, or park a vehicle in violation of such an official traffic control device.

(c) The chief of police may issue permits to occupy parking spaces on a street, roadway, alley, or vehicular way for the duration that the applicant demonstrates is necessary to accommodate a temporary activity such as a special event, construction project, or loading or unloading.

**10.16.040 Parking in city parking lots**

(a) The council by resolution may:

(1) Establish time limits for parking in city parking lots;

(2) Designate city parking lots for paid parking, and establish fees for paid parking in city parking lots; and

(3) Designate city parking lots for permit parking, and the fees and qualifications for obtaining a permit.

(b) The city shall notify the public of time limits in city parking lots, fees required to park in city parking lots, and permit requirements for parking in city parking lots by the placement of official traffic control devices.

(c) No person may stop, stand, or park a vehicle in violation of a traffic control device described in this section.

**10.16.050 Motor vehicles used as living or sleeping accommodations**

No person may occupy or utilize any motor vehicle or trailer as living quarters or sleeping accommodations while the motor vehicle or trailer is parked on any public or private property without authorization of the person holding the right to possession of the premises, nor may any person park or leave standing a motor vehicle or trailer utilized or prepared for utilization as living quarters or sleeping accommodations through having been connected to any water, sewer, electric, or other utility lines or having been rendered incapable of immediate movement under its own power through the use of jacks, blocks, leveling devices, or any other devices, except as provided in KCC 14.20.030.

**10.16.060 Violation of this Chapter a Public Nuisance.**

A vehicle parked, stopped, or standing in violation of this chapter is a public nuisance.

**10.16.070 Service of Citation**

(a) A citation for violation of this chapter may be served by:

- (1) The issuing city official personally serving the defendant by handing the citation to the defendant;
- (2) By leaving and affixing the citation in a conspicuous place on the vehicle or other personal property that is the subject of the violation; or
- (3) Any other method of service allowed by Alaska Civil Rule 4.

(b) If the citation is served other than as provided in subsections (1) or (2), proof of service setting forth the method, place and date of service shall be filed with the citation.

**10.16.080 Owner of vehicle presumed responsible for violation**

A vehicle which is found to be parked, stopped, or standing in violation of this title is presumed to have been so operated by the registered owner thereof or has been operated by another person with the consent of the registered owner for which the registered owner holds legal responsibility. The presumption may be rebutted by presentation of clear and convincing evidence that the vehicle was being operated by another person at the time of the violation without the consent of the registered owner.

**10.16.090 Vehicle Defined.**

For the purposes of this chapter, “vehicle” means a device in, upon, or by which a person or property may be transported or drawn upon or immediately over a highway or vehicular way or area, and expressly includes any trailer and its contents, whether or not connected to a motor vehicle.

**Section 9:** **Repeal of Chapter 10.24.** Kodiak City Code Chapter 10.24 is hereby repealed in its entirety.

**Section 10:** **Amendment of Section 10.28.020.** Kodiak City Code Section 10.28.020 is hereby amended by the addition of a new subsection (c), to read as follows:

(c) Every person operating a snowmachine or other off-road vehicle upon a highway has the rights and is subject to the duties applicable to the driver of any other vehicle under this chapter, except as otherwise provided in this chapter, and except as to those provisions of this chapter which by their nature have no application.

**Section 11:** **Amendment of Section 10.28.030.** Kodiak City Code Section 10.28.030 is hereby amended by the repeal of subsection (f), with the remaining subsections to be renumbered accordingly.

**Section 12: Repeal and Re-Enactment of Section 10.28.040.** Kodiak City Code Section 10.28.040 is hereby repealed in its entirety and replaced by the adoption of a new Section 10.28.040 to read as follows:

**10.28.040 Operation on highways and other locations**

(a) A snowmachine or an off-road vehicle may cross or be driven on a roadway, bike trail, shoulder of a highway, or sidewalk only under the following circumstances:

- (1) When traversing a bridge or culvert on a highway, but then only by driving at the extreme right-hand edge of the bridge or culvert and only when the traverse can be completed with safety and without interfering with other traffic on the highway;
- (2) When use of the highway by other motor vehicles is impossible because of snow or ice accumulation or other natural conditions or when the highway is posted or otherwise designated as being open to travel by off-road vehicles;
- (3) When highway driving is authorized by an authority having jurisdiction over the highway, but only in accordance with restrictions which may be imposed by that authority with regard to highway use; or
- (4) When driven on the right-of-way of a highway which is not a controlled access highway, outside the roadway or shoulder, and no closer than six feet from the nearest edge of the roadway.

(b) This section shall not authorize use of a snowmachine or off-road vehicle in any location or in any manner otherwise prohibited by this title.

**Section 13: Repeal and Re-Enactment of Section 10.28.060.** Kodiak City Code Section 10.28.060 is hereby repealed in its entirety and replaced by the adoption of a new Section 10.28.060 to read as follows:

**10.28.060 Snowmachine authorized area of operation**

(a) It is unlawful to operate a snowmachine on any city property or right-of-way except in those portions of U.S. Survey 3945 lying northwesterly of Pillar Mountain Road and southwesterly of the upper reservoir.

(b) Transportation to and from the designated area shall only be by truck or trailer to that part of Pillar Mountain Road below the city chlorinator building near the lower reservoir. Use of snowmachines for transport within the city limits to the designated area is prohibited.

**Section 14: Repeal and Re-Enactment of Section 10.28.070.** Kodiak City Code Section 10.28.070 is hereby repealed in its entirety and replaced by the adoption of a new Section 10.28.070 to read as follows:

**10.28.070 Driver's license required**

A driver or operator of an off-road vehicle or snowmachine shall be required to have a valid motor vehicle operator's license or permit, or be accompanied by a person having such valid license, while operating on any roadway, bike trail, shoulder of a highway, sidewalk, or city property.

**Section 15: Repeal of Section 10.28.090.** Kodiak City Code Section 10.28.090 is hereby repealed in its entirety.

**Section 16: Repeal of Section 10.28.100.** Kodiak City Code Section 10.28.100 is hereby repealed in its entirety.

**Section 17: Repeal of Section 10.28.110.** Kodiak City Code Section 10.28.110 is hereby repealed in its entirety.

**Section 18: Renumbering of Section 10.32.100.** Kodiak City Code Section 10.32.100 is hereby renumbered to Kodiak City Code Section 10.32.010.

**Section 19: Amendment and Renumbering of Section 10.32.110.** Kodiak City Code Section 10.32.110 is hereby renumbered to Kodiak City Code Section 10.32.020 and, following renumbering amended by the addition of a new subsection (c) to read as follows:

(c) In addition to any fine or penalty imposed for the violation, any person violation subsection (a) of this section shall be guilty of a minor offense.

**Section 20: Repeal and Re-Enactment of Chapter 10.36.** Kodiak City Code Chapter 10.36 is hereby repealed in its entirety and replaced by the adoption of a new Chapter 10.36 to read as follows:

**Chapter 10.36**

**ABANDONED VEHICLES & IMPOUNDMENT**

Sections

- 10.36.010 Impoundment
- 10.36.020 Impound report and inventory
- 10.36.030 Order to release impounded vehicle
- 10.36.040 Vehicle abandonment unlawful
- 10.36.050 Presumption of abandonment

10.36.060	Notice to owners and lien holders
10.36.070	Hearing
10.36.080	Redemption
10.36.090	Disposal of abandoned vehicles
10.36.100	Proceeds from sale of abandoned vehicles
10.36.110	Records kept
10.36.120	Vehicle defined

**10.36.010 Impoundment**

(a) A police officer, officer of the fire department, or harbormaster may direct the removal or impoundment by towing to an approved impound area or facility of a vehicle, whether loaded or not, that is:

- (1) Abandoned, wrecked, dismantled, or inoperative;
- (2) Involved in a collision or a police investigation;
- (3) Located or standing upon any street or alley right-of-way or public property in violation of the provisions of this title;
- (4) Located or standing upon any street or alley right-of-way or public property and found to be mechanically unsafe to operate;
- (5) The driver of which is found to be incapacitated or is taken into custody for an offense involving driving under the influence of intoxicating liquor or drugs, reckless driving, negligent driving, or any felony;
- (6) Located on private property for over 24 hours without the consent of the owner or person in control of the property, after written notice to the chief of police requesting its removal; or
- (7) The subject of four or more unresolved citations for parking, stopping, or standing in violation of this title.

(b) Vehicles impounded by official order of the city shall be stored in a safe and secure area or facility.

(c) The city, or its authorized agent, shall collect directly from the vehicle owner or his agent any towing, impound, storage, and/or disposal fees or expenses associated with vehicles towed or impounded.



### **10.36.020 Impound report and inventory**

(a) A written report of the removal shall be made by the officer who removes or has removed a vehicle under this section, and the report shall be sent immediately to the city police department and a copy of the report shall be given to the person who stores the property. The report must describe the vehicle, the date, time, and place of removal, the grounds for removal, and the place of impoundment of the vehicle.

(b) Upon impoundment and storage of a vehicle, a police officer or other authorized person shall make, or cause to be made, an inventory of the contents of the vehicle and an estimate of the value of those contents. At the time of release of the vehicle, the person to whom the vehicle is to be released shall review the inventory to confirm the vehicle contents and shall sign a statement acknowledging the accuracy of the inventory and the receipt of the vehicle contents.

(c) If, at the time the inventory is conducted, property is discovered which could be readily removed from the vehicle and which has an estimated value in excess of \$1,000 or which is, or could be, dangerous or hazardous if left in the vehicle or unlawfully removed, the impounding officer may, at the officer's discretion, cause that property to be stored in the police evidence locker or other suitable location pending its release to the owner.

### **10.36.030 Order to release impounded vehicle**

A vehicle impounded pursuant to the provisions of this chapter shall be released only to a person who presents a valid "Order to Release" signed an authorized member of the police department.

### **10.36.040 Vehicle abandonment unlawful**

(a) A person may not abandon a vehicle upon a highway or vehicular way or area.

(b) A person may not abandon a vehicle upon public property or upon private property without the consent of the owner or person in lawful possession or control of the property.

(c) A person who abandons a vehicle in a place specified in (a) or (b) of this section is considered responsible for the abandonment of the vehicle and is liable for the cost of its removal and disposition.

(d) The lawful owner of a vehicle, as shown by the records of the state division of motor vehicles, whether or not the owner has complied with the provisions of AS 28.10.271, is considered responsible for the abandonment of the vehicle and is liable for the cost of removal and disposition of the abandoned vehicle unless:

(1) the vehicle was abandoned by a person driving the vehicle without the permission of the owner; or

- (2) the identity of the person abandoning the vehicle is established and the abandonment was without the consent of the owner.

#### **10.36.050 Presumption of abandonment**

(a) A vehicle which has been left unattended, standing, parked upon, or within 10 feet of the traveled portion of a highway in excess of twenty-four hours, or a vehicle left standing or parked on private property or upon other city property where not specifically permitted by a traffic control device for more than twenty-four hours, without the consent of the owner or person in charge of the property, may be removed under AS 28.11.030 and treated as an abandoned vehicle, unless the vehicle is reclaimed and removed before the action regarding removal is taken under KCC 10.36.010. The city, for good cause, may make provision for parking of vehicles on municipal property other than as specified in this section.

(b) A vehicle impounded under this chapter that has not been reclaimed within 30 days of impound shall be presumed abandoned.

#### **10.36.060 Notice to owners and lien holders**

(a) The city shall give written notice to the vehicle owner of record and to lien holders of record that the city considers the vehicle to be abandoned. The city shall give the notice by:

- (1) Posting on the vehicle; and
- (2) By personal delivery or by registered or certified mail, return receipt requested, or if the vehicle is not registered in the state or the city cannot determine the name and address of the owner or lien holder, by publication once a week for four consecutive weeks in a newspaper of general circulation in the city.

(b) The notice shall state:

- (1) A description of the vehicle and its location;
- (2) The name and address of the registered owner, if any, and the vehicle identification number of the vehicle;
- (3) The reasons why the city considers the vehicle to be abandoned; and
- (4) That unless within 15 days after the date of final publication of the notice: (i) the vehicle is removed or reclaimed and stored in a lawful manner, or (ii) a person with an interest in the vehicle requests a hearing under KCC 10.36.070, the city may without further notice dispose of the vehicle by sale, destruction, or other disposition authorized by law.

### **10.36.070 Hearing**

(a) A person claiming an interest in a vehicle or trailer that is the subject of a notice under KCC 10.36.060 or that has been impounded under KCC 10.36.010 may obtain a hearing on whether the vehicle is subject to impound and/or disposal under this chapter by requesting the hearing in writing at the office of the city manager within 15 days after the date of the notice or impound.

(b) A hearing officer, who shall be the city manager or a person designated by the city manager, shall conduct the hearing within five business days after the city receives a timely request for a hearing under subsection (a) of this section unless a longer period is agreed to by the person requesting the hearing. The issue at the hearing shall be limited to whether the vehicle was subject to impound or is subject to disposal under this chapter.

(c) The hearing shall be conducted in an informal manner and shall not be subject to the technical rules of evidence. Any person claiming an interest in the vehicle may appear, present evidence, and cross-examine witnesses. The hearing shall be recorded.

(d) Within three business days after the conclusion of the hearing, the hearing officer shall prepare a written decision whether the vehicle or trailer was properly impounded and/or is subject to disposal under this chapter, stating the reasons for the decision. The city shall mail or deliver a copy of the decision to each person who appeared at the hearing and claimed an interest in the vehicle.

(e) Any person aggrieved by the hearing officer's decision under subsection (d) of this section may appeal the decision to the superior court within 30 days after the date the decision was mailed or delivered to the parties. Unless the court orders otherwise, the city may impound a vehicle under this section immediately after issuing a decision approving its disposal, but may not dispose of the vehicle until either the court affirms the decision, or the time for appeal expires without an appeal having been filed. The city shall be entitled to recover all costs incurred, including reasonable attorney fees, for the hearing and appeal if the city prevails on appeal.

### **10.36.080 Redemption**

A person who presents satisfactory proof of ownership or right to possession may redeem a vehicle removed under this chapter at any time before an auction under this chapter by paying the charges of towing, storage, notice, other cost of impoundment, and any applicable penalty for violation of KCC 10.36.010 or other law.

### **10.36.090 Disposal of abandoned vehicles**

Upon satisfaction of the notice and hearing requirements prescribed in this chapter, the city may dispose of an abandoned vehicle by removing it to a scrap processing yard or auto wrecker for disposal, or by public auction not less than 20 days after notice of the auction is published in a newspaper of general circulation in the city. The notice of auction must describe the vehicle and specify the place, date, and time at which it will be sold.

**10.36.100 Proceeds from sale of abandoned vehicles**

The proceeds of any sale of an abandoned vehicle shall be applied first to reimburse the city for costs of disposing of the vehicle, including towing, storing, and selling the vehicle, and second to satisfy any fine or penalty that has been imposed for the unlawful abandonment of the vehicle. Any part of the proceeds remaining thereafter shall be made available to the former owner of the vehicle if claimed within 30 days from the date of sale, and if not so claimed shall become the property of the city. Unclaimed proceeds shall be deposited with the city and accounted for as a fund for the disposal of abandoned vehicles and shall be made available to the police department for expenses incurred in the disposition of abandoned vehicles which do not generate any revenue.

**10.36.110 Records kept**

(a) A person authorized by contract, or other official order, to tow and/or store vehicles shall maintain and make available to the city such records as the city may require, including, but not by way of limitation, written records reflecting the time, place, and circumstances associated with the impoundment of each such vehicle, an inventory of its contents at the time of impoundment, and details concerning its release or sale at public auction.

(b) All records maintained pursuant to this chapter shall be retained for at least two years and made available to the city upon request. In no event shall any records maintained pursuant to this section be destroyed without prior written consent of the city.

**10.36.120 Vehicle defined**

For the purpose of this chapter, “vehicle” shall include any motor vehicle, off-road vehicle, trailer, including any load on the trailer, or any portion thereof regardless of whether the vehicle is operable.

**Section 21: Repeal of Chapter 10.40.** Kodiak City Code Chapter 10.40 is hereby repealed in its entirety.

**Section 22: Repeal and Re-Enactment of Chapter 10.44.** Kodiak City Code Chapter 10.44 is hereby repealed in its entirety and replaced by the adoption of a new Chapter 10.44 to read as follows:

**Chapter 10.44  
VIOLATIONS**

Sections

- 10.44.010 General Penalty
- 10.44.020 Right to revoke or suspend licenses
- 10.44.030 Disposition of scheduled offenses—fine schedule

#### **10.44.010 General Penalty**

(a) Every act prohibited this title is unlawful. Unless another penalty is expressly provided by this code for a particular act or offense, every person who commits an infraction or violation of any provision of this code, or any rule or regulation adopted or issued pursuant to this code, commits a minor offense as that term is defined in the Alaska Rules of Minor Offense Procedure and may be punished by a fine of not more than \$1,000.

(b) In addition to any other remedies or penalties that may be provided in this code, or may otherwise be available, the city or any aggrieved person may institute a civil action to obtain injunctive or compensatory relief against a person who violates any provision of the code. An action to enjoin a violation may be brought notwithstanding the availability of any other remedy. On application for injunctive relief and a finding of violation or threatened violation, the superior court shall grant the injunction. The city shall be entitled to recover its costs, including reasonable attorney's fees, incurred in a civil action resulting in injunctive or compensatory relief against a person who violates any provision of the code.

(c) Each act of violation and every day upon which the violation shall occur will constitute a separate offense. A separate citation must be issued for each calendar day upon which a violation is alleged to have occurred.

#### **10.44.020 Right to revoke or suspend licenses**

Notwithstanding anything contained in this title, the city's authority to administratively suspend or revoke any license conferred by the City of Kodiak for violation of this code is specifically retained.

#### **10.44.030 Disposition of scheduled offenses—fine schedules**

(a) A person charged with a minor offense listed on a fine schedule may appear in court to contest the charge. If an offense is not listed on a fine schedule, or if the citation indicates that a court appearance is mandatory, the defendant must appear in court to answer the charges. As a minor offense, trial is by the court without a jury, and there is no right to court-appointed defense counsel.

(b) A citation for an offense listed as correctable or "Cor" shall be dismissed (or voided) if proof of correction is presented to the Kodiak police department within 14 days after the date of the citation.

(c) The city adopts as its traffic fine schedule for state offenses the "Traffic Bail Forfeiture Schedule" and the "Oversize Vehicle Bail Forfeiture Schedule" in Administrative Rules 43.1 and 43.6 of the Alaska Rules of Court and any other bail forfeiture schedules relating to vehicles adopted by the Alaska Supreme Court. In addition, the city adopts all amendments of those schedules that become effective after the effective date of this ordinance. Citations for offenses listed on these schedules may be disposed of as provided in

AS 12.25.195-.230, without a court appearance, upon payment of the amounts listed plus the state surcharge required by AS 12.55.039 and AS 29.25.074. Fines must be paid to the court. If a person charged with one of these offenses appears in court and is found to have committed the offense, the court shall impose, without reduction, the penalty set forth for the offense in the adopted schedules.

(d) The fine amounts established by subsections (c) and (e) are doubled for motor vehicle or traffic offenses committed in a highway work zone or traffic safety corridor, as those terms are defined in AS 28.90.990 and 13 AAC 40.010(b).

(e) In accordance with AS 29.25.070(a), citations for the following offenses, except for those identified as “mandatory”, may be disposed of as provided in AS 12.25.195 through 12.25.230, without a court appearance, upon payment of the fine amounts listed below, plus the state surcharge required by AS 12.55.039 and 29.25.074. Fines must be paid to the court. The Alaska court system’s Rules of Minor Offense Procedures apply to all offenses listed below. If a person charged with one of these offenses appears in court and is found to have committed the offense, the court shall impose, without reduction, the penalty set forth in the fine schedule below for that offense. An offense listed in this schedule may not be disposed of without court appearance if the offense is in connection with a motor vehicle accident that results in the death of a person.

<b>Code Section</b>	<b>Description of Violation</b>	<b>Mandatory, Optional, or Correctable</b>	<b>Penalty</b>
10.08.020(a)	Speed: Reasonable & Prudent For Road Conditions	Optional	\$90
10.08.020(b)	Maximum speed limit	Optional	
	3 mph over designated limit	Optional	\$24
	4-19 mph over designated limit	Optional	\$8 per mph over limit
	20 or more mph over designated limit	Optional	\$12 per mph over limit
10.08.030	Prohibited use of vehicular ways	Optional	\$150
10.08.040(a)	Skateboards and similar devices – prohibited area	Optional	\$40
10.08.040(b)	Skateboards and similar devices – unsafe use	Optional	\$40

10.08.040(c)	Skateboards and similar devices – failure to obey traffic control device	Optional	\$40
10.12.020(a)	Transportation of hazardous material	Mandatory	
10.16.010(a)	Additional parking regulations – prohibited activity	Optional	\$25
10.16.010(b)	Additional parking regulations – over 24 hours	Optional	\$25
10.16.020(a)	Restricted parking – red curb	Optional	\$25
10.16.020(b)	Restricted parking – yellow curb	Optional	\$25
10.16.020(c)	Restricted parking – handicapped	Optional	\$150
10.16.030(b)	Limited time parking – violation of traffic control device	Optional	\$20
10.16.040(c)	Parking in city parking lot – violation of traffic control device	Optional	\$20
10.16.050	Motor vehicle used as living or sleeping accommodation	Optional	\$100
10.28.030(a)	Off-road vehicle use regulations – park or city-owned property	Optional	\$150
10.28.030(b)	Off-road vehicle use regulations – private property	Optional	\$50
10.28.030(c)	Off-road vehicle use regulations – careless, reckless, or negligent use	Mandatory	
10.28.030(d)	Off-road vehicle use regulations – under the influence	Optional	\$100
10.28.030(e)	Off-road vehicle use regulations – animals	Optional	\$100
10.28.040(a)	Operation of Off-road vehicle highways and other locations – on roadway	Optional	\$50
10.28.050	Off-road vehicle parental responsibility	Optional	\$50
10.28.060(a)	Snowmachine authorized area of operation – use outside of authorized area	Optional	\$50
10.28.070	Off road vehicle; driver’s license required	Optional	\$50
10.32.010(a)	Confinement of loads	Optional	\$100
10.32.020	Removal of dirt and debris	Optional	\$50
10.36.040(a)	Vehicle abandonment unlawful – upon highway or vehicular way	Optional	\$300
10.36.040(b)	Vehicle abandonment unlawful – upon other public or private property	Optional	\$300

**Section 23:** **Effective Date.** This ordinance shall go into effect one month after its passage and publication.

CITY OF KODIAK

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

First Reading:

Second Reading:

Effective Date:





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## MEMORANDUM TO COUNCIL

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**To:** Mayor Branson and City Councilmembers  
**From:** Mike Tvenge, City Manager and Nova Javier, City Clerk   
**Date:** December 12, 2019   
**Agenda Item:** V. c. Resolution No. 2019–24, Urging the State of Alaska Department of Environmental Conservation to Provide Necessary Information on the Existing Oil Spill Statutes and Regulations that the Department Claims Can be Eliminated or Significantly Reformed

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**SUMMARY:** After the 1989 Exxon Valdez Oil Spill, Alaskan citizens and the Alaska Legislature worked together to protect the State from major oils spills by enacting comprehensive laws and regulations. As a result, Alaska has world-class oil spill prevention and response requirements to protect its people and its environment, as well as commercial and sport fishing, aquaculture, recreation, tourism, subsistence, and cultural interests.

On October 15, 2019, Alaska Department of Environmental Conservation (ADEC) opened a public scoping process to solicit comments and input from stakeholders, the public, and industry on areas where Alaska oil spill regulations (18 AAC 75, Article 4) and Alaska State Statute 46.04 (AS 46.04), Oil and Hazardous Substance Pollution Control, could be streamlined. According to ADEC Commissioner Brune, the current regulations “weaken our ability to prevent and respond to catastrophic spills”, citing the Exxon Valdez oil spill as a past example. The Prince William Sound Regional Citizens’ Advisory Council (PWSRCAC) solicited responses of opposition towards weakening of oil spill response regulations during the scoping period.

Wayne Donaldson, City of Kodiak Representative on the PWSRCAC, attended the City Council work session on November 12 and advocated that the City of Kodiak adopt the attached resolution which asserts two intents: providing input which strongly opposes any legislative or regulatory changes that would weaken oil spill prevention and response standards; and requests that the State of Alaska provide information on the statutes and regulations the Department has already claimed can be eliminated or significantly reformed.

### **ATTACHMENTS:**

Attachment A: Resolution No. 2019–24

### **PROPOSED MOTION:**

Move to adopt Resolution No. 2019–24.

**CITY OF KODIAK  
RESOLUTION NUMBER 2019–24**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK URGING THE STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO PROVIDE NECESSARY INFORMATION ON THE EXISTING OIL SPILL STATUTES AND REGULATIONS THAT THE DEPARTMENT CLAIMS CAN BE ELIMINATED OR SIGNIFICANTLY REFORMED**

WHEREAS, after the 1989 *Exxon Valdez* oil spill, Alaska citizens and the Alaska Legislature worked together to protect the state from major oil spills by enacting comprehensive laws and regulations dealing with prevention, response, contingency planning, financial responsibility, oversight, monitoring, and other subjects related to the safe handling and transportation of oil and other hazardous substances; and

WHEREAS, these laws and regulations were based on real world experiences and the painful lessons of the *Exxon Valdez* oil spill and were crafted in coordination with State government and oil industry partners, requiring extensive compromise in the determined Response Planning Standards; and

WHEREAS, oil spill prevention and response contingency planning regulations were adopted by the State of Alaska in 1992, and the regulations have been revised on nine occasions to clarify the requirements, streamline the review process, include new categories of contingency plans, and make the contingency planning process less onerous and the approval of those plans more predictable and expeditious; and

WHEREAS, as a result of post-*Exxon Valdez* oil spill laws and regulations, Alaska has world-class oil spill prevention and response requirements to protect its people and its environment, as well as commercial and sport fishing, aquaculture, recreation, tourism, subsistence, and cultural interests; and

WHEREAS, on October 15, 2019, the State of Alaska’s Department of Environmental Conservation Commissioner issued a public scoping notice seeking input on existing regulations and statutes because he has "heard from many Alaskans that contingency plans are unnecessarily burdensome while lacking corresponding environmental benefits," and that his Department has identified regulations that can be eliminated or significantly reformed; and

WHEREAS, despite repeated requests, the Alaska Department of Environmental Conservation has yet to provide information on the areas of the statutes or regulations that have been identified as too burdensome, or that could be eliminated or significantly reformed; and

WHEREAS, it is unreasonable for the Department of Environmental Conservation to claim now, after 30 profitable years of industry compliance with the laws and regulations, that the requirements are too burdensome, and this claim disregards the hard work of hundreds of Alaskans who worked tirelessly after the *Exxon Valdez* oil spill to ensure that the State of Alaska would never again suffer an environmental disaster like what occurred in 1989; and

WHEREAS, reducing the burden on industry by rolling back or eliminating proven oil spill prevention and response requirements transfers the risk and burden of another oil spill to the communities, citizens, and environment; and

WHEREAS, the City of Kodiak has a duty in protecting our community's social, environmental, and economic wellbeing from any future oil spills.

NOW THEREFORE BE IT RESOLVED, that the City of Kodiak stands strongly against any legislative or regulatory changes that erode oil spill prevention and response standards, increasing the risk of a catastrophic spill; and

BE IT FURTHER RESOLVED that the Council of the City of Kodiak believes that, if the system created after the 1989 spill is weakened, Alaskans will likely face an increased risk of reliving another major oil spill that could damage Alaska's commercial, sport and subsistence fishing, sport and subsistence hunting, other businesses, fish, wildlife, environment, and the culture and quality of life of the people; and

BE IT FURTHER RESOLVED that the Council of the City of Kodiak requests that the State of Alaska provide information on the statutes and regulations the Department has already claimed can be eliminated or significantly reformed.

CITY OF KODIAK

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MAYOR

ATTEST:

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CITY CLERK

Adopted:

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## MEMORANDUM TO COUNCIL

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**To:** Mayor Branson and City Councilmembers

**From:** Mike Tvenge, City Manager and Nova Javier, City Clerk

**Date:** December 12, 2019

**Agenda Item:** V. d. Appointment of City Representatives to Kodiak Fisheries Work Group

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**SUMMARY:** The Kodiak Fisheries Work Group meets monthly and informally discusses relevant fisheries issues and, when necessary, makes recommendations to the City Council and Borough Assembly. Councilmembers Terry Haines and John Whiddon are the current City's representatives to the FWG.

**PREVIOUS COUNCIL ACTION:**

- 2011- 2015, the Council informally voiced a consensus at work sessions to designate members to serve on the Borough/City Fisheries Subcommittee that later became the Kodiak Fisheries Work Group.
- October 22, 2015, Mayor Branson and Councilmembers Whiddon and Bishop were formally appointed to the FWG until successors were appointed.
- January 11, 2018, the Council adopted Resolution No. 2018-02, which reduced the number of elected officials serving on the FWG from three to two.

**DISCUSSION:** A small working group was established in the summer of 2011 consisting of two Councilmembers, two Assemblymembers, and both the City and Borough managers to develop a Request for Proposals (RFP) for the services of a fisheries analyst. An analyst was hired in December 2011 and the informal group that developed the RFP continued to meet informally with the analyst as the Borough/City Fisheries Subcommittee to identify the best approach to take when dealing with fisheries management issues that affect Kodiak. In 2013, a joint resolution of the Council and Assembly was adopted that identified the group as the Kodiak Fisheries Work Group (FWG), documented the FWG's scope and authority, and decreed the joint work group would consist of three representatives from the Kodiak City Council and three representatives from the Kodiak Island Borough, as well as the City and Borough managers and fisheries analyst as ex-officio, non-voting members. Resolution No. 2018-02 was adopted, which changed the FWG's scope and authority. The resolution also reduced the number of City and Borough Representatives serving on the FWG from three to two. Councilmember Whiddon has served on the group since its inception.

**CITY CLERK'S COMMENTS:** I recommend that all appointments to the Fisheries Work Group be made by motion in order to preserve a documented record of appointments.

**CITY MANAGER'S COMMENTS:** The Fisheries Work Group has a dedicated membership and interested following that provides important information of local and statewide fisheries to the public, and local governing bodies, by identifying fishery management actions that could affect the Kodiak area fisherman. The appointment of two City elected officials to the (FWG) is critical to maintain this information flow.

**ATTACHMENTS:**

Attachment A: Kodiak Fisheries Work Group Roster

**PROPOSED MOTION:**

Move to appointment ELECTED OFFICIAL and ELECTED OFFICIAL to the Kodiak Fisheries Work Group.



KODIAK ISLAND BOROUGH • 710 MILL BAY ROAD, KODIAK, AK 99615

## KODIAK FISHERIES WORK GROUP



	HOME PHONE	WORK PHONE	CELL PHONE	EMAIL
<b>BOROUGH REPRESENTATIVES</b>				
Mr. Rebecca Skinner	512-0467		512-0467	<a href="mailto:rebecca.skinner@kibasassembly.org">rebecca.skinner@kibasassembly.org</a>
Mr. Julie Kavanaugh			942-0058	<a href="mailto:julie.kavanaugh@kibasassembly.org">julie.kavanaugh@kibasassembly.org</a>
<b>Staff: (January to June)</b> Ms. Tara Welinsky (Clerk)		486-9310		<a href="mailto:clerks@kodiakak.us">clerks@kodiakak.us</a>
<b>CITY OF KODIAK REPRESENTATIVES</b>				
Mr. Terry Haines			942-0365	<a href="mailto:thaines@city.kodiak.ak.us">thaines@city.kodiak.ak.us</a>
Mr. John Whiddon (Co-Chair)	486-8130			<a href="mailto:jwhiddon@city.kodiak.ak.us">jwhiddon@city.kodiak.ak.us</a>
<b>Staff: (July to December)</b> Ms. Nova M. Javier, MMC		486-8636		<a href="mailto:clerks@city.kodiak.ak.us">clerks@city.kodiak.ak.us</a>

### CONTACT INFORMATION:

From January to June, contact Borough Clerk's Office.

From July to December, contact City Clerk's Office.



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## MEMORANDUM TO COUNCIL

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**To:** Mayor Branson and City Councilmembers

**From:** Mike Tvenge, City Manager and Nova Javier, City Clerk

**Date:** December 12, 2019

**Agenda Item:** V. e. Recommendation of Appointment of City Applicant to the Planning and Zoning Commission

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**SUMMARY:** Three of the seven seats on the Planning and Zoning Commission are designated as City seats. Out of these three seats, one seat is currently vacant and one seat is to expire 2019. The seat to expire 2019 is currently held by Mr. Joseph Delgado and he expressed his wishes to continue his service and submitted his application. Mr. Delgado was initially interviewed by the Council in May 2019.

**BACKGROUND:** Alaska Statute 29.40.020 provides that an appointment to the Planning and Zoning Commission is made by the Borough Mayor for a three-year term from a list of recommendations submitted by the City Council. Both the City Clerk's Office and the Borough Clerk's Office advertised for the vacant positions. Two applications were received; however, the other applicant is out of town until February 2020 and won't be available for interview.

Historically, the Council has submitted the names of one or more applicants for recommendation of appointment. If the Council has had a preference of who is appointed, this list contained only those name(s).

**ATTACHMENTS:**

Attachment A: Planning and Zoning Application

Attachment B: P&Z Commission Roster

**PROPOSED MOTION:**

Move to recommend Mr. Joseph Delgado for appointment to the vacant City seat on the Planning and Zoning Commission for a term ending December 2022.

**Alise Rice**

---

**From:** noreply@civicplus.com  
**Sent:** Thursday, October 24, 2019 1:53 PM  
**To:** Clerks  
**Subject:** Online Form Submittal: Board Application Form

## Board Application Form

Please complete the online form below. Please be aware that the information given on your application is made available to the public. Staff will require the use of a mailing address, email address, and contact phone number to provide board and meeting information.

---

### PERSONAL INFORMATION

Select the Board, Commission, or Committee applying for      Planning and Zoning Commission

Designated seat or group representation (if applicable):      *Field not completed.*

Full Name      Joseph Paul Delgado

Residence Address      1225 Selief Lane unit 4 Kodiak Alaska 99615

Mailing Address      1225 Selief Lane unit 4 Kodiak Alaska 99615

Email Address (This address will be used for correspondence)      egdelgado64@gmail.com

Home Phone Number (numeric only)      9075127508

Work Number (numeric only)      9075127508

Cell or Fax Number (numeric only)      9075127508

Employer/Occupation      Board of Director

---

### RESIDENCY INFORMATION

Length of residency in Kodiak      10 months

Registered to vote in Kodiak?      Yes

---

### FOR SERVICE AREA BOARD APPLICANTS

Length of Residence in Service Area *Field not completed.*

---

ORGANIZATION MEMBERSHIP INFORMATION

---

Are you currently serving on other Boards, Commissions, or Committees? Yes

If yes, which Consolidation committee

Organizations you belong to or participate in *Field not completed.*

Explain your main reason for applying High interest in helping to build this city into a place that people not only want to stay in but also one that people want to move to.

What background, experience, or expertise will you bring to the board/committee/commission membership? Eight years of transportation planning, numerous years as city and tribal council membership.

Are you available for regular meetings? Yes

Pursuant to KIBC 2.100.070 (A.6) and 4.15.070 (A.7) Other than by expiration of the members term, the assembly shall declare a seat vacant when a member of the board misses three consecutively held rgular meetings and is not excused.

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FOR CLERKS OFFICE STAFF ONLY

---

Registered Voter of the Borough: Y \_\_\_\_\_ N \_\_\_\_\_

Applicant's Residence: Borough \_\_\_\_\_ City \_\_\_\_\_

Date of Appointment

Term Expires On

Appointment Letter

Roster

Oath of Office

APOC POFD Statement: N/A \_\_\_\_\_ Attached \_\_\_\_\_ On File \_\_\_\_\_

Email not displaying correctly? [View it in your browser.](#)



## KODIAK ISLAND BOROUGH

## PLANNING AND ZONING COMMISSION

NAME	TERM	HOME PHONE	CELL PHONE	EMAIL
<b>VACANT (C)</b>	2021	Vacated by Mr. Duane Dvorak		
Kent Cross <b>(B)</b> PO Box 3164 Kodiak, AK 99615	2021	(907) 942-3189	(907) 942-3189	<a href="mailto:kent.cross@kibplanning.org">kent.cross@kibplanning.org</a>
Matthew Novello <b>(B)</b> 3941 Woodland Drive Kodiak, AK 99615	2021	(757) 635-5051	(757) 635-5051	<a href="mailto:novey1@msn.com">novey1@msn.com</a>
Alan Schmitt <b>(C)</b> 3295 Woody Way Loop Kodiak, AK 99615	2020	(907) 486-5314	(907) 942-0435	<a href="mailto:alan.schmitt@kibplanning.org">alan.schmitt@kibplanning.org</a>
Dave Townsend <b>(B) Chair</b> PO Box 9044 Kodiak, AK 99615	2020	None	(907) 654-4123	<a href="mailto:dave.townsend@kibplanning.org">dave.townsend@kibplanning.org</a>
Kyle Blondin <b>(B)</b> 3469 Harlequin Kodiak, AK 99615	2019	(907) 942-3703	(907) 942-3703	<a href="mailto:blondin_builder37@hotmail.com">blondin_builder37@hotmail.com</a>
Joseph Delgado <b>(C)</b> 1225 Selief LN #4 Kodiak, AK 99615	<b>2019</b>	(907) 512-7508	(907) 512-7508	<a href="mailto:egdelgado64@gmail.com">egdelgado64@gmail.com</a>

**INCUMBENT**

**B=Borough Seat**  
**C=City Seat**

This commission is governed by Kodiak Island Borough Code 2.105

**STAFF:**

CDD DIRECTOR, ERIN WELTY	486-9362	<a href="mailto:ewelty@kodiakak.us">ewelty@kodiakak.us</a>
CODE ENFORCEMENT OFFICER, VACANT		
CDD SECRETARY, SHEILA SMITH	486-9363	<a href="mailto:ssmith@kodiakak.us">ssmith@kodiakak.us</a>

COMMUNITY DEVELOPMENT DEPARTMENT  
710 MILL BAY ROAD  
ROOM 202  
KODIAK, AK 99615

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## MEMORANDUM TO COUNCIL

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**To:** Mayor Branson and City Councilmembers

**From:** Mike Tvenge, City Manager and Nova M. Javier, City Clerk

**Date:** December 12, 2019

**Agenda Item:** V. f. Appointment of City Advisory Board Members

---

**SUMMARY:** Several advisory board seats will expire at the end of December. Volunteers were solicited via newspaper advertisements, public service announcements, and City Clerk and department head recruitment efforts. Applications have been received for appointment to the Parks and Recreation Board and the Port and Harbors Advisory Board. Except for the Personnel Board whose appointments are made by the Council, appointments to the other boards are made by the Mayor and confirmed by the Council.

At Tuesday's work session, Mayor Branson and Councilmembers interviewed **new** applicants and considered applications of those that were seeking re-appointment.

**BACKGROUND:** Advisory board members are appointed at the end of each year when terms expire and throughout the year as necessary.

**Future Fire Station Replacement Project Steering Committee.** The Board is comprised of five members; the Mayor, Council member Davidson, and Council member Walker, and two at large seats. There is no residency requirement.

Three applications were received by the packet deadline. The available seats for appointment are:  
2 regular at large seats (no expiration)

Applicants: Scott Arndt  
Justin Thran  
Sarah Harrington

*(Mayor Branson will make her appointment to the Future Fire Station Replacement Project Steering Committee.)*

**Parks and Recreation Advisory Board.** The Board is comprised of seven regular seats, two alternates, and two ex-officio members. Four regular members shall be residents within the Kodiak City limits, and three regular members shall be residents from inside or outside the Kodiak City limits. Two City resident members need to be appointed to regular seats to ensure the residency requirements stipulated in Resolution No. 2011-23 are met. The ex-officio student member shall be endorsed by the student council.

Two applications were received by the packet deadline. The available seats for appointment are:

2 regular seats to expire December 2022

2 alternate seats to expire December 2022

*(Resolution No. 2011–23 specifies other than ex-officio members, appointments shall be for three-year terms)*

Applicants: Derek Hietala (Borough resident)

Alex Tschids (Borough resident)

**Port and Harbors Advisory Board.** The Board is comprised of seven regular seats, two alternates, and one student seat. There is no residency requirement.

Three applications were received by the packet deadline. The available seats for appointment are:

2 regular seats to expire December 31, 2022

2 alternate seats to expire December 31, 2020 (one-year terms)

Applicants: Tim Abena (Incumbent)

David G. Jentry (Incumbent)

Mike Mizell

*(Mayor Branson will make her appointments to the Parks and Recreation and the Port and Harbors Advisory Board.)*

**ATTACHMENTS:**

Attachment A: Future Fire Station Replacement Project Steering Committee Roster and Applications

Attachment B: Parks and Recreation Current Member Roster and Applications

Attachment C: Port and Harbors Current Member Roster and Applications

**PROPOSED MOTION:**

Move to confirm the Mayoral advisory board appointments of

- (APPLICANT AND APPLICANT) to the Future Fire Station Replacement Project Steering Committee
- (APPLICANT AND APPLICANT) to the Parks and Recreation Advisory Board for term(s) to expire 2022
- (APPLICANT AND APPLICANT) to the (Regular Seat/Alternate Seats) to Ports and Harbors Advisory Board for terms to expire (2022/2020)



## Office of the City Clerk

710 Mill Bay Road, Room 110, Kodiak, Alaska 99615

### NEW FIRE STATION STEERING COMMITTEE

Five seats

COMMITTEE MEMBER	HOME	WORK	MAILING ADDRESS
Mayor Pat Branson	486-3641		710 Mill Bay Road, Room 110, Kodiak, AK 99615
Councilmember Charlie Davidson	486-3896		710 Mill Bay Road, Room 110, Kodiak, AK 99615
Councilmember Rich Walker	481-3775		710 Mill Bay Road, Room 110, Kodiak, AK 99615
At-Large Seat (VACANT)			
At-Large Seat (VACANT)			
Staff:			
City Manager Mike Tvenge		486-8040	710 Mill Bay Road, Room 114, Kodiak, AK 99615
Deputy Manager Josie Bahnke		486-8040	710 Mill Bay Road, Room 114, Kodiak, AK 99615

<b>Legislation</b>	<b>Appointments</b>
--------------------	---------------------

Initial committee was formed with the Mayor and two councilmembers.

At the November 12, 2019 work session, the Council agreed to expand membership with additional two members (no city residency requirement).





City Clerk's Office  
710 Mill Bay Road, Rm. 110  
Kodiak, AK 99615  
(907) 486-8636 / (907) 486-8600 (fax)

### ADVISORY BOARD APPLICATION

Scott Arndt  
NAME

481-3745 HOME TELEPHONE    cell 414-791-3745 WORK TELEPHONE    481-3333 FAX    NA EMAIL

3584 Sharotin Road  
RESIDENCE (STREET) ADDRESS

P.O. Box 76 Kodiak  
MAILING ADDRESS

55 years  
LENGTH OF RESIDENCE IN KODIAK

Same  
LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak? Yes [ ] No [X]  
Do you own property in the City of Kodiak? Yes [ ] No [X]

On which boards are you interested in serving?  
(List in order of preference)

New Fire Station Committee

List your areas of expertise and education that would benefit the boards for which you are applying.

over 45 years in the construction field.

over 25 years service on the Borough Engineering and  
Committee

Community Activities: Have served on many Boards + Committees representing the people of Kodiak Island

Professional Activities: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Scott Arndt  
Signature

December 2, 2019  
Date

Return application to City Clerk, 710 Mill Bay Road, Rm. 110, Kodiak, AK 99615  
Fax: 486-8600

RECEIVED

DEC 02 2019



City Clerk's Office  
 710 Mill Bay Road, Rm. 110  
 Kodiak, AK 99615  
 (907) 486-8636 / (907) 486-8600 (fax)

**ADVISORY BOARD APPLICATION**

Justin Thran  
 NAME

775-790-4551  
 HOME TELEPHONE

907-487-5808  
 WORK TELEPHONE

N/A  
 FAX

justin.thran@hotmail.co  
 EMAIL

2490 Spruce Cape Rd. Kodiak AK 99615  
 RESIDENCE (STREET) ADDRESS

Same  
 MAILING ADDRESS

4 yrs  
 LENGTH OF RESIDENCE IN KODIAK

4 yrs  
 LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak?  
 Do you own property in the City of Kodiak?

Yes [ ] No [X]  
 Yes [ ] No [X]

On which boards are you interested in serving?  
 (List in order of preference)

List your areas of expertise and education that would  
 benefit the boards for which you are applying.

Steering Committee- Fire House  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Please See Attached.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Community Activities: Volunteer with Bayside  
Fire/Rescue, Food Bank, Umpiring  
Baseball, Auctioneer at fundraisers -  
Stiles-Clark (USCG), & Discover  
Kodiak, St. Mary's Thrift  
Store, ELKS - Fundraising

Professional Activities: 16 yrs as an FF/EMT  
at both paid & vol depts.  
Naval Reserve - 5yrs - Corpsman  
 \_\_\_\_\_  
 \_\_\_\_\_

Justin Thran  
 Signature

NOV 29th 2019  
 Date

Return application to City Clerk, 710 Mill Bay Road, Rm. 110, Kodiak, AK 99615  
 Fax: 486-8600

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NOV 20 2019

CITY OF KODIAK  
 City Clerk's Office

**Areas of expertise and education:**

**I've volunteered and lived at a multitude of departments. One of which that has 9 stations. I've experienced ones that are lacking the basics, have the bare bone necessities, and others that are nice. I know where we can hold off on some nice to have things to help keep costs down. I can help design a building that has things pre-plumbed for future expansion when money becomes available. I have resources to use to help find out what works best, saves money and how to meet NFPA codes. I have a building background and have an understanding of what expenses are normally.**



City Clerk's Office  
 710 Mill Bay Road, Rm. 110  
 Kodiak, AK 99615  
 (907) 486-8636 / (907) 486-8600 (fax)

**ADVISORY BOARD APPLICATION**

Sarah Harrington  
 NAME

907 942 5472  
 HOME TELEPHONE

WORK TELEPHONE

—  
 FAX

padoda@gmail.com  
 EMAIL

111 E Rezanot Dr.  
 RESIDENCE (STREET) ADDRESS

PO Box 348  
 MAILING ADDRESS

10 years  
 LENGTH OF RESIDENCE IN KODIAK

10 years  
 LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak?  
 Do you own property in the City of Kodiak?

Yes  No   
 Yes  No

On which boards are you interested in serving?  
 (List in order of preference)

List your areas of expertise and education that would  
 benefit the boards for which you are applying.

Fire Station Steering Committee  
Personnel Board  
KIB #2 Commission

Project Management Experience  
on Library and Exhibit Redesign  
at Kodiak History Museum  
Funds Development

Community Activities:

Professional Activities:

Volunteer at St Mary's School

Director of Kodiak History Museum  
Treasurer of Museums Alaska

[Signature]  
 Signature

12/03/19  
 Date

Return application to City Clerk, 710 Mill Bay Road, Rm. 110, Kodiak, AK 99615  
 Fax: 486-8600



## Office of the City Clerk

710 Mill Bay Road, Room 110, Kodiak, Alaska 99615

### PARKS AND RECREATION ADVISORY BOARD

Nine members (including two alternates) from the community chosen to reflect cultural and ethnic diversity, one USCG representative, and one student seat. **Four regular members shall be residents within the Kodiak City limits**, and three regular members shall be residents from inside or outside the Kodiak City limits.

Seats	TERM	BOARDMEMBER	HOME	WORK	MAILING ADDRESS	City/KIB
1	2021	Helm Johnson helm@helmarts.com	539-5014	539-5014	PO Box 261	C
2	2021	Vacant				C
3	2019	Marcus Dunbar mdunbar01@kibsd.org	486-0809	Cell 317-4325	1477 Selief Lane	C
4	2019	Ryan Murdock boneyardsurfing@gmail.com	952-1072		3272 Mill Bay Rd.	C
5	2021	John Butler johnandmoe@gci.net	486-4604	486-3706	PO Box 2610	B
6	2019	Jessica Horn hikeadq@gmail.com	487-2718	Cell 942-0441	665 Sargent Creek Rd.	B
7	2019	John Glover jtgloverkodiak@gmail.com	486-2335	539-7004	521 Sut Larsen Way	B
8	2019 Alternate 1	Domonique Ruiz domoniqueruiz@Outlook.com	942-2062	512-0600	PO Box 8802	B
9	2019 Alternate 2	Vacant				N/A
USCG	2019	Vacant				N/A
STUDENT	2019	Josh Nummer joshnummer@gmail.com	486-0959		1619 Mission road	N/A

Regular terms expire December 31 (three-year terms)

Alternate terms expire December 31 (Resolution No. 2011–23 stipulates other than ex-officio members, terms shall be for three years)

USCG & Student (Recommended by USCG ISC Commanding Officer/KHS Student Council) terms set at appointment

Legislation	Appointments			
	01/12/84	02/26/84	12/13/84	01/10/85
Resolution Number 03–84	06/13/85	12/19/85	01/23/86	01/08/87
Resolution Number 44–86	02/12/87	11/03/87	12/14/87	10/27/88
Resolution Number 2000–4, 01/27/00	12/12/88	10/12/89	01/11/90	12/14/90
Resolution Number 01–7, 02/22/01	01/09/92	03/12/92	05/14/92	07/09/92
Resolution Number 04–25, 07/08/04	01/14/93	01/27/94	02/10/94	03/10/94
Resolution Number 2011–23, 08/25/2011	09/22/94	12/22/94	10/05/95	12/14/95
	10/24/96	12/12/96	12/11/97	12/10/98
	01/26/99	02/25/99	02/10/00	02/22/01
<b>[Clerk’s Note: The alternates do not make motions or vote unless regular member(s) are absent.]</b>	05/24/01	12/13/01	02/28/02	05/09/02
	07/24/03	02/26/04	01/13/05	08/24/06
	12/14/06	12/13/07	02/28/08	02/12/09
	06/24/10	08/26/10	12/9/10	01/13/11
	09/22/11	2/23/12	08/09/12	8/23/12
	12/13/12	02/28/13	06/27/13	12/12/13
	2/14/14	12/10/15	09/8/16	1/12/17
	05/10/18	9/27/18	1/10/19	



City Clerk's Office  
 710 Mill Bay Road, Rm 216  
 Kodiak, AK 99615  
 (907) 486-8636 \* (907) 486-8600 (fax)

**Advisory Board Application Form**

DEREK HIETALA

**SAML**

231-392-6765

HOME TELEPHONE

907-487-5487

WORK TELEPHONE

N/A

FAX

TODKHIETALA@YAHOO.COM

EMAIL

2453 SPRUCE LAKE RD KODIAK, AK

RESIDENCE (STREET) ADDRESS

2453 SPRUCE LAKE RD

MAILING ADDRESS

**KODIAK, AK 99615**

5 yrs

LENGTH OF RESIDENCE IN KODIAK

5 yrs

LENGTH OF RESIDENCE IN ALASKA

**Are you a registered voter in the City of Kodiak?  
 Do you own property in the City of Kodiak?**

Yes  No  
 Yes  No

**On which boards are you interested in serving?  
 (Please list in order of preference)**

**Please list your areas of expertise and education that  
 would benefit the boards for which you are applying.**

PARKS AND RECREATION

20 yrs of MILITARY EXPERIENCE

**Community Activities:**

HOCKEY

T-BALL

**Professional Activities:**

USCG MEMBER ACTIVE DUTY

USCG CHIEF PETTY OFFICERS ASSOCIATION MEMBER

SIGNATURE

DATE

Return application to City Clerk, 710 Mill Bay Road, Room 216, Kodiak, AK 99615  
 Fax 486-8600

Revised: June 2009

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NOV 08 2019

CITY OF KODIAK  
 City Clerk's Office



City Clerk's Office  
 710 Mill Bay Road, Rm 219  
 Kodiak, AK 99615  
 (907) 486-8636 \* (907) 486-8633 (fax)

**Advisory Board Application Form**

Alex Tschida  
 NAME  
253-722-6205 907-487-5313 ext 6412 alex.j.tschida@uscg.mil  
 HOME TELEPHONE WORK TELEPHONE FAX EMAIL

8114 A Point Sherman Dr  
 RESIDENCE (STREET) ADDRESS

8114 A Point Sherman Dr **KODIAK, AK 99615**  
 MAILING ADDRESS

10 Years  
 LENGTH OF RESIDENCE IN KODIAK

10 Years  
 LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak?  
 Do you own property in the City of Kodiak?

Yes  No *I assume No is correct, my Polling location is in Bells Flats*  
 Yes  No

On which boards are you interested in serving?  
 (Please list in order of preference)

Please list your areas of expertise and education that would benefit the boards for which you are applying.

Parks and Recreation  
Advisory Board

Besides enjoying the outdoors, none

Community Activities: I volunteer  
at Peterson Elementary

Professional Activities: Information Systems  
Technician with the USCG and I  
have a BS in Information Systems  
Technology.

[Signature]  
 SIGNATURE

10/20/19  
 DATE

Return application to City Clerk, 710 Mill Bay Road, Room 219, Kodiak, AK 99615  
 Fax: 486-8633

Revised: December 2016

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 OCT 24 2019  
 CITY OF KODIAK  
 City Clerk's Office



## Office of the City Clerk

710 Mill Bay Road, Room 219, Kodiak, Alaska 99615

### PORT AND HARBORS ADVISORY BOARD

Seven regular seats, two alternates, and one student seat

TERM	BOARDMEMBER	HOME	WORK or CELL	FAX	MAILING ADDRESS
2020	Marty Owen kodiakowen@gmail.com	486-5079	654-8150		1223 Kouskov, St.
2020	Jake Everich jeverich@gmail.com	401-742-9187	same		3932 Wolverine Way, Unit 1
2020	Nick Szabo herschel@gci.net	486-3853	486-3853	486-3853	P.O. Box 1633
2021	Patrick O'Donnell gwfisheries@yahoo.com	486-2683	539-5296	486-2683	P.O. Box 3075
2021	Oliver Holm chicken@gci.net	486-6957		N/A	P.O. Box 8749
2019	Stormy Stutes stutes@gci.net	486-8757	942-2121	486-8709	2230 Monashka Way
2019	Norm Lenon rymar@gci.net	512-0752	942-3593		522 Sut Larsen Way
2019 *Alternate 1	Tim Abena timabena@aol.com	486-3290	360-957-3200	486-3290	3103 Mill Bay Rd
2019 *Alternate 2	David Jentry dwjentry@gci.net	486-5205	486-5205		3622 Otmeloi Way
Student (ex-officio)	VACANT				

Regular terms expire December 31 (three-year terms)

Alternate terms expire December 31 (one-year terms)

Student term expires May 31 (one-year term)

#### Legislation

Resolution Number 49–81  
 Resolution Number 44–86  
 Resolution Number 54–87  
 Resolution Number 05–94  
 Resolution Number 98–32  
 Resolution Number 2011-24  
**\*[Clerk's Note: The alternates do not make motions or vote unless regular member(s) are absent.]**

#### Appointments

11/03/87	12/14/87	10/27/88
12/12/88	10/12/89	01/11/90
02/22/90	12/14/90	01/09/92
03/12/92	01/14/93	01/27/94
02/10/94	09/22/94	12/22/94
10/05/95	12/14/95	12/12/96
12/11/97	12/10/98	02/10/00
02/22/01	05/24/01	12/13/01
09/12/02	01/23/03	01/22/04
01/13/05	12/15/05	12/14/06
12/13/07	02/12/09	12/11/09
12/9/10	12/8/11	12/13/12
12/12/13	1/8/15	12/10/15
1/12/17	3/23/17	4/27/17
2/8/18	1/10/19	







City Clerk's Office  
710 Mill Bay Road, Rm. 219  
Kodiak, AK 99615  
(907) 486-8636 / (907) 486-8600 (fax)

### ADVISORY BOARD APPLICATION

DAVID JENTRY  
NAME

907-486-5205  
HOME TELEPHONE

SAME  
WORK TELEPHONE

T  
FAX

DWJENTRY@GOI.NET  
EMAIL

3622 OTMELDI WAY  
RESIDENCE (STREET) ADDRESS

P.O. BOX 3128  
MAILING ADDRESS

40 yrs  
LENGTH OF RESIDENCE IN KODIAK

40 yrs  
LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak?

Yes  No

Do you own property in the City of Kodiak?

Yes  No

On which boards are you interested in serving?  
(List in order of preference)

P&H BOARD

List your areas of expertise and education that would benefit the boards for which you are applying.

Community Activities: \_\_\_\_\_

Professional Activities: \_\_\_\_\_

David A. Jentry  
Signature

10-14-2019  
Date

Return application to City Clerk, 710 Mill Bay Road, Rm. 219, Kodiak, AK 99615  
Fax: 486-8600

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OCT 16 2019



**City Clerk's Office**  
 710 Mill Bay Road, Rm 219  
 Kodiak, AK 99615  
 (907) 486-8636 \* (907) 486-8633 (fax)

### Advisory Board Application Form

Mike Mizell  
 NAME

516.206.7622 907.486.4701 N/A mizellsolutionsllc@gmail.com  
 HOME TELEPHONE WORK TELEPHONE FAX EMAIL

217 W. Hillcrest - Kodiak, AK 99615  
 RESIDENCE (STREET) ADDRESS

1110 Rezard Dr W **KODIAK, AK 99615**  
 MAILING ADDRESS

7 years 7 years  
 LENGTH OF RESIDENCE IN KODIAK LENGTH OF RESIDENCE IN ALASKA

**Are you a registered voter in the City of Kodiak?**  
**Do you own property in the City of Kodiak?**

Yes  No  
 Yes  No

**On which boards are you interested in serving?**  
**(Please list in order of preference)**

**Please list your areas of expertise and education that would benefit the boards for which you are applying.**

Ports & Harbor

Bachelors - Virginia Wesleyan University  
40 years in Steamship business

**Community Activities:**

**Professional Activities:**

Sponsor - KHS Booster  
Member - Kodiak Chamber  
Member - Kodiak EIKS

[Signature]  
 SIGNATURE

10.17.19  
 DATE

Return application to City Clerk, 710 Mill Bay Road, Room 219, Kodiak, AK 99615  
 Fax: 486-8633

RECEIVED

OCT 21 2019

CITY OF KODIAK  
 City Clerk's Office