

City of Kodiak Regular Council Meeting Agenda for January 23, 2020
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 January 9, 2020, Regular Council Meeting.....1

- III. Persons to Be Heard**
 - a. Applauding the USCG and Proclaiming USCG Appreciation Day.....6
 - b. Public Comments (limited to 3 minutes) (486-3231)

- IV. Unfinished Business**

- V. New Business**
 - a. First Reading, Ordinance No. 1392, Authorizing a 25-Year Lease of Certain Real Property in Trident Basin to Redemption, Inc. D/B/A Island Air Service.....8
 - b. Resolution No. 2020-03, Rescinding Resolution No. 2014-36 and Reestablishing a Records Retention Schedule.....25
 - c. Resolution No. 2020-04, Adopting a FY2021 State Capital Improvement Program List.....65
 - d. Resolution No. 2020-05, Adopting the Federal Fiscal Year 2020 Federal Issues List and Fiscal Year 2021 Federal Capital List.....71
 - e. Authorization to Award a Supply Agreement for Community Jail Meals to MEA Enterprises (dba KFC Taco Bell of Kodiak) and Sealko, Inc (dba Subway of Kodiak) ..78

- 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, JANUARY 9, 2020
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. Randall C. Bishop, Terry J. Haines, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. Councilmembers Laura B. Arboleda and Charles E. Davidson were 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 December 12, 2019, regular meeting as presented.

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

III. PERSONS TO BE HEARD

a. Public Comments

Jonathan Strong, Kodiak Area Mentor Program (KAMP) President, thanked the Mayor and Council for the non-profit grant funds that were awarded last year. He provided an update on the spending of funds for the program. He said they have provided safe and sober housing, outreach, and addiction and case management services. He provided statistics for the services. He stated the program is staffed with volunteers and he introduced the new President Shawn Olsen of KAMP.

Darren Byler, via telephone, spoke of his dissatisfaction regarding the Wild Alaskan. He said he would like the Mayor and Council to know the details of the case and stated that he wants to settle this case instead of going into litigation.

IV. UNFINISHED BUSINESS

a. Second Reading and Public Hearing 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

Mayor Branson read Ordinance No. 1391 by title. 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 re-

quest 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. The fine schedule has been updated.

Councilmember Walker MOVED to adopt Ordinance No. 1391.

Mayor Branson closed the regular meeting, opened and closed the public hearing when no one came forward to testify, and reopened the regular meeting.

Councilmember Whiddon stated he was pleased with the adoption of the ordinance and he indicated that it will resolve citizen concerns that have been brought to his attention.

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

V. NEW BUSINESS

a. Resolution No. 2020–01, Appropriating \$56,300 of Unassigned Fund Balance of the Streets Improvement Fund and Authorizing the Purchase of Above Ground Fuel Dispensing Tanks to Greer Tank, Inc.

Mayor Branson read Resolution No. 2020–01 by title. The City of Kodiak accepted sealed bids for the Above Ground Fuel Dispensing Tanks to be located at the City Public Works facility. The date of invitation began on November 1, 2019, and closed at 3 p.m. on December 2, 2019. The City received two bids. The lowest responsive bidder was Greer Tank, Inc. Greer Tank, Inc. bid \$86,300 for two above ground fuel dispensing tanks shipped to Kodiak, Alaska. Staff recommends Council authorize the award and purchase to Greer Tank, Inc. in the amount of \$86,300.

Councilmember Bishop MOVED to adopt Resolution No. 2020–01.

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

b. Resolution No. 2020-02 Accepting a Department of Labor and Workforce Development Grant for Hazelden Betty Ford Foundation Training for the Kodiak Police Department

Mayor Branson read Resolution No. 2020–02 by title. The Kodiak Police Department is seeking training for our department members to help mitigate the opioid crisis in Kodiak. They will be using trainers from the Hazelden Betty Ford Foundation for a one-day course, “Creating and Sustaining a Culture of Recovery”, and a three-day course, “Trauma-Informed Care” to achieve its community-wide opioid-reduction campaign. The goals are developing an understanding of implicit biases associated with opioid users, the Cycle of Conditioning and its impact on a culture of recovery, identifying opportunities to interrupt the cycle of conditioning to build a culture of recovery, and using recovery-enhancing language. In addition, department members will be

trained to identify principles of care related to trauma as it applies to those struggling with opioid addiction within personal, employment, and historical experiences.

Councilmember Bishop MOVED to adopt Resolution No. 2020-02.

Councilmember Whiddon stated that the report from KAMP was timely and he thanked Chief of Police Putney for obtaining the grant.

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

c. Recommendation of Appointment to the Planning and Zoning Commission City Seat

Three of the seven seats on the Planning and Zoning Commission are designated as City seats. There is currently one City seat that is vacant for a term to expire December 2021. Applications were received from Sarah Harrington and Tracy Denise Craig. 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.

Councilmember Haines MOVED to recommend Sarah Harrington for appointment to the vacant City seat on the Planning and Zoning Commission for a term ending December 2021.

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

d. Appointment of City Advisory Board Members

Several advisory board seats 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 Future Fire Station Replacement Project Steering Committee, 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.

Mayor Branson stated her appointments as follows:

Scott Arndt and Sarah Harrington to the Future Fire Station Replacement Project Steering Committee; Stephanie Wyszowski to the Parks and Recreation Advisory Board for the City regular seat for term to expire 2022; John Glover and Jessica Horn to the Parks and Recreation Advisory Board seats for terms to expire 2022; Alex Tschida and Carmel Carty to the Parks and Recreation Advisory Board alternate seats for terms to expire 2022; Derek Hietala to the Parks and Recreation Advisory Board US Coast Guard Seat; Mike Mizell and Norm Lennon to the Regular Seats Ports and Harbors Advisory Board for terms to expire 2022; Tim Abena and David Jentry to the Ports and Harbors Advisory Board for the Alternate Seats for terms to expire 2020

Councilmember Whiddon MOVED to confirm the Mayoral appointments as stated.

Councilmember Haines thanked Mayor Branson for her appointments and he thanked all the volunteers that were willing to serve on an advisory board.

Councilmember Whiddon thanked the Parks and Recreation advisory board volunteers and stated it was clear during the interviews that individuals were engaged and involved; he congratulated and commended the Parks and Recreation Director Gronn.

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

VI. STAFF REPORTS

a. City Manager

Manager Tvenge asked the public to move their parked vehicles from the City streets for snow plowing and to be cautions around plows. He shared that there will be a public meeting in the future for the tenant leases at the municipal airport. He said the fiscal audit is complete and with be forthcoming and scheduled at an upcoming meeting. He cautioned the public that there are bears still roaming the City and to be bear aware.

b. City Clerk

City Clerk Javier informed the public of the next scheduled Council work session and regular meeting. She said the City offices will be closed on January 20, 2020 in observance of Martin Luther King Jr. She included the dates and times for the planning work session, future fire station meeting, and the next Fisheries Work Group meeting.

VII. MAYOR’S COMMENTS

Mayor Branson thanked everyone that applied and volunteered their time for the advisory boards. She thanked the Public Works department for their work and abundance of snow plowing that has occurred. She stated she does not typically use the dais to provide sympathies; however, she said F/V Scandies Rose she said it has affected the community and families and she provided her condolences. She said that the Board of Fish meetings begin on January 11 and there will be a reception at the Afognak building that evening. She said we are a fishing community and encouraged citizens to make that know during their attendance.

VIII. COUNCIL COMMENTS

Councilmember Walker thanked the Chief Putney for obtaining the grant and funding for the City. He thanked the advisory board volunteers and said he hoped there was a good turnout at the Board of Fish meetings.

Councilmember Whiddon gave his condolences to the F/V Scandies Rose crew and family. He said this tragedy has affected many within the community and he thanked the USCG for their service and doing what they do best.

Councilmember Bishop thanked Public Works for their work during the snow to keep the roads clear and he thanked the advisory board volunteers. He said their contribution improves the quality of life in the community. He encouraged public participation at the Council’s work session on January 21 when they discuss marijuana edibles.

Councilmember Haines encouraged citizens to attend and make comments at the Board of Fish meetings. He said the topics that will be discussed will have impact to the Kodiak community.

IX. AUDIENCE COMMENTS

Alan Schmitt thanked the Council for adopting Ordinance No. 1391. He said that snow plowing bring the point that vehicles are not for long term parking on the street. He said he believes citizens have a high quality of life in Kodiak and he appreciates Mayor and Council’s contributions.

Darren Byler via telephone shared his proposal for a settlement and voiced his request to regain the Wild Alaskan vessel.

X. ADJOURNMENT

Councilmember Whiddon MOVED to adjourn the meeting.

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

The meeting adjourned at 8:09 p.m.

CITY OF ODIAK

MAYOR

ATTEST:

CITY CLERK

Minutes Approved:

PERSONS TO BE HEARD

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MEMORANDUM TO COUNCIL

Date: January 23, 2020

Agenda Item: III. a. Proclamation: Applauding the USCG and Proclaiming USCG Appreciation Day

SUMMARY: This proclamation urges all citizens to recognize our Coast Guard community for their individual and collective efforts in making Kodiak and all the navigable waters of Alaska a safer and better place to live, work, and play. The City applauds and proclaims February 7, 2020, as Coast Guard Appreciation Day.

ATTACHMENTS:

Attachment A: Proclamation: Applauding the USCG and Proclaiming USCG Appreciation Day

PROCLAMATION

Applauding the United States Coast Guard Presence in Kodiak

WHEREAS, the citizens of Kodiak wish to acknowledge and honor the men and women of the United States Coast Guard; and

WHEREAS, members of the Coast Guard are our friends and neighbors who contribute their time and talents to the well-being of our community; and

WHEREAS, we are deeply grateful to the men and women of the Coast Guard, and their families, for their sacrifices and devotion to duty, which preserve the safety of our country, our State, our fishermen, and the boating public; and

WHEREAS, the Kodiak community will gather on Friday, February 7, 2020, in a celebration to honor and thank all members of the Coast Guard and their families.

NOW, THEREFORE, I, Pat Branson, Mayor of the City of Kodiak, Alaska, do hereby proclaim February 7, 2020, as

Coast Guard Appreciation Day

in Kodiak and urge Kodiak residents to recognize our Coast Guard community for their individual and collective efforts in making Kodiak and all the navigable waters of Alaska a safer and better place to live, work, and play. To the men and women of the United States Coast Guard—WE APPLAUD YOU.

Dated this 23rd day of January 2020.


City of Kodiak

Pat Branson, Mayor

NEW BUSINESS

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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Mike Tvenge, City Manager 
Thru: Josie Bahnke, Deputy City Manager
Date: January 23, 2020

Agenda Item: V. a. **First Reading, Ordinance No. 1392, Authorization of a 25-Year Lease of Certain Real Property in Trident Basin to Redemption, Incorporated d/b/a Island Air Service**

SUMMARY: Island Air has leased two parcels of land at the Trident Basin Float Plane facility since the summer of 2011. In November 2019, the City received a request to expand the lease agreement in connection with its merger of operations with Andrew Airways, Inc. The proposed lease agreement includes two smaller parcels used for the placement of company aircraft fueling tanks. The larger parcels are used for the company's flight crew and customers. Staff recommends Council pass Ordinance No. 1392 in the first reading and move to second reading and public hearing at the next regular or special meeting. This ordinance will authorize the twenty-five year lease with Redemption Inc. d/b/a Island Air Service (Attachment B).

PREVIOUS COUNCIL ACTION: In previous years Council has approved leases to other air taxi services for both office buildings and fuel facilities at Trident Basin.

DISCUSSION: Island Air Service initiated a request to lease additional property at Trident Basin Float Plane Facility in November 2019. Negotiations were held with the business owners of Redemption Inc. d/b/a Island Air Service including a survey and legal descriptions to prepare the lease documents.

Because of building code and fire code requirements, any building needs to be separated from the fuel tanks by a minimum of 25 feet. The building lease sites are approximately 2,539 and 2,700 square feet respectively.

Based on a recent appraisal completed by MacSwain Associates, annual market rent is estimated to be \$23,700 and the lease was constructed with that value in addition to a 2% annual rent increase beginning July 1, 2020 and each subsequent July 1. City Council may adjust the annual rent every five years in accordance with Kodiak City Code 18.20.220.

ALTERNATIVES:

- 1) Pass Ordinance No. 1392, which will authorize the lease with Redemption Inc. d/b/a Island Air Service as identified in the attached lease and drawing (Attachment B), which is staff's recommendation, because ongoing leases at the City's airports are supported by Council and enhance revenues for the airports.
- 2) Do not authorize Ordinance No. 1392. This is not recommended, because the goal of the Trident Basin Float Plane Facility is to support stability and future growth of the facility.

FINANCIAL IMPLICATIONS: The revenues from the lease will improve revenues in the Trident Basin Airport Enterprise Fund.

LEGAL: The lease proposal was discussed and drafted by the City Attorney. The lease must be approved by ordinance because the term is for more than five years and the revenue is more than \$30,000.

STAFF RECOMMENDATION: Staff recommends approval of the renewal of the attached upland lease at Trident Basin to Redemption Inc. d/b/a Island Air Service as described in the attached drawing and lease documents for twenty-five years.

CITY MANAGER'S COMMENTS: Island Air Service wishes to expand their lease of uplands and a fuel easement with the City at Trident Basin where they have been doing business since 2011. They have worked with staff and want to renew their lease agreement for twenty-five years. I support staff's recommendation. Island Air Service has been a good tenant, and I believe the terms of this agreement continue to benefit both the City and Island Air Service.

ATTACHMENTS:

Attachment A: Ordinance No. 1392

Attachment B: Lease Agreement and location of current leased area site map

Attachment C: Application for Lease and Letter of Request

PROPOSED MOTION:

Move to pass Ordinance No. 1392 in first reading and advance to second reading and public hearing at the next regular or special Council meeting.

**CITY OF KODIAK
ORDINANCE NUMBER 1392**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK AUTHORIZING A 25-YEAR LEASE OF CERTAIN REAL PROPERTY IN TRIDENT BASIN TO REDEMPTION, INC. D/B/A ISLAND AIR SERVICE

WHEREAS, Redemption, Inc. d/b/a Island Air has applied for a 25-year lease of certain real property in Trident Basin; and

WHEREAS, Redemption desires the lease in connection with its merger of operations with Andrew Airways, Inc., and

WHEREAS, Redemption, Inc. is the current occupant of part of the desired premises; and

WHEREAS, Andrew Airways, Inc. is the current occupant of the remainder of the desired premises; and

WHEREAS, the Council finds that issuing the lease will facilitate economic development through improved air service;

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

Section 1: Approval of Lease. Pursuant to Kodiak City Code 18.20.110(b), lease of the property at market value in accordance with the terms of Lease Agreement No. 247776 is approved.

Section 2: Approval of Term Extension and Assignment. Pursuant to Kodiak City Code 18.20.240 and 18.20.340, assignment from Andrew Airways, Inc. to Redemption, Inc. of that certain Lease Agreement between the City of Kodiak and Andrew Airways Inc. dated December 1, 2007 (authorized by Ord. No. 1229) is hereby authorized and upon such assignment, extension of the term of that lease through June 30, 2045 is also authorized.

Section 3: Authorization. The form and content of the lease agreement between the City and Redemption Inc. d/b/a Island Air Service, hereby are in all respects authorized, approved, and confirmed; and the City Manager hereby is authorized, empowered, and directed to execute and deliver the lease agreement to Redemption, Inc., d/b/a Island Air Services, on behalf of the City, in substantially the form and content now before this meeting but with such changes, modifications, additions, and deletions therein as he shall deem necessary, desirable, or appropriate, the execution thereof to constitute conclusive evidence of approval of any and all changes, modifications, additions, or deletions therein from the form and content of said document now before this meeting, and from and after the execution and delivery of said document, the City Manager hereby is authorized, empowered, and directed to do all acts and things and to execute all documents as may be necessary to carry out and comply with the provisions of the lease agreement as executed.

Section 4: Effective Date. As provided in Section V-17 of the Charter of the City of Kodiak, if one or more referendum petitions with signatures are properly filed within one month after the passage and publication of this ordinance, this ordinance shall not go into effect until the petition or petitions are finally found to be illegal and/or insufficient, or, if any such petition is found legal and sufficient, until the ordi-

nance is approved at an election by a majority of the qualified voters voting on the question. If no referendum petition with signatures is filed, 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:

LEASE AGREEMENT NO. 247776
REDEMPTION, INC

THIS LEASE AGREEMENT by and between the CITY OF KODIAK, an Alaska municipal corporation (“Lessor”), whose address is 710 Mill Bay Road, Kodiak, Alaska 99615, and REDEMPTION, INC. d/b/a Island Air Service (“Lessee”), whose address is 1420 Airport Way, Kodiak, Alaska 99615, provides as follows:

1. Premises. Upon the terms and conditions herein set forth and subject to the prompt payment and performance by Lessee of each and every sum and other obligation hereinafter referred to, the Lessor does hereby lease, let, and demise to the Lessee, and the Lessee does hereby lease from the Lessor that certain property located within the Kodiak Recording District, State of Alaska:

A. Located within Tract F, U.S. Survey 2261 & U.S. Survey 4947, per plat 2008-17, Kodiak Recording District, Kodiak, Alaska.

Commencing at Corps of Engineers Monument “TDB-121 Reset,” a 2” aluminum cap monument found, from which Corps of Engineers Monument “TDB-119” Bears S 24°02’ 19” W 1,046.71 feet. This being the Basis of Bearing for this description.

Thence S 24° 59’ 08” W, 543.05 feet to the True Point of Beginning;

Thence S 32° 35’ 42” W, 34.00 feet;

Thence S 57° 24’ 18” E, 13.33 feet;

Thence N 32° 35’ 42” E, 26.82 feet;

Thence N 52° 57’ 50” E, 15.55 feet;

Thence S 61° 25’ 43” E, 60.25 feet;

Thence N 28° 34’ 17” E, 2.00 feet;

Thence N 61° 25’ 43” W, 62.54 feet;

Thence N 28° 34’ 17” E, 5.05 feet;

Thence S 52° 57’ 50” W, 15.22 feet

Thence N 57° 24’ 18” W, 10.66 feet to the true point of beginning.

Containing approximately 638 sq. feet.

B. Located within Tract F, U.S. Survey 2261 & U.S. Survey 4947, per plat 2008-17, Kodiak Recording District, Kodiak, Alaska.

Commencing at Corps of Engineers Monument “TDB-121 Reset,” a 2” aluminum cap monument found, from which Corps of Engineers Monument “TDB-119” Bears S 24° 02’ 19” W 1,046.71 feet. This being the Basis of Bearing for this description.

Thence S 25° 27’ 40” W, 426 feet to the true point of beginning;

Thence S 26° 48’ 21” W, 78.00 feet;

Thence S 63° 11’ 39” E, 35.00 feet;

Thence N 26° 48’ 21” E, 78.00 feet:

Thence N 63° 11’ 39” W, 35.00 feet to the true point of beginning.

Containing approximately 2,730 sq. feet.

C. Located within Tract F, U.S. Survey 2261 & U.S. Survey 4947, per plat 2008-17, Kodiak Recording District, Kodiak, Alaska.

Commencing at Corps of Engineers Monument "TDB-121 Reset," a 2" aluminum cap monument found, from which Corps of Engineers Monument "TDB-119" Bears S 24° 02' 19" W 1,046.71 feet. This being the Basis of Bearing for this description.

Thence S 26° 48' 22" W, 353.33 feet to the true point of beginning;

Thence S 26° 48' 21" W, 72.55 feet;

Thence S 63° 11' 39" E, 35.00 feet;

Thence N 26° 48' 21" E, 72.55 feet;

Thence N 63° 11' 39" W, 35.00 feet to the true point of beginning.

Containing approximately 2,539 sq. feet.

D. Located within Tract F, U.S. Survey 2261 & U.S. Survey 4947, per plat 2008-17, Kodiak Recording District, Kodiak, Alaska.

Commencing at Corps of Engineers Monument "TDB-121 Reset," a 2" aluminum cap monument found, from which Corps of Engineers Monument "TDB-119" Bears S 24° 02' 19" W 1,046.71 feet. This being the Basis of Bearing for this description.

Thence S 23° 38' 03" W, 319.28 feet to the true point of beginning;

Thence S 25° 27' 08" W, 10.00 feet;

Thence S 64° 32' 52" E, 10.00 feet;

Thence N 25° 27' 08" E, 10.00 feet;

Thence N 64° 32' 52" W, 10.00 feet to the true point of beginning.

Containing approximately 100 sq. feet.

E. Collectively, these leased premises are hereinafter referred to as the "Site" and are subject to easements, covenants, and restrictions of record.

2. Term. This Lease shall continue in effect for a period of 25 years, from February 1, 2020, through June 30, 2045, unless earlier terminated in accordance with the terms of this Lease.

3. Rent.

A. *Monthly Rent.* On the first day of each month, Lessee shall pay, as rent, an amount equal to 1/12 of the Annual Rent amount then in effect.

B. *Initial Annual Rent and Adjustment.* The Site was appraised to have an Annual Rent of \$23,700. This amount shall be the Annual Rent from February 1, 2020 through June 30, 2020. The Annual Rent shall increase by 2% on July 1, 2020 and by an additional 2% over the previous year's Annual Rent on each subsequent July 1; provided, however, that the City Council may adjust the Annual Rent every five years in accordance with Kodiak City Code 18.20.220.

C. *Late Payment.* If a monthly installment is not paid by the fifth of the month in which it becomes due, a penalty of \$30 will be added to the rental amount, and, in

addition, simple interest shall accrue and be added to the rental amount at the rate of 12% per annum from the due date until paid.

D. *Holdover Rent.* Should Lessee not vacate the Site at the end of the term, the monthly rent during any holdover tenancy shall be equal to 150% of monthly rent amount for the last month of the original term of the lease.

4. **Use of Site.** The Site shall be used solely as an aviation facility in accordance with Lessee's application for this Lease and Kodiak City Code 18.20.210. Lessee's occupancy and use shall further be subject to any tariff adopted by the City of Kodiak City Council regulating the use of the Trident Basin Seaplane Base.

5. **Availability of Service.** Lessee shall operate its aviation facility at the Site as a first-class business of high quality and public service.

6. **Parties Interested Herein.** Nothing in this Lease, express or implied, is intended or shall be construed to give to any person, other than Lessor, any right, remedy or claim under or by reason of this Lease.

7. **Improvements.** Lessor shall have the right to make additions, alterations, or improvements to the Site which will not impede Lessee's access to or use of the Site. Lessee shall have the right to erect or construct a suitable building and/or associated structure(s) necessary for its aviation facility. Any improvements constructed by Lessee shall be consistent with the limited use of the Site authorized by this Lease and shall be constructed at Lessee's expense. Upon termination of this Lease, such improvements shall become the property of Lessor or, at Lessee's option, removed by Lessee at its sole expense.

8. **Maintenance.** Except as otherwise specifically provided herein, the Lessee shall, at all times and at its sole expense, keep and maintain the Site in good repair, and in neat, orderly, and slightly condition. Lessee shall not cause or permit any litter, debris, or refuse to be accumulated or stored upon the Site and shall promptly remove all such materials without cost to Lessor.

9. **Insurance/Indemnification.** The Lessee shall not commence with use of the Site until the Lessee has obtained the insurance required under this Lease. All coverage shall be with insurance carriers licensed and admitted to do business in the State of Alaska. All coverage shall be with carriers acceptable to Lessor. The required lines and limits of insurance are as follows:

A. *General Liability Insurance.* The Lessee shall procure and maintain during the life of this agreement, general liability insurance on an "occurrence basis" with limits of liability not less than \$1,000,000 per occurrence, personal injury, bodily injury and property damage. The minimum aggregate limit shall be \$2,000,000.

B. *Motor Vehicle Liability Insurance.* The Lessee shall procure and maintain during the life of this agreement, motor vehicle liability insurance, including all applicable no fault coverages, with limits of liability of not less than \$1,000,000 per occurrence combined single limit.

C. *Workers Compensation Insurance.* The Lessee shall procure and maintain during the life of this agreement, workers compensation insurance, including employer's liability coverage, in accordance with all applicable statutes of the State of Alaska.

D. *Pollution Liability Insurance.* The Lessee shall procure and maintain during the life of this agreement, pollution liability insurance, on an "occurrence basis" with limits of liability not less than \$1,000,000 per occurrence.

E. *Umbrella Liability Insurance.* The Lessee shall procure and maintain during the life of this agreement umbrella liability insurance, not less than \$5,000,000 combined single limit per occurrence and aggregate for bodily injury and property damage claims arising from all operations related to this contract.

F. *Additional Insured & Waiver of Subrogation.* Except for Worker's Compensation Insurance, all insurance policies shall include an endorsement stating the following shall be Additional Insured and waiving any claim for subrogation: The City of Kodiak, its elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof. This coverage shall be primary to the Additional Insured, and not contributing with any other insurance or similar protection available to the Additional Insured, whether the other available coverage be primary, contributing or excess.

G. *Cancellation Notice.* All insurance policies, as described above, shall include an endorsement stating the following: "Sixty (60) days advance written notice of cancellation, non-renewal, reduction and/or material change shall be sent to: City of Kodiak.

10. **Environmental.**

A. For purposes of this section:

(i) "Environmental Requirement" shall mean any law, regulation, or legal requirement relating to health, safety or the environment, now in effect or hereinafter enacted, including without limitation the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), the Toxic Substances Control Act (TSCA), the Federal Insecticide Fungicide and Rodenticide Act (FIFRA), the Resource Conservation and Recovery Act (RCRA), the Clean Air Act (CAA) and the Clean Water Act (CWA), the Occupational Safety and Health Act (OSHA) and all similar state and local laws, rules, regulations, and guidance, now in existence or hereinafter enacted, as each such law, rule, or regulation may be amended from time to time.

(ii) "Environmental Hazard" shall mean Hazardous Materials (as defined hereinafter), or the storage, handling, production, disposal, treatment, or release thereof.

(iii) "Hazardous Material" shall mean

(a) any hazardous waste, any extremely hazardous waste, or any restricted hazardous waste, or words of similar import, as defined in the Resource Conservation and Recovery Act (42 USC §6901 *et seq.*),

(b) any hazardous substances as defined in the Comprehensive Environmental Response, Compensation and Liability Act (42 USC §9601 *et seq.*),

(c) any toxic substances as defined in the Toxic Substances Control Act (15 USC §2601 *et seq.*),

(d) any pollutant as defined in the Clean Water Act (33 USC §1251 *et seq.*),

(e) gasoline, petroleum, or other hydrocarbon products or by-products,

(f) asbestos, and

(g) any other materials, substances, or wastes subject to environmental regulation under any applicable federal, state, or local law, regulation, or ordinance now or hereafter in effect.

(iv) "Environmental Liabilities" shall mean any liability, penalties, fines, forfeitures, demands, damages, losses, claims, causes of action, suits, judgments, and costs and expenses incidental thereto (including cost of defense, settlement, reasonable attorneys fees, reasonable consultant fees, and reasonable expert fees), arising from or based on (I) environmental contamination or the threat of environmental contamination or (II) noncompliance, or violation of, any Environmental Requirement and shall include without limitation liability arising from

(a) any governmental action, order, directive, administrative proceeding, or ruling

(b) personal or bodily injuries (including death) or damages to any property (including loss of use) or natural resources

(c) clean-up, remediation, investigation, monitoring, or other response action.

(v) "Environmental Release" shall mean any release, spill, leak, discharge, injection, disposal, or emission of any Hazardous materials into the environment.

B. At all times during the term of the Lease, Lessee shall conduct its activities at the Site, and shall ensure that any invitee of Lessee conducts its activities at the Site in strict compliance with all applicable Environmental Requirements.

C. Notwithstanding any other provision of this Lease, Lessee agrees to indemnify and hold harmless Lessor, Lessor's successors and assigns, and Lessor's present and future officers, directors, employees, and agents, (collectively "Lessor Indemnitees") from and against any and all Environmental Liabilities which Lessor or any or all of the Lessor Indemnitees may hereafter suffer, incur, be responsible for, or disburse as a result of any Environmental Hazard at the Site to the extent caused by or attributable to Lessee or Lessee's activities, including any Environmental Hazard at the Site to the extent caused by or attributable to any invitee of Lessee or by the activities of any invitee of Lessee.

D. The provisions of this section shall survive termination of this Lease.

11. Utility Charges and Taxes. All utility charges shall be borne and paid for by Lessee, together with all personal or real property taxes or assessments that may be levied against the Lessee by reasons of its occupancy of the Site or its rights hereunder.

12. Operation of Equipment. In installing, operating, or maintaining any equipment on the Site and in its general management of the Site, the Lessee will act in accordance with applicable laws and regulations and will not do, attempt, or permit any acts in connection with this Lease which could be construed as a violation of law.

13. Condition of Site. The Lessee takes the Site in its present condition and the Lessor shall have no responsibility for its condition, or for any damage suffered by the Lessee or any other person due to such conditions.

14. Assignment and Subleasing. Lessee may not sublease the Site, either in whole or in any portion, without first obtaining the approval of the City Council in writing. Lessee may not assign, mortgage, pledge, or otherwise encumber all or any portion of this Lease or the Site without first obtaining the approval of the City Council. Any assignment, pledge, or encumbrance approved by the Council shall be subject to all terms and provisions of this Lease. Any assignment, pledge, or encumbrance executed without the proper approval of the Council shall be void and of no force and effect. The City Council shall have no obligation to provide its written approval and may withhold it for any reason or none at all. Any request for any City Council written approval required by this section shall be accompanied by a \$500 fee, which shall be used to offset the administrative costs of processing the request.

15. Default and Re-Entry. If Lessee fails to cure any default of the conditions of this Lease within 30 days after written notice thereof by Lessor, or in the event insolvency proceedings should be instituted by or against Lessee, then Lessor may terminate this Lease as of such date and re-enter the Site and remove all property therefrom and Lessee shall remain liable for the payment of rental to the extent provided by law.

16. Applicable Law. Lessee shall, at all times, in its use and occupancy of the Site and in the conduct of its operations thereon, comply with all applicable federal, state, and local laws, ordinances, and regulations. This Lease Agreement shall be subject to all provisions of Kodiak City Code Chapter 18.20.

17. Effective Date. This Lease Agreement shall be effective only following the occurrence of:

- A. The effective date of the ordinance authorizing this Lease;
- B. Execution by both parties, which may occur in counterparts;

C. Termination of that certain Lease Agreement between the City of Kodiak and Andrew Airways, Inc. dated December 1, 2007 and for that real property described in Section 1. A. of this Lease;

Ord. No. 1392/ Redemption Incorporated d/b/a Island Air Service Lease No. 247776
February 1, 2020 to June 30, 2045

D. Termination of Andrew Airways, Inc. month-to month holdover tenancy for that real property described in Sections 1.D. of this Lease; and

E. Termination of Andrew Airways, Inc. easement over that real property described in Sections 1.E. of this Lease.

18. Limitation on Right to Possession. Part of the Site is currently occupied by Andrew Airways, Inc., as a holdover tenant. Lessee has represented that it is merging with or acquiring Andrew Airways, Inc. Lessee shall have sole responsibility of obtaining possession of that portion of the Site from Andrew Airways, Inc.

IN WITNESS WHEREOF, the parties executed this instrument the day and month written below.

LESSOR:
CITY OF KODIAK

LESSEE:
REDEMPTION, INC.
d/b/a Island Air Service

Mike Tvenge
City Manager

Adam Lutz
President

ATTEST:

Date

Nova Javier, MMC
City Clerk

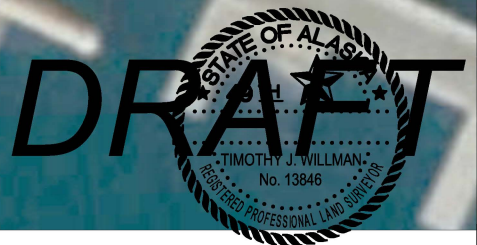
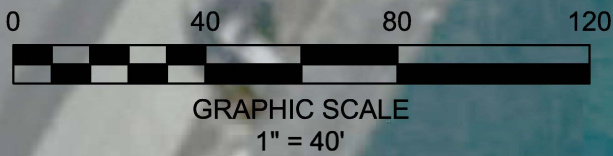
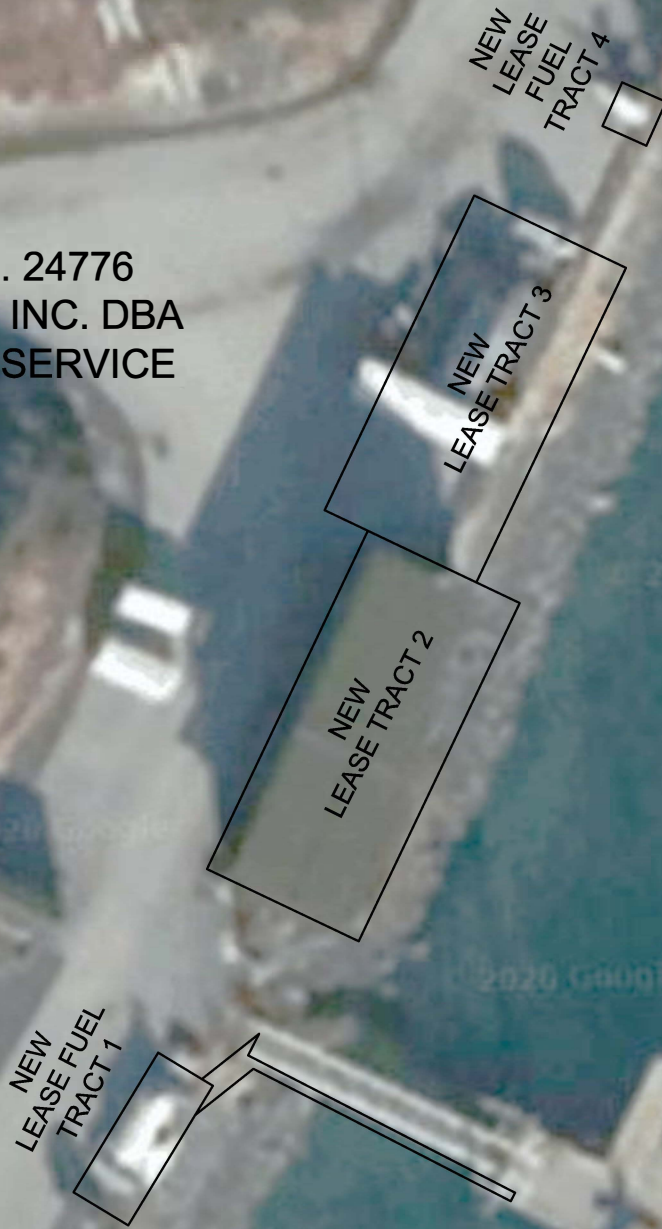
Date

Ord. No. 1392/ Redemption Incorporated d/b/a Island Air Service Lease No. 247776
February 1, 2020 to June 30, 2045

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LEASE No. 24776
 REDEMPTION INC. DBA
 ISLAND AIR SERVICE



SURVEY NOTES:

1. THIS SURVEY DOES NOT CONSTITUTE A SUBDIVISION AS DEFINED BY A.S. 40.15.900(5)
2. THIS MAP WAS PREPARED TO PROVIDE A VISUAL ACCESSORY TO THE LEGAL DESCRIPTIONS PER LEASE No. 24776.
3. THIS MAP IS INTENDED TO BE PRINTED ON LEGAL SIZE PAPER (8.5" X 14")

TRIDENT BASIN LEASE TRACT LOCATION EXHIBIT
 LOCATED WITHIN TRACT F U.S. SURVEY 2261 & 4947, PLAT
 2008-17, KODIAK RECORDING DISTRICT
 KODIAK ALASKA

PREPARED FOR:	ISLAND AIR SERVICE P.O. Box 947, KODIAK, AK 99615		
DRAWN BY:	TW	DATE:	01/16/2020
SCALE:	1"=40'	REF NO.:	200020106
WILLMAN LAND SURVEYING P.O. BOX 8545 KODIAK, AK 99615 907.942.4866			



City Clerk's Office
 710 Mill Bay Road, Rm 110
 Kodiak, AK 99615
 Phone: (907) 486-8636
 Fax: (907) 486-8600 (fax)
 Email: clerks@city.kodiak.ak.us

APPLICATION FOR PURCHASE, LEASE, OR RENEWAL OF LEASE OF REAL PROPERTY

- PURCHASE
 LEASE
 *RENEWAL

TERM REQUESTED: 25 YEARS
 TERM REQUESTED: YEARS

*KCC 18.20.340, the lessee shall, not sooner than 60 calendar days prior to expiration, and not later than 30 calendar days prior to the expiration, make application for a renewal lease in writing on forms provided entitled "application for renewal of lease."

1. DATE OF APPLICATION 12/18/2019	
2. APPLICANT NAME (IF CORPORATION OR PARTNERSHIP, SEE #10 BELOW) Redemption, Inc. DBA Island Air Service	
3. MAILING ADDRESS 1420 Airport Way	
4. PHYSICAL ADDRESS 1420 Airport Way	
5. CITY Kodiak 7. ZIP 99615	6. STATE AK
8. WORK PHONE: <u>(907) 487-4596</u> CELL PHONE: <u>(706) 466-6973 OR (907) 942-4074</u>	9. EMAIL: <u>Adam@flyadq.com</u> FAX: <u>(907) 487-4693</u>
10. IF CORPORATION OR PARTNERSHIP, ATTACH ADDITIONAL INFORMATION CORPORATION: Attach Schedule C, Showing Principal Agent and Contact Information PARTNERSHIP: Attach Schedule P, Listing Partners Names and Contact Information	
11. LEGAL DESCRIPTION OF THE REQUESTED PROPERTY U.S. SURVEY (USS) _____ LOT _____ BLOCK _____ SUBDIVISION _____ OR STREET ADDRESS OR OTHER IDENTIFYING DESCRIPTION: 500 Trident Way, including Lot 2 and Fuel Tank Area as Illustrated in Attachment A, of Lease No. 217715, Lot 3 and Fuel Tank Area as illustrated in Attachment A, of Lease No. 216595.	
12. AREA, IN SQUARE FEET OF REQUESTED PROPERTY: 5,822.2 square feet	

City of Kodiak
Application for Purchase, Lease, or Renewal of Lease of Real Property, Page 2

13. DESCRIPTION OF PURPOSE OF THE PROPOSED LEASE IN DETAIL (KCC 18.20.050 (b.1)). INCLUDE EXISTING IMPROVEMENTS, IF ANY, ON THE PROPERTY
Aviation Services and Fuel Distribution Facility

14. PROPOSED USAGE OF LAND (KCC 18.20.050 (b.2))
 RESIDENTIAL **COMMERCIAL** INDUSTRIAL

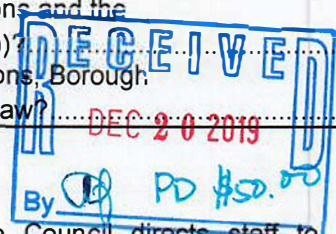
15. TYPE OF CONSTRUCTION PLANNED (KCC 18.20.050 (b.3))
 (e.g.: FILL, FRAME, POST & BEAM, etc) N/A

16. DATE DEVELOPMENT IS PLANNED TO BEGIN, AFTER SALE (KCC 18.20.050 (b.3)): N/A

17. DATE DEVELOPMENT IS EXPECTED TO BE COMPLETED, AFTER SALE (KCC 18.20.050 (b.4)): N/A

18. INVESTMENT, INCLUDING EQUIPMENT, PLANNED DURING DEVELOPMENT PERIOD (Optional)	\$	20. DESCRIBE ANY EXPANSION PLANS BEYOND THE INITIAL DEVELOPMENT (Optional)
19. ANTICIPATED TAXABLE VALUATION OF THE PROPERTY, AFTER DEVELOPMENT (Optional)	\$	

22. Is the applicant at least 18 years old (KCC 18.20.040 a)? YES NO
23. Are four copies of an accurate plan and elevations of the proposed improvements attached to this application? YES NO
24. Is the preliminary survey plat submitted with this application? YES NO
25. If required, can you post a performance bond amounting to 10% of the estimated taxable valuation? YES NO
26. Does your intended use of the property comply with the zoning regulations and the comprehensive plan of the Kodiak Island Borough (KCC 18.20.020 (b.5))? YES NO
27. Do you agree to comply with all applicable City ordinances and regulations, Borough ordinances and zoning regulations, and all applicable state and federal law? YES NO



Notice to Applicant(s)

A. This application will not be considered unless it is accompanied by a filing fee, as established by the City Council in the Schedule of Fees and Charges. The filing fee is not refundable and should be made payable to the City of Kodiak (KCC 18.20.050b and 18.20.340).

B. Unless specifically exempted by KCC 18.20.030, 18.20.195, 18.20.196 or other provisions of City Code, any sale or lease of City property shall be made by sealed bid or at public auction. The City Council may require specific development or use of property to be sold or leased.

C. If the Council directs staff to proceed with the proposed sale or lease of this property, staff will review the application and set the amount of deposit required from the applicant in accordance with KCC 18.20.060 for costs of survey, appraisals, advertising, etc.

If the property is sold or leased to someone other than the depositor, the deposit will be refunded, unless the depositor fails to enter a bid equal to at least the minimum sale or rental price as established in accordance with KCC 18.20.100 and the property is not sold, in which case the deposit shall be forfeited.

D. Certificates of Insurance will be required to be produced within 10 business days of a lease agreement award.

I testify that I am a qualified applicant or bidder per KCC 18.20.040 and I am the authorized agent to execute the sale or lease documents.

ADAM LUTZ
 Name of Applicant

[Signature]
 Signature

12/18/2019
 Date

SCHEDULE C

**CORPORATION
PRINCIPAL AGENT AND CONTACT INFORMATION**

This schedule is attached to the Application for Purchase or Lease of Real Property submitted to the City of Kodiak as follows:

CORPORATION NAME Redemption, Inc. DBA Island Air Service	DATE SUBMITTED 12/18/2019

C1. NAME OF PRINCIPAL AGENT AUTHORIZED TO EXECUTE THE SALE OR LEASE DOCUMENTS Adam Lutz	
C2. TITLE President	
C3. MAILING ADDRESS 1420 Airport Way	
C4. CITY Kodiak C5. STATE AK	C6. ZIP 99615
C7. TELEPHONE (706) 466-6973	C8. FAX (907) 487-4693

C9. NAME OF ALTERNATE CONTACT Erik Howard	
C10. TITLE Secretary	
C11. CITY Kodiak C12. STATE AK	C13. ZIP 99615
C14. TELEPHONE (907) 942-4074	C15. FAX (907) 487-4693



Redemption, Inc.

www.flyadq.com

Island Air Service
1420 Airport Way
Kodiak, AK 99615

November 26, 2019

Mike Tvenge
City Manager
710 Mill Bay Road, Room 114
Kodiak, AK 99615

Dear Mike Tvenge,

This letter is a formal request from Redemption Inc. dba Island Air Service to lease two lots located at Trident Basin from the City of Kodiak for a period of twenty-five years. Island Air Service is in the final stages of completing an SBA 504 Loan to purchase the building at 500 Trident Way. Island Air Service would like to lease the parcel located at 500 Trident Way along with the associated fuel facility parcel. Andrew Airways is currently leasing both lots from the City of Kodiak and agrees to allow Island Air Service to lease these two parcels. Island Air Service will begin merging operations with Andrew Airways on December 1, 2019, with an expected loan closing date in January 2020. We respectfully request to have a written lease ready for approval at the next city council meeting on December 12, 2019. If unable to complete a lease in that time, we would request a letter of intent to sign a 25-year lease, so we can continue moving forward with the SBA loan process.

Island Air Service has been proudly serving the community of Kodiak for more than 40 years. Since new ownership in 2016, we have infused millions of dollars into assets and infrastructure to ensure sustainability in providing high quality, safe, and reliable air service to the community. Our marketing strategy includes a plan to increase our charter business by developing more ecotourism opportunities that bring clients to Kodiak. By working with other local businesses and increasing our marketing, we have already seen a 40% increase in bookings for next season. These clients bring money to the city by eating at local restaurants, staying in hotels, renting cars/taxis, and local shopping.

Island Air Service looks forward to working with the City of Kodiak to promote aviation and enhance growth of the tourism market here in Kodiak.

Sincerely,

Island Air Service

Signature

11/26/19

Date

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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Mike Tvenge, City Manager and Nova Javier, City Clerk *NT*
Thru: Michelle Shuravloff-Nelson, Deputy Clerk/Records Manager
Date: January 23, 2020

Agenda Item: V. b. Resolution No. 2020-03, Rescinding Resolution No. 2014-36 And Reestablishing a Records Retention Schedule

SUMMARY: Records Retention Schedules (RRS) are a key element in effective records management programs. This Resolution No. 2020-03 will rescind and replace all prior Records Retention Schedule. The last RRS was adopted by Resolution No. 2014-36. The City-wide RRS determines the length of time a record is kept due to its operational, legal, fiscal, and historical purposes. The City-wide records management program provides a filing system for all departmental records throughout the life cycle of each record, including the transfer to offsite storage, and the destruction of records. There is a permanent retention for some records within the City departments. During the fall of 2019 the City Clerk, Records Manager, Department Heads, and Records Coordinators reviewed and recommended changes to the Records Retention Schedule. The suggested changes are attached in Resolution No. 2020-03.

PREVIOUS COUNCIL ACTION:

- In December 2008, Resolution No. 08-26 adopted the Records Retention Schedule.
- In February 2009, the City Council adopted Resolution No. 09-02, which amended records series 60-6090 and created 60-6091 to accommodate the unique requirements of the Police Department record series.
- In November 2014, Resolution No. 2014-36 adopted Records Retention Schedule.
- In January 21, 2020, Resolution No. 2020-03 was presented during the work session during packet review.

BACKGROUND: The Records Retention Schedule provides the continuing authority for classification and disposition of City records as approved by the City Council. Consistent classification efficiently and effectively supports the City's business processes, and it is suggested the records retention schedule is reviewed at least every five years. The RRS includes a record series number, record series title, a records description, the duration of retention, the record closure criteria for the retention to become initiated, and when useful, a legal citation. The document has track changes and the blue represents the additions made and the red represents the strikeout from the last adopted records retention schedule.

DISCUSSION: The adoption of Resolution No. 2020–03, will allow several departments to classify records more efficiently. Some of the suggested changes will allow records to be kept for a longer duration of time, because the department has determined there is an administrative need to keep the record. There are recommended deletions to record series because there is not an operation value for those records. In some instances, the description of the records was modified to provide a more current reflection of the operational practice within the department. The City’s attorney reviewed and edited the RRS and he assisted with the legal citations.

Here is a brief summary of the significant changes by department:

1. Clerk’s Office:

- Deleted record series 0110 Census – These are Federal records not City records; therefore this record series is not needed.
- Delete record series 0127 Council Meeting Work Session Notes/Records and merged with record series 0121 and 0126. These files are already maintained in agenda packets. The retention should be consistent at 15 years.
- Deleted record series 0141 DOJ Election Preclearance- Local government/s are not subject to preclearance as per the State Division of Elections; therefore, this record series is not needed.
- Deleted 0146 Grievances – The City now has an HR department and it is more appropriate the entire grievance file is maintained with the human resource department’s record series 02519.
- Amended record series 0154 Contracts and Agreements – This category remains in place; however, this same record series was added to all other departments. It was determined by management that a contract should be maintained where it is administratively managed for ease of access and optimal record keeping.
- Deleted 0155 Litigation Case Files. This record series will be maintained by the attorney.
- Amended Description record series 0156 Licenses and Permits- General – The description helped to clarify that some of the licenses are issued by the State of Alaska.
- Deleted records series 0170 Public Relations – The City does not generate one centralized public relations document. The City’s public relation material should be kept in each department’s correspondence record series that it pertains too.

2. City Manager /HR

- Amended record series 0224 Contracts and Agreements – This same record series was added to all other departments. It was determined by management that a contract should be

maintained where it is administratively managed for ease of access and optimal record keeping. The attorney increased the retention for all construction related agreements.

- Amended record series 0260 Community and Vending Machine Permits to allow an easy filing system for community and vending machine permits issued by the Manager's office.
- Amended record series 02510 Individual Personnel files and added 02555 Temporary Personnel files to maximize the ease of filing for retention and destruction of files appropriately based on the individual's length of employment and whether they have PERS.
- Amended the definition of the record series 02511 Employee Service Pay Records for preservation of necessary paperwork as required by PERS.
- Amended record series 02517 EEO, 02518 Confidential records, 02519 Employee Grievance Files, 02585 Wage and Tax Statements, 02590 Workers Compensation records for a longer retention as reviewed and confirmed by the attorney.
- Added record series 02591 Background security checks, 02592, Employee Medical Drug Test Records to separate and destruct records as necessary; reviewed and confirmed by the attorney.
- Added record series 02593 Attorney opinions to allow record keeping for these files.

3. Finance

- Added a record series 0301 finance general with a shorter retention than the other administrative record series that has a 10 year retention for ease of record keeping.
- Amended record series 0332 bonds registers and 0382 procurement records for accuracy.
- Added record series 0392 Investment statements at the request of the Finance Director.
- Added record series 0393 Contracts and Agreements – This same record series was added to all other departments. It was determined by management that a contract should be maintained where it is administratively managed for ease of access and optimal record keeping.

4. Finance/IT

- Added record series 0480 and 0481 Electronic Email correspondence management for incoming and outgoing emails.

5. Engineering

- Amended the record series 1020 Project's description and increase the duration of retention of construction contracts to 10 years as recommended by the attorney.
- Added Contracts and Professional services agreements for administrative contracts, which has a retention on six years.

6. Fire's Record retention recommendations:

- Amended record series 2005 Daily logs and 2050 Complaint files retention, which were increased at the direction of the attorney for a longer retention.
- Added record series 2081 Contracts and Agreements – This same record series was added to all other departments. It was determined by management that a contract should be maintained where it is administratively managed for ease of access and optimal record keeping.
- Legal citations were added by the Fire Chief and attorney.

7. Harbor and Cargo

- Deleted the Electrical Utility record series 3005 because these records are maintained in other billing records.
- Added record series 3032 Facilities Security at the request of the Deputy Harbormaster for harbor security and homeland security reports.
- Amended the description and retention of record series Harbor Billing 3035 at the recommendation of the attorney.
- Added record series 3095 Security Recordings for appropriate record keeping. Each department may have different equipment; therefore the duration of retention varies.
- Added record series 3096 Contracts and Agreements – This same record series was added to all other departments. It was determined by management that a contract should be maintained where it is administratively managed for ease of access and optimal record keeping.

8. Library

- Added record series 4002 for library policies and procedure record keeping.
- Amended the retention and added legal citations to 4005 Accession and Disposal of Records and 4020 Circulation records.
- Deleted record series 4022 Circulation records interlibrary loans. KPL does not keep records of other library's patron files.
- Added record series 4085 Contracts and Agreements – This same record series was added to all other departments. It was determined by management that a contract should be maintained where it is administratively managed for ease of access and optimal record keeping.
- Added record series 4090 Security Recordings for appropriate record keeping. Each department may have different equipment; therefore the duration of retention varies.

9. Parks and Recreation:

- Added a record series 5015 for the Parks and Recreation Advisory Board project files.
- Deleted record series 5050 Parks and Recreation Personnel files, which are maintained in HR.
- Added record series 5055 SOPs for a location to place their standard operating procedure records.
- Added record series 5056 for security recordings.
- Added record series 5057 Contracts and Agreements – This same record series was added to all other departments. It was determined by management that a contract should be maintained where it is administratively managed for ease of access and optimal record keeping.

10. Police

There were substantial changes to the police department records retention schedule. There is a narrative included in this records retention schedule. The Clerk, Records Manager, Chief of Police, and attorney worked on this schedule. The goal was to have a comprehensive schedule that documented the types of records maintained by KPD and the duration those records can be kept by the various software systems.

11. Public Works

- Building department had no changes to the schedule.
- Amended Public Works record series Airport 7005, Airport leases 7006, and Wastewater collection 7070 had changes to closure of the file criteria. These changes were recommended by the attorney.
- Added record series 7085 and 7294 for security recordings.
- Added record series 7081 Contracts and Agreements – This same record series was added to all other departments. It was determined by management that a contract should be maintained where it is administratively managed for ease of access and optimal record keeping.
- Added several Compost record series 7090, 7091, 7092, 7093, and 7094 to comply with 40 CFR 503.17.
-

12. Legal

- Added two record series 1000 and 1020 for the City attorney's record management, which includes attorney opinions and litigation case files.

ALTERNATIVES: Council may adopt, amend, or not adopt Resolution No. 2020–03. Staff recommends Council approve the resolution as submitted.

LEGAL: The City attorney reviewed and made recommendations to the RRS.

CITY CLERK'S COMMENTS: I would like to note that months of preparation was invested to get this new Records Retention Schedule in place. I can't thank the Deputy Clerk enough for her willingness to take on such an overwhelming project. Not only is this revision supported by the Department Directors and Records Coordinators, but it was also vetted through with the necessary input from the City Attorney. I am pleased to see the accomplishment of this project.

CITY MANAGER'S COMMENTS: I want to recognize the commitment the Clerk's department put forth to update and dedicate the records retention program to individual departments. These efforts are meant to capture moments in time and preserve decisions and legal documents into the future.

ATTACHMENTS:

A: Resolution No. 2020-03, with RRS attachment

PROPOSED MOTION

Move to adopt Resolution No. 2020-03.

**CITY OF KODIAK
RESOLUTION NUMBER 2020-03**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK RESCINDING RESOLUTION NUMBER 2014-36 AND REESTABLISHING A RECORDS RETENTION SCHEDULE

WHEREAS, pursuant to Chapter 2.36 of the Kodiak City Code, a Records Retention Schedule (RRS) was last established in 2014 by Resolution Number 2014-36; and

WHEREAS, the City-wide RRS determines the length of time a record is kept and how the record is maintained due to its operational, legal, fiscal, and historical purposes; and

WHEREAS, the City-wide records management program provides a filing system for all departmental records throughout the life cycle of each record, including the transfer to offsite storage, permanent retention, and the destruction of records; and

WHEREAS, City departments have continued to review the records retention schedule, recommending additions, deletions, and revisions of existing record series; and

WHEREAS, this resolution includes the review and revisions of the City's departments followed by the review and recommendations of the City attorney; and

WHEREAS, the revised records retention schedule does not list the media type of paper or electronic within the records retention schedule since the record should be maintained in the original version whenever practical; and

WHEREAS, it is in the best interest of the City that a new records retention schedule be adopted to reflect the changes described above.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that Resolution No. 2014-36 is hereby rescinded.

BE IT FURTHER RESOLVED that the attached records retention schedule is hereby adopted as the records retention schedule for the City of Kodiak pursuant to Chapter 2.36 of the Kodiak City Code.

CITY OF KODIAK

ATTEST:

MAYOR

CITY CLERK

Adopted:

CLK – CITY CLERK RECORDS

Record Series No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
0100 CLERK	CLERK-GENERAL	Files contain records of a general nature created or received by the City Clerk's Office.	2 / 3 / DESTROY	End of calendar year.	
0101 CLERK	ELECTED OFFICIALS – GENERAL	Files contain records of general nature created by or received for the Mayor and/or City Council, including Mayor/Council reading files, proclamations, travel, and lobbyist communications.	2 / 3 / DESTROY	End of calendar year.	
0102 CLERK	ADMINISTRATIVE STUDIES AND SPECIAL PROJECTS	Files contain documents related to major administrative studies, research projects , and special management projects, including property appraisals, public sentiment petitions, and assessment documents.	2 / 13 / DESTROY	When superseded or obsolete.	
0103 CLERK	POLICIES	Files contain documents related to the development and issuance of City policies e.g., Personnel Rules and Regulations, Records Management Framework, Fee Schedule.	2 / 13 / DESTROY	When superseded or obsolete.	
0104 CLERK	ADVISORY BOARDS	Files and audio recordings contain documents related to the creation and administration of various City Advisory Boards.	2 / 3 / DESTROY	When superseded or obsolete.	
0107 CLERK	BURIAL PERMITS	Files contain documents related to burial permits, grave reservations, register of interments, record of lots, disinterment permits.	RETAINED PERMANENTLY	Kept permanently.	
0108 CLERK	CEMETERIES	Files contain documents related to maps, diagrams, indexes of burial plots.	2 / 3 / DESTROY	When superseded or obsolete.	
0110 CLERK	GENSUS	Files contain documents related to population estimates, including resident data but excluding Census Bureau documents listed as Confidential under Title XIII, U.S. Code.	2 / 13 / DESTROY	When superseded or obsolete.	
0112 CLERK	CITY CHARTER	Files contain documents related to the development and maintenance of the City Charter.	RETAINED PERMANENTLY	Kept permanently.	
0114 CLERK	CODES, ORDINANCES AND RESOLUTIONS	Files contain code supplements, ordinances, and resolutions.	RETAINED PERMANENTLY	Kept permanently.	
0121 CLERK	AGENDA PACKETS	Files contain documents related to backup material presented to the Council and Mayor for review, discussion, and action during planning session, regular, special, and work session meetings.	3 / 12 / DESTROY	End of calendar year.	

CLK – CITY CLERK RECORDS

Record Series No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
0123 CLERK	COUNCIL INFORMATION PACKETS	Files contain correspondence from other agencies and organizations related to government issues.	2 / 40 / DESTROY	End of calendar year.	
0124 CLERK	MINUTES	Files contain official minutes of Council meetings, advisory boards.	RETAINED PERMANENTLY	Kept permanently.	
0125 CLERK	MEETING AND PUBLIC HEARING NOTICES	Files contain documents related to meeting notices and public hearings; public service announcements; schedules of City Council work sessions, regular, special, and emergency meetings; publisher affidavits.	2 / 8 / DESTROY	End of calendar year.	
0126 CLERK	COUNCIL MEETING RECORDINGS	Files contain audio recordings of work sessions , regular, special, and emergency meetings.	15 / 0 / DESTROY	End of calendar year.	
0127 CLERK	COUNCIL MEETING WORK SESSION- NOTES/RECORDINGS	Files contain work sessions notes and/or recordings as drafted/recorded by the Clerk's Office.	20 / 0 / DESTROY	End of the calendar year.	
0134 CLERK	ELECTIONS	Files contain general information relating to elections, including ballots, returns, precinct and other registers, voting machine reports.	1 / 0 / DESTROY	Upon election certification.	
0138 CLERK	ELECTIONS-CERTIFICATION /CANVASS REPORT	Files contain documents related to election certification.	KEPT PERMANENTLY	RETAINED PERMANENTLY.	
0141 CLERK	DOJ ELECTION — PRECLEARANCE	Files contain documents related to request and approval for U.S. Department of Justice pre-clearance for elections.	KEPT PERMANENTLY	RETAINED PERMANENTLY.	
0142 CLERK	FINANCIAL DISCLOSURE STATEMENTS	Files contain documents related to candidates' financial disclosure report.	2 / 3 / DESTROY	After leaving office.	
0143 CLERK	CANDIDATE NOMINATIONS AND LISTS	Files contain documents related to nominating petitions or other candidate information, including name, address, office declared, residency length, election pamphlet documents, etc.	2 / 2 / DESTROY	Upon election certification.	
0146 CLERK	GRIEVANCES	Files contain documents related to grievances filed by employees resolved at steps 4 and 5. Includes grievance forms, investigative notes, reports, and related correspondence.	1 / 2 / DESTROY	Upon case closure.	
0148 CLERK	INCORPORATION RECORDS	Files contain documents related to the City's incorporation.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	

CLK – CITY CLERK RECORDS

Record Series No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
0150 CLERK	LEGAL – GENERAL	Files contain documentation on general legal matters not covered elsewhere. Includes subpoenas.	2 / 0 / DESTROY	End of calendar year.	
0151 CLERK	ATTORNEY OPINIONS	Files contain documents related to official and informal positions regarding legal issues affecting City departments.	2 / 0 / DESTROY	When superseded or obsolete.	KCC 2.36.060 b (5)
0152 CLERK	BUILDING CODE BOARD OF GENERAL APPEALS	Files contain documents related to request for appeal, Board’s Finding and Fact, work papers, and other backup material. These files may include but are not limited to: Building Code Board of Appeals, Vehicle for Hire Appeals, Sales Tax Exemption Appeals, and other miscellaneous appeals.	2 / 83 / DESTROY	30 days from the date of the final decision unless the final decision is appealed. After case resolution.	KCC 14.40
0154 CLERK	CONTRACTS AND AGREEMENTS	Files contain original signed agreements, correspondence, addenda, and insurance certificates as required by the contract/agreement, where the contract/agreement requires action by the City Council <u>is managed by the Clerk’s office.</u>	2 / 43 / DESTROY	When superseded or obsolete. End of contract	KCC 3.12
0155 CLERK	LITIGATION CASE FILES	Files contain documents related to City action in civil and criminal cases. Includes briefs, pleadings, investigative materials, court proceedings, transcripts, correspondence, exhibits, photographs, and other media.	2 / 4 / DESTROY	Upon case closure.	
0156 CLERK	LICENSES AND PERMITS - GENERAL	Files contain documents related to the application, administration, and cancellation or expiration of licenses and permits. <u>Examples include but are not limited to: gaming permits and liquor and marijuana licenses issued by the State of Alaska.</u>	2 / 3 / DESTROY	Upon permit expiration or cancellation.	KCC 5.24, KCC 5.28, KCC 5.32, KCC 5.36
0157 CLERK	LICENSES AND PERMITS – FOR HIRE VEHICLES	Files contain documents related to For Hire Vehicles including permits, permit renewal applications, receipt of paid fees, insurance certificates, vehicle inspection reports, and correspondence.	1 / 3 / DESTROY	Upon permit expiration or cancellation.	KCC 5.40
0160 CLERK	OATHS AND BONDS	Files contain documents related to oaths and bonds for elected and appointed officials, boards, commissions, and committees.	1 / 4 / DESTROY	After leaving office.	KCC 2.08.130; 2.08.140; 2.08.120
0166 CLERK	PROPERTY FILES	Files contain documents related to original land sale deeds, easements, entitlement documents, Council actions, and other legal documents.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	KCC Title 18
0170 CLERK	PUBLIC RELATIONS	Files contain documents related to the publication of the “City Hall Messenger” and other citizen newsletters/brochures produced by the City Clerk’s Office.	2 / 8 / DESTROY	End of calendar year.	
0172 CLERK	RECORDS MANAGEMENT – GENERAL	Files contain documents of a general nature related to the City’s comprehensive records management program.	2 / 3 / DESTROY	End of calendar year.	

CLK – CITY CLERK RECORDS					
Record Series No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
0173 CLERK	CORPORATE RECORDS INVENTORIES	Files contain documents related to the development and maintenance of the City's records inventory. The corporate records inventory is also maintained electronically in the Versatile Records Management System.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	
0177 CLERK	RECORDS RETENTION AND DISPOSITION CERTIFICATION	Files contain documents related to the development, approval, amendment, and application of the City's Records Retention Schedule and Disposal Certificates.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	KCC 2.36.040
0179 CLERK	PUBLIC INFORMATION RECORDS REQUESTS	Files contain documents related to requests for public information.	2 / 3 / DESTROY	End of calendar year.	KCC 2.36.060
0180 CLERK	STANDARD OPERATING PROCEDURES (SOPs)	Files contain documents related to the development and publication of City manuals, handbooks, and operating procedures.	2 / 0 / DESTROY	When superseded or obsolete.	

CITY MANAGER/HUMAN RESOURCES RECORDS					
Record Series No.	Records Series Title	Records Description	Retention In Dept /Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
0200 CM/HR	GENERAL ADMINISTRATIVE FILES	Files contain documents that require of a general nature received or produced by the City Manager's Office.	2 / 3 / DESTROY	End of calendar year.	
0202 CM/HR	ADMINISTRATIVE STUDIES AND SPECIAL PROJECTS	Files contain documents related to major administrative studies and special management projects.	2 / 13 / DESTROY	When superseded or obsolete.	
0210 CM/HR	EMERGENCY PREPAREDNESS AND RESPONSE	Files contain documents related to the development of plans to be executed in the case of an emergency, including supporting documentation.	2 / 0 / DESTROY	When superseded or obsolete.	
0215 CM/HR	LOBBYIST REPORTS	Files contain reports made to the City by City-employed lobbyists.	2 / 3 / DESTROY	End of calendar year.	
0220 CM/HR	APOC REPORTS	Files contain reports made to the Alaska Political Office Commission.	2 / 3 / DESTROY	End of calendar year.	
0224 CM/HR	CONTRACTS AND AGREEMENTS	Files contain original signed agreements, correspondence, addenda, and insurance certificates as required by the agreement and maintained in the Manager's office.	2 / <u>8</u> / DESTROY	When superseded or obsolete. End of contract.	
0259 CM/HR	NONPROFIT GRANTS	Files contain documents related to nonprofit grants awarded to various community associations and organizations.	2 / 3 / DESTROY	End of fiscal year.	
0260 CM/HR	COMMUNITY PERMITS AND VENDING MACHINE PERMITS	Permits for vending machines on City property and for community festivities. The city manager may issue permits allowing the erection of temporary stands, structures, or tables or the temporary parking of a suitable vehicle on public property for the purpose of selling or dispensing goods or services in conjunction with the King Crab festival or other similar designated community events.	2 / 3 / DESTROY	End of calendar year.	KCC 5.040.040 KCC 5.040.050
02500 CM/HR	PERSONNEL MANAGEMENT RECORDS-ADMINISTRATIVE FILES-- GENERAL	Files contain general information- documents of general nature produced and related to the management of City employees.	2 / 3 / DESTROY	End of calendar year.	
02510 CM/HR	EMPLOYEES - INDIVIDUAL PERSONNEL FILES - NONEXEMPT and EXEMPT	Files contain documents related to but not limited to: official personnel employment history, selection, personnel actions, deduction forms, promotion, separation, performance appraisals and documentation, KPD administrative investigation disciplinary findings, training certifications, employment verifications, policy acknowledgements-	3 / 3 / DESTROY 50/0/DESTROY	Upon employee separation.	-Certain Information is Confidential. KCC 2.36.060(F)
02555	EMPLOYEES - INDIVIDUAL PERSONNEL FILES -TEMPORARY HIRES	Files contain documents related to but not limited to: employment history, selection, personnel actions, separation, training certifications, policy acknowledgements.	3 / 4 /DESTROY	Upon employee separation.	KCC 2.36.060(f) for confidentiality.

CITY MANAGER/HUMAN RESOURCES RECORDS

Record Series No.	Records Series Title	Records Description	Retention In Dept /Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
02511 CM/HR	EMPLOYEE SERVICE <u>AND PAY RECORDS</u>	Files contain <u>employee service pay</u> records <u>to include: annual gross earnings, deductions and net pay for each employee for the Public Employees Retirement System (PERS).</u> -(dates of service, leave without pay, etc.) of these employees who contributed to the Public Employees Retirement System (PERS). Service records are scanned upon employee separation.	50 / 0 / DESTROY	Upon employee separation	Certain information is confidential KCC 2.36.060(f).
02512 CM/HR	EMPLOYEES - MEDICAL RECORDS	Files contain documents related to illness, medical reports, FMLA, ADA.	3 50 / -03 / DESTROY	Upon employee separation	Confidential per AS 40.25.120
02513 CM/HR	EMPLOYEE HAZMAT EXPOSURE RECORDS	Files contain documents related to employee exposure to hazardous materials, as required by OSHA.	5 / 25 / DESTROY	Upon case <u>closure</u> separation <u>of employee</u>	
02514 CM/HR	EMPLOYEE – TRAINING FILES	Files contain documents related to course descriptions, training dates, and exam results for firefighters and police officers.	6 / 0 / DESTROY	Upon employee separation	
02515 CM/HR	EMPLOYEES - I-9 FORMS	Files contain documents related to employment eligibility forms for employees hired after November 6, 1986.	± 3 / 0 / DESTROY	Upon employee separation <u>or date of hire whichever is the longer period.</u>	8 CFR 274a2
02517 CM/HR	EMPLOYMENT - EQUAL EMPLOYMENT OPPORTUNITY_ (EEO)	Files contain documents related to quarterly utilization, compliance, and annual reports, affirmative action plans, and employment statistics.	3 10 / -30 / DESTROY	End of calendar year	
02518 CM/HR	EMPLOYEES— CONFIDENTIAL RECORDS	Files contain documents related to pre-employment, background check, drug testing, investigations, policy violations, legal actions, garnishments, EEO claims.	3 50 / 30 / DESTROY	Upon employee separation_	
02519 CM/HR	EMPLOYEES – GRIEVANCE FILES	Files contain documents related to grievances. resolved at steps 1, 2, or 3.	± 50 / 20 / DESTROY	Upon case closure <u>or resolution.</u>	
02525 CM/HR	INTERNAL REVENUE SERVICE (IRS) REPORTS AND RECONCILIATION	Files contain documents related to IRS reports, ±099R and 941 reports.	2 5 / 3 / DESTROY	End of calendar year	
02532 CM/HR	JOB DESCRIPTIONS	Files contain documents related to specific job responsibilities and duties.	2 / 3 / DESTROY	When superseded or obsolete.	
02535 CM/HR	ORGANIZATION CHARTS	Files contain documents related to the City’s corporate structure.	2 / 0 / DESTROY	When superseded or obsolete.	
02546 CM/HR	PAYROLL - JOURNALS AND REPORTS	Files contain documents related to payroll journals and reports, including timesheets, hours worked, and documentation for accrued/used leave, copies of payroll checks, federal tax payment reports.	3 5 / 2 / DESTROY	End of fiscal <u>year</u> calendar <u>year.</u>	

CITY MANAGER/HUMAN RESOURCES RECORDS

Record Series No.	Records Series Title	Records Description	Retention In Dept /Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
02560 CM/HR	RECRUITMENT AND SELECTION - OFFICIAL	Files contain documents related to job applications, background checks, transcripts, recruitment notices, examinations, test answer sheets, score sheets, results, affidavits of publication and correspondence. Unsolicited job applications will not be retained.	2 / 3 / DESTROY	Upon case closure. <u>Date position is filled.</u>	<u>Certain information confidential. KCC 2.36.060(f)</u>
02565 CM/HR	RETIREMENT	Files contain documents related to retirement programs.	3 / 3 / DESTROY	When superseded or obsolete.	
02585 CM/HR	WAGE AND TAX STATEMENTS (W-2 FORMS) AND 1095 FORMS	Files contain documents related to federal withholding tax statement employer copies, correspondence, and back-up documentation.	25 / 32 / DESTROY	End of fiscal year <u>End of calendar year.</u>	
02590 CM/HR	WORKERS' COMPENSATION	Files contain documents related to disability, time loss, and no time loss cases. Documents include OSHA 300 logs and all related documents, reports of injury/illness, medical reports, correspondence, legal filings, compromise and release agreement.	2 / 3 / DESTROY <u>40 / 0 / DESTROY</u>	End of calendar year <u>When superseded or obsolete File closed when case is inactive.</u>	
<u>02591</u>	<u>BACKGROUND/ SECURITY CHECKS</u>	Files consist of <u>background/security checks for potential new hires and promotions. The checks may include but not limited to: background and driver's license screening, reference check, ASPIN/NCIC checks, verification of academic standing.</u>	<u>3 / 0 / DESTROY</u>	<u>Upon employee separation.</u>	<u>Certain information confidential. KCC 2.36.060(f)</u>
<u>02592</u>	<u>EMPLOYEE MEDICAL RECORDS Drug Test Records:</u>	Files consists of the <u>positive or negative results of drug test under the Drug Free Workforce Act or as required for Commercial Drive License (CDL) or other drivers under USDOT regulations.</u>	<u>5 / 0 / DESTROY</u>	<u>Upon employee separation.</u>	<u>49 CFR 382.401;- 49 CFR 40.333</u>
<u>02593</u>	<u>ATTORNEYS OPINIONS</u>	Files contain documents related to <u>official and informal positions regarding legal issues affecting City departments.</u>	<u>2 / 0 / DESTROY</u>	<u>When superseded or obsolete.</u>	

FIN – FINANCE DEPARTMENT					
Item No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
0300 FIN	FINANCIAL RECORDS – GENERAL ADMINISTRATIVE	Files contain general financial information not found elsewhere in this section such as work papers, spreadsheets, summaries, receipts, and other data documenting department accounting practices, policies, and procedures.	5 / 5 / DESTROY	End of fiscal year.	
0301 FIN	FINANCE RECORDS-GENERAL	Files contain records of a general nature created or received by the Finance Department.	2 / 3 / DESTROY	When superseded or obsolete.	
0302 FIN	ADMINISTRATIVE STUDIES AND SPECIAL PROJECTS	Files contain documents related to major administrative studies and special management project.	2 / 13 / DESTROY	When superseded or obsolete.	
0305 FIN	ACCOUNTS PAYABLE - VENDOR FILES	Files contain documents related to payment for commodities or services. Consists of financial transaction registers, vouchers, delivery orders, purchase orders, logs, supply requisitions, advertising orders, and invoices.	2 / 4 / DESTROY	End of fiscal year.	
0310 FIN	ACCOUNTS RECEIVABLE - GENERAL	Files contain general information related to the billing of accounts not found elsewhere.	2 / 5 / DESTROY	Account closed with \$0 balance.	
0312 FIN	ACCOUNTS RECEIVABLE - AMBULANCE SERVICES	Files contain documents related to billing for the City's ambulance service.	2 / 5 / DESTROY	Account closed with \$0 balance.	
0314 FIN	ACCOUNTS RECEIVABLE - HARBOR	Files contain documents related to the billing of Harbor services and adjustments.	2 / 5 / DESTROY	Account closed with \$0 balance. Certain information confidential	KCC 18.2 89.4 30.1
0316 FIN	ACCOUNTS RECEIVABLE - SALES TAX	Files contain documents related to City sales tax returns.	4 / 5 / DESTROY	End of calendar year.	KCC 3.08
0317 FIN	SALES TAX-RECOVERY	Files that have been moved from accounts receivable sales tax with an outstanding balance at the end of the calendar year and/or may be turned over to collections.	4 / 5 / DESTROY	Account closed at \$0, upon collection or no collection after 10 years.	KCC 3.08
0318 FIN	ACCOUNTS RECEIVABLE - UTILITY	Files contain documents related to the billing of utilities.	2 / 5 / DESTROY	End of fiscal year.	KCC 13.04.040, 13.16.150
0319 FIN	DAILY CASH RECEIPTS	Files contain documents related to the receipt of payment for City services.	2 / 5 / DESTROY	End of fiscal year.	
0320 FIN	BANKING – GENERAL	Files contain documents related to bank transactions for revenue and payments including: bank statements, deposit slips, wire transfers, agent fees, transmittal of receipts, savings account data, debt service payments and collected monies.	2 / 3 / DESTROY	End of fiscal year.	
0324 FIN	BANKING - SIGNATURE CARDS	Files contain documents related to banking signature cards.	2 / 3 / DESTROY	When superseded or obsolete.	

FIN – FINANCE DEPARTMENT

Item No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
0330 FIN	BONDS RECORDS	Files contain documents related to bonds , cancelled/redeemed bonds/coupons documenting proof of issuance and payments to individual bondholders.	2 / 4 / DESTROY	Upon final bond maturity.	
0332 FIN	BONDS REGISTERS	Files contain documents related to bonds registers.	2 / 18 / DESTROY	When superseded, obsolete or expired Upon final bond maturity.	
0340 FIN	BUDGET -- GENERAL	Files contain documents related to the preparation of the City's budget prior to presentation to the City Council.	2 / 3 / DESTROY	End of fiscal year.	
0342 FIN	BUDGET -- APPROVED	Files contain documents related to the development of operating and capital budgets. Includes budget instructions, submissions, backup documentation, cost allocations, annual estimates of revenue, and amendments.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	
0344 FIN	BUDGET -- AUDITS	Files contain documents related to budget audit papers.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	
0352 FIN	FINANCIAL REPORTS	Files contain documents related to annual reports prepared by the Finance Department, activities and balances, routine status reports prepared on a regular or ad-hoc basis.	5 / 5 / DESTROY	Upon completion of audit.	
0355 FIN	FIXED ASSETS	Files contain documents related to inventories of City-owned assets, location, purchasing information, tag number, transfer and deletion.	2 / 3 / DESTROY	Upon disposal of asset.	
0360 FIN	FORECLOSURE FILES	Files contain documents related to foreclosures and delinquency reports, billings, petition for judgment, certified mailings and certificate of redemption.	2 / 10 / DESTROY	Upon redemption or repurchase or final disposition of property.	KCC 3.08.250
0365 FIN	GRANTS	Files contain documents related to receipt of State or federal monies and consists of applications, copy of notification of grant award, agreement, special conditions, fiscal reports, closeout documents, reports (audit, status, progress, compliance) and correspondence.	5 / 5 / DESTROY	Upon completion of audit or as required by the grant agreement.	
0370 FIN	INSURANCE POLICIES AND ENDORSEMENTS	Files contain documents related to insurance policies and endorsements, bonds, riders, and correspondence.	2 / 48 / DESTROY	Upon policy expiration.	
0371 FIN	INSURANCE - ACCIDENTS AND INJURIES	Files contain documents related to accident reports, medical evaluations, public safety officer reports, time loss reports, and other documentation related to injuries sustained by non-employees on City-owned properties.	2 / 4 / DESTROY	Upon claim settlement.	
0372 FIN	INVESTMENT RECORDS	Files contain documents related to the City's investment records.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	KCC 3.16
0375 FIN	LEDGERS AND JOURNALS	Files contain documents related to original journal entries in hardcopy.	2 / 3 / DESTROY	End of fiscal year.	

FIN - FINANCE DEPARTMENT					
Item No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
0382 FIN	PROCUREMENT RECORDS, GREATER THAN \$10,000	Files contain documents related to purchase of good and services, such as purchase orders, bid specifications, request for proposals, price quotations, contracts, leases, and delivery orders in amounts greater than \$10,000.	2 / 3 / DESTROY	Contract execution <u>completion</u> or cancellation of procurement.	
0385 FIN	SALES TAX	Files contain documents related to sales tax quarterly reports and exemptions.	4 / 5 / DESTROY	End of calendar year.	KCC 3.08.220
0387 FIN	PROPERTY TAX ASSESSMENT REPORTS	Files contain documents related to the certified assessed value of properties within the City limits.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	
0388	SPECIAL ASSESSMENT ROLLS	Files contain documents related to special assessments.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	
0391	CLAIMS	Files contain documents related to claims made against the City for property damage.	2 / 4 / DESTROY	After case resolution.	
0392	INVESTMENT STATEMENTS	Files contain documents related to the financial activities and position of City.	3 / 4 / DESTROY	End of fiscal year.	KCC 3.16
0393	CONTRACTS AND AGREEMENTS	Files contain original signed agreements, correspondence, addenda, and insurance certificates as required by the contract/agreement managed by Finance.	2 / 4 / DESTROY	When superseded or obsolete.	

IT – INFORMATION TECHNOLOGY RECORDS

Record Series No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
0400 IT	COMPUTER SYSTEMS SERVICES – GENERAL ACTIVITIES	Files contain documents related to general information on computer software and hardware.	2 / 3 / DESTROY	When superseded or obsolete.	
0410 IT	COMPUTER SYSTEMS DOCUMENTATION FILES	Files contain documents related to documentation for application software licenses/agreements used in the City.	1 / 0 / DESTROY	When superseded or obsolete.	
0440 IT	HARDWARE AND SOFTWARE INVENTORIES	Files contain documents related to computer hardware and software inventories.	5 / 0 / DESTROY	When superseded or obsolete.	
0460 IT	SERVER DISASTER RECOVERY PLAN	Files contain documents related to server disaster recovery plan.	1 / 0 / DESTROY	When superseded or obsolete.	
0470 IT	BACKUP FILES	Files contain documents related to system backups. NOTE: Backup tapes are stored offsite for security.	1 / 0 / DESTROY	End of calendar year When superseded or obsolete.	
<u>0480</u> IT	<u>ELECTRONIC (E-MAIL)</u>	<u>Outgoing General Correspondence Emails.</u>	5 / 0 / DESTROY	<u>Date of sent email-refer to City Email Retention Policy.</u>	
<u>0481</u> IT	<u>ELECTRONIC (E-MAIL)</u>	<u>Incoming Transitory Emails.</u>	<u>1 / 0 / DESTROY</u>	<u>Date of receipt of email-refer to City Email Retention Policy.</u>	

ENG - ENGINEERING					
Record Series No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
1000 ENG	ENGINEERING RECORDS - GENERAL	Files contain correspondence of a general nature not related to a specific project.	2 / 3 / DESTROY	End of calendar.	
1020 ENG	PROJECTS	Files contain documents related to various engineering projects files, including capital improvements such as construction, design, bids, evaluations, correspondence documenting solicitation, selection, award, administration of contracts and professional services agreements, accounting information, contract modifications and	6 10 / 0 / DESTROY	Upon completion of project or final bond maturity.	
<u>1021</u> <u>ENG</u>	<u>CONTRACTS AND PROFESSIONAL SERVICE AGREEMENTS</u>	<u>Contracts and professional services agreements, accounting information, contract modifications and correspondence related to a specific project.</u>	<u>2 / 34 / DESTROY</u>	When superseded or obsolete. Upon contract completion.	
1030 ENG	PLANS, MAPS AND DRAWINGS	Files contain Master set of all City plans and specifications, maps and drawings. Electronic set of maps and drawing maintained electronically in the Engineering Dept. AutoCAD system.	0 / 2 / DESTROY	When superseded or obsolete.	

FIRE PREVENTION AND EMERGENCY SERVICES RECORDS

Record Series No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
2000 FIRE	FIRE AND RESCUE -- GENERAL	Files contain general correspondence related to fire and rescue.	2 / 3 / DESTROY	When superseded or obsolete.	KCC 2.12.100
2005 FIRE	DAILY LOGS	Files contain documents related to daily logs of all ambulance and fire calls. NOTE: Official information is maintained in the FirePrograms software.	±2 / 0 / DESTROY	End of calendar year.	KCC 2.12.100
2010 FIRE	EMERGENCY MEDICAL SERVICES/PATIENT CARE REPORTS	Files contain documents related to the provision of ambulance services including record of patient treated, copy of supplies used in treatment, copy of treatment record. NOTE: Information is also stored in the Aurora Elite database.	2 / 18 / DESTROY	End of calendar year.	45 CFR Part 160 and 164 KCC 2.36.060(b)(3)
2015 FIRE	FIRE APPARATUS AND EQUIPMENT	Files contain documents related to maintenance, inspections, and testing of apparatus. NOTE: Official information is maintained in the FirePrograms software.	1 / 0 / DESTROY	Until the piece of equipment is decommissioned.	KCC 2.12.100
2020 FIRE	FIRE HYDRANT TESTING	Files contain documents related to individual fire hydrants in service. Data may include make, model, size, and flow data. NOTE: Official information is maintained in the FirePrograms software.	1 / 0 / DESTROY	Until the piece of equipment is decommissioned.	KCC 2.12.100
2025 FIRE	FIRE INSPECTION FILES	Files contain documents related to fire safety inspection before and after building construction is completed. May include building plans used in inspection/approval process detailing fire detection specifications or other Fire Safety Code compliance requirements. Also includes complaints filed. NOTE: Official information is maintained in the FirePrograms software.	1 / 0 / DESTROY	Upon building disposal demolition .	13 AAC 50.075 (a) KCC 2.12.100 KCC 8.36.010 KCC 2.36.060 (b)(15)
2030 FIRE	NATIONAL FIRE INCIDENT REPORTING SYSTEM REPORTS	Files contain documents related to fire department investigations of suspicious or incendiary fires and required by the National Fire Incident Reporting Systems (NFIRS). May include reports, evidence (photographs, video cassettes, CDs), memoranda, diagrams, and correspondence regarding fire, rescue, and/or hazardous materials. NOTE: Official information is maintained in the FirePrograms software.	2 / 18 / DESTROY	Upon case closure.	13 AAC 50.075 (a) KCC 2.12.100 KCC 8.36.010 KCC 2.36.060 (b)(15)
2035 FIRE	FIRE PERMITS	Files contain documents related to applications and permits issued by the Kodiak Fire Department. May include open burn, explosive transport, and fireworks permits.	1 / 0 / DESTROY	End of calendar year.	KCC 2.12.100 KCC 8.36.010 KCC 8.32.020
2050 FIRE	COMPLAINT FILES	Files contain documents related to general complaints involving the Fire Department, but not relating to occupancy or fire code complaints.	±2 / 0 / DESTROY	End of calendar year.	KCC 2.12.100
2055 FIRE	FIREFIGHTERS - FITNESS FILES	Files contain documents related to fitness information on each employee including annual physical, current shot record, notes from doctors, etc.	0 / 0 / TRANSFER TO HR	Upon employee- separation from City Service .	KCC 2.12.100 KCC 2.36.060(f)

FIRE PREVENTION AND EMERGENCY SERVICES RECORDS

Record Series No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
2060 FIRE	FIREFIGHTERS - TRAINING FILES	Files contain documents related to course descriptions, training dates, and exam results. NOTE: Official information is maintained in the FirePrograms software.	0 / 0 / TRANSFER TO HR	Upon employee separation from City Service.	KCC 2.12.100 KCC 2.36.060(f)
2070 FIRE	HAZARDOUS COMMUNICATIONS REPORTS	Files contain reports related to the response and handling of hazardous material used at the station or encountered at a job site by the Kodiak Fire Department.	2 / 28 / DESTROY	When superseded or obsolete.	KCC 2.12.100
2080 FIRE	SAFETY DATA SHEETS	Files contain Safety Data Sheets (SDS) for all hazardous materials used in the department or encountered at a job site.	2 / 28 / DESTROY	When superseded or obsolete.	KCC 2.12.100
2081	CONTRACTS AND AGREEMENTS	Files contain original signed agreements, correspondence, addenda, and insurance certificates as required by the contract/agreement managed by the Fire department.	2 / 4 / DESTROY	Upon completion of contract.	

HARBOR AND CARGO RECORDS

Item No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
3000 HAR	HARBORMASTER RECORDS - GENERAL	Files contain general documentation relating to harbormaster activity.	2 / 3 / DESTROY	End of calendar year.	
3005 HAR	ELECTRICAL UTILITY	Files contain documents related to electrical usage for customers, monthly meter readings, amount consumed, owner and slip number to be charged, billing statement, as well as maintenance and repairs.	2 / 5 / DESTROY	End of fiscal year.	
3010 HAR	CARGO BILLING	Files contain documents related to cargo billing such as wharfage, dockage, cruise ships, office space, storage space, easement, and van row storage.	2 / 5 / DESTROY	End of fiscal year.	KCC 18.28.430
3015 HAR	CITATIONS	Files contain documents related to citations issued by Harbor Officers	2 / 5 / DESTROY	End of fiscal year.	
3025 HAR	EQUIPMENT REPAIR AND MAINTENANCE	Files contain documents related to repair and maintenance of harbor and cargo equipment.	0 / 0 / DESTROY	Upon equipment disposal.	
3027 HAR	SAFETY DATA SHEETS	Files contain Safety Data Sheets (SDS) for all hazardous materials used in the department or encountered at a job site.	2 / 28 / DESTROY	When superseded or obsolete.	
3030 HAR	FACILITIES MAINTENANCE	Files contain documents related to the maintenance of harbor and cargo buildings, warehouses, storage sheds, and parking lots.	0 / 0 / DESTROY	Upon facility disposal or demolition.	
3032 HAR	FACILITY SECURITY	Files contain documents for harbor/s security of harbors and reports filed with Homeland Security.	2 / 5 / DESTROY	End of fiscal year.	
3035 HAR	HARBOR BILLING	Files contain documents related to harbor billing, such as exclusive docking/ moorage , transitory docking, electrical , waste disposal, shower fees , and net repairs.	2 / 5 / DESTROY	End of fiscal year or upon termination of moorage rights whichever is later.	KCC 18.28.430
3037 HAR	SHIPYARD BILLING	Files contain documents related to boatyard billing, such as user and vendor invoices, use agreements, maintenance and repairs.	2 / 5 / DESTROY	End of fiscal year.	KCC 18.28.430

HARBOR AND CARGO RECORDS

Item No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
3040 HAR	HARBOR STAFF PERSONNEL TRAINING FILES	Files contain documents related to Harbor staff personnel training .	0 / 0 / TRANSFER TO HR	Upon employee separation.	KCC 2.36.060(f)
3045 HAR	INCIDENT REPORTS	Files contain documents related to complaints, investigation reports, follow up, damages awarded and paid, final disposition and correspondence.	2 / 5 / DESTROY	End of calendar year.	KCC 2.36.060(e)
3060 HAR	PORT AND HARBOR ADVISORY BOARD PROJECT FILES	Files contain documents related to projects resulting from requests made by the port and harbor advisory board including studies, plans. Also included are audio-tapes of Board meetings.	2 / 0 / DESTROY	Upon project completion <u>or when superseded or obsolete</u> .	
3065 HAR	VESSELS - EXCLUSIVE	Files contain documents related to the exclusive use of a slip by a particular vessel.	2 / 5 / DESTROY	Upon termination of moorage rights or vacation of slip.	
3075 HAR	VESSELS - LOGS	Files contain documents related to daily logs of slip or dock vessels.	2 / 5 / DESTROY	End of fiscal year.	
3080 HAR	VESSELS - TRANSIENT	Files include documents related to transient vessels.	2 / 5 / DESTROY	Two years after account inactivity.	
3090 HAR	ADMINISTRATIVE STUDIES AND SPECIAL PROJECTS	Files contain documents related to major administrative studies and special management projects	2 / 13 / DESTROY	When superseded or obsolete.	
3095 HAR	SECURITY RECORDINGS	Surveillance video and digital recordings created to monitor activities occurring outside of Ports and Harbor buildings.	Record Copy Retain 22 DAYS, then erase & reuse, provided any necessary images are saved.	Surveillance video and digital recordings created to monitor activities occurring inside and outside the Harbor buildings. If the recording has evidentiary value it will be preserved as a record in the appropriate record series.	
3096 HARBOR	CONTRACTS AND AGREEMENTS	Files contain original signed agreements, correspondence, addenda, and insurance certificates as required by the contract/agreement is managed by the Harbor's office.	2 / 4 / DESTROY	Upon completion of contract.	

LIBRARY RECORDS					
Item No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
4000 LIB	LIBRARY SERVICES -- GENERAL	Files contain general correspondence, public relations material related to Library activities. NOTE: Files and correspondence relating to the Kodiak Public Library Association are excluded from this records schedule, as they are private records, not City records.	2 / 3 / DESTROY	End of calendar year.	
4002	LIBRARY POLICIES AND PROCEDURES	Files contain documents related to the development or issuance of Library policies or procedures.	2 / 13 / DESTROY	When superseded or obsolete.	
4005 LIB	ACCESSION AND DISPOSAL RECORDS	Files contain documents related to Library accessions and may include date purchased/amount, publisher, classification code, detailed descriptions, artifact care data, etc. NOTE: Official information is maintained in the SIRSI Library automated system.	2 / 0 / DESTROY Information maintained in SIRSI for the duration of the software.	When superseded or obsolete.	AS 40.25.140
4015 LIB	AID AND GRANTS APPLICATIONS	Files contain documents related to Library applications for various grants and aid.	2 / 0 / DESTROY	Upon grant closeout or when notified grant not approved.	
4020 LIB	CIRCULATION RECORDS - GENERAL	Files contain documents related to circulation management. NOTE: Official information is maintained in the SIRSI Library automated system.	2 / 0 / DESTROY Information maintained in SIRSI for the duration of the software.	End of calendar year.	AS 40.25.140
4022 LIB	CIRCULATION RECORDS - INTERLIBRARY LOANS	Files contain documents related to patron's check-out of books, magazines, tapes, etc., from another library. NOTE: Official information is maintained in the SIRSI Library automated system.	2 / 0 / DESTROY	End of calendar year.	
4024 LIB	CIRCULATION RECORDS - PATRON FILES	Files contain documents related to applications for library cards. Patron information is maintained electronically in SIRSI Library automated system.	2 / 0 / DESTROY	When superseded or obsolete.	AS 40.25.140
4040 LIB	STATE LIBRARY REPORTS	Files contain documents related to annual statistical reports showing the hours of operation, volume of collection, staffing levels, number of items circulated, budget, expenditures, etc.	RETAINED PERMANENTLY 5 / 0 / DESTROY	KEPT PERMANENTLY End of fiscal year.	
4045 LIB	LIBRARY PERSONNEL TRAINING FILES	Files contain documents related to training and certificates of Library personnel.	0 / 0 / TRANSFER TO HR	Upon employee separation.	KCC 2.36.060(f)
4050 LIB	HISTORICAL FILES	Files contain documents of historical interest to the City.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	
4080 LIB	SAFETY DATA SHEETS	Files contain Safety Data Sheets (SDS) for all hazardous materials used in the department or encountered at a job site.	2 / 28 / DESTROY	When superseded or obsolete.	
4085 LIB	CONTRACTS AND AGREEMENTS	Files contain original signed agreements, correspondence, addenda, and insurance certificates as required by the contract/agreement managed by	2 / 4 DESTROY	Upon completion of contract.	

<p>4090 LIB</p>	<p>SECURITY RECORDINGS</p>	<p><u>Surveillance video and digital recordings created to monitor activities occurring inside the Library buildings.</u></p>	<p><u>Record Copy Retain 47 DAYS, then erase & reuse, provided any necessary images are saved.</u></p>	<p><u>Surveillance video and digital recordings created to monitor activities occurring inside the Library buildings. If the recording has evidentiary value it will be preserved as a record.</u></p>	
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PARKS AND RECREATION RECORDS					
Record Series No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
5000 PARKS	PARKS AND RECREATION SERVICES – GENERAL	Files contain general information on park and recreation services.	2 / 3 / DESTROY	End of calendar <u>fiscal</u> year.	
5005 PARKS	CEMETERIES	Files contain documents related to the maintenance of City cemeteries.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	
5010 PARKS	PARK PLANNING FILES	Files contain documents related to the development of new parks.	5 / 0 / DESTROY	When superseded or obsolete.	
<u>5015</u>	<u>PARKS AND RECREATION ADVISORY BOARD PROJECT FILES</u>	<u>Files contain documents related to projects resulting from requests made by parks and recreation advisory board including studies, plans. Also, included are audio tapes of Board meetings.</u>	<u>2 / 0 / DESTROY</u>	<u>Upon project completion or when superseded or obsolete.</u>	
5030 PARKS	RECREATION FACILITY RECORDS	Files contain documents related to recreation facilities maintenance, compliance and monitoring of municipal facilities, including community recreation buildings, pools, ice skating rinks, arenas, and athletic fields. Files contain inspection certifications, use permits, facility applications, and licenses.	2 / 8 / DESTROY	End of calendar <u>fiscal</u> year.	
5035 PARKS	SAFETY DATA SHEETS	Files contain Safety Data Sheets (SDS) for all hazardous materials used in the department or encountered at a job site.	2 / 28 / DESTROY	When superseded or obsolete.	
5040 PARKS	RECREATION PROGRAM RECORDS	Files contain documents related to programs and activities sponsored or developed by the Parks & Recreation Department. Included are sports programs, arts, charitable events, day camps, luncheons, and picnics. Documents may consist of player rosters, sponsor forms, practice notices, schedules, tournament seedings, permission slips, drop out forms, worker lists, brochures, flyers, and correspondence.	2 / 0 / DESTROY	End of calendar <u>fiscal</u> year.	
5050 PARKS	PARKS AND RECREATION PERSONNEL TRAINING FILES	Files contain documents related to training and certificates of Parks and Recreation Employees.	0 / 0 / TRANSFER TO HR	Upon employee separation.	
<u>5055</u>	<u>STANDARD OPERATING PROCEDURES (SOPs)</u>	<u>Files contain documents related to the development and publication of City's P&R manuals, handbooks, and operating policies and procedures.</u>	<u>2 / 0 / DESTROY</u>	<u>When superseded or obsolete.</u>	

PARKS AND RECREATION RECORDS

Record Series No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
5056	<u>SECURITY RECORDINGS</u>	<u>Surveillance video and digital recordings created to monitor activities occurring outside the Parks and Recreation buildings.</u>	<u>Record copy retain 15 days, then erase & reuse, provided any necessary images are saved.</u>	<u>Surveillance video and digital recordings created to monitor activities occurring inside the P&R buildings. If the recording has evidentiary value it will be preserved as a record.</u>	
5057	<u>CONTRACTS AND AGREEMENTS</u>	<u>Files contain original signed agreements, correspondence, addenda, and insurance certificates as required by the contract/agreement managed by the Parks and Recreation department.</u>	<u>2 / 4 / DESTROY</u>	<u>-Upon completion of contract.</u>	

The City of Kodiak Police Department operates the only public safety answering point (PSAP) in the Kodiak archipelago. First responder response for the City and the Borough begins and ends at the PSAP. Dispatch operations are a key part of the Kodiak Police Department's Mission, which include providing emergency dispatch services for the Alaska State Troopers, by contract, when their Fairbanks communications are down.

The Kodiak Police Department has an E-911 system and the system interface receives automatic number and location information (ANI/ALI) data from a standard E-911 system and transmit the information to the Spillman CAD system. Used in conjunction with the CAD and CAD Mapping Modules, the E-911 interface enables KPD to view real-time locations of both wireless and landline calls on the map. This system became effective on June 2018.

The current data maintained in Spillman deals with department operations to include: calls for service; field reports; crime reports, and incident data; evidence inventory and tracking; jail management. The Spillman system is not managed by typical records retention schedule; the electronic data captured is retained indefinitely. At this time, the lifecycle is the duration of the usage of this software. The data that is now created in Spillman was created and maintained in Safety Suites from 2003 to June of 2018. Stencil is an audio recording system from 2005 to current. Versatile Enterprise is a records and document management system used by the City to manage the lifecycle of physical and electronic records. Versatile Electronic Records Management System (ERMS) is used to organize and store electronic records, where retention schedules are applied. Axon Enterprises Inc. is a contract for Body Worn Camera usage and storage, and Axon is taking the place of digital evidence locker, which is no longer supported. Per AS 12.62.190 it is important that KPD records are evaluated for usefulness, staff support and access, and the financial feasibility of maintaining the older information in the older criminal justice software systems periodically.

KPD-POLICE DEPARTMENT RECORD					
Item No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
6000 KPD	POLICE RECORDS - GENERAL	Files contain general correspondence related to police services, including ride along requests and waivers, UCR reports, and home and business security checks.	23 / 3 / DESTROY	End of calendar year.	
6001 KPD	EVIDENCE	The Police Department continuously reviews the usefulness and relevance of evidence and disposes of it when it is no longer needed for prosecution or when the statute of limitations has expired.	See SOP 14.12 for physical evidence.		
6002 KPD	ADMINISTRATIVE STUDIES AND SPECIAL PROJECTS	Files contain documents related to major administrative studies and special management projects.	2 / 13 / DESTROY	When superseded or obsolete.	
6005 KPD	ANIMAL CONTROL	Files contain documents related to licenses, description of animal, and owner notification to owner, certification of ownership, owner claims, and release of animal data.	±2 / 0 / DESTROY	End of calendar year.	KCC 2.36.060
6006 KPD	ANIMAL CONTROL	Files contain documents related to licenses and owner of animal incidents.	4 / 0 / DESTROY Maintained for the lifecycle of Spillman.	End of calendar year. Information is maintained in Spillman.	KCC 2.36.060(d)
6010 KPD	RECEIPTS	Files contain bail and other receipts, deposit books, and related documents.	2 / 0 / DESTROY	End of calendar year.	

KPD-POLICE DEPARTMENT RECORD					
Item No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
6017 KPD	CITATIONS	Files contain documents related to parking citations issued, action taken, disposition, receipt and correspondence.	1 / 0 / DESTROY Maintained for the lifecycle of Spillman.	Upon case closure Information is maintained in Spillman and retained for the lifecycle of the software system.	KCC 2.36.060(d)
6025 KPD	CONFIDENTIAL INFORMANT FILES	Files contain documents related to police informants.	5 / 0 / DESTROY at KPD	When informant becomes inactive or upon inactivity.	
6030 KPD	DISPATCH	Files contain documents related to daily recordings of all incoming/outgoing calls received by dispatchers, radio logs, station logs, dispatcher notebooks.	1 / 2 / DESTROY(except records for which a litigation hold has been issued by city attorney)	Upon completion of log or notebook. These records are no longer created as of June 2018 and the records will be phased out in 2021.	KCC 2.36.060(d)
6032	RECORDED PHONE AND RADIO TRAFFIC	Daily recordings phone calls of all incoming/outgoing calls received by dispatchers. This will include the system registering the address and phone number for call service incident.	3 / 0 / DESTROY(except those recordings for which a litigation hold has been issued by city attorney)	Maintained in Stancil. Date of call.	KCC 2.36.060(d)
6035 KPD	EQUIPMENT/SUPPLY INVENTORY	Files contain documents related to various equipment, such as ammunition, weapons, dress uniforms, etc.	0 / 0 / DESTROY	When superseded or obsolete.	
6037 KPD	SAFETY DATA SHEETS	Files contain Safety Data sheets for all hazardous materials handled by or stored in the department or encountered on a job site.	2 / 28 / DESTROY	When superseded or obsolete.	
6050 KPD	ADMINISTRATIVE INVESTIGATIONS	Files contain documents related to investigations of complaints of alleged officer misconduct. May include reports, correspondence, statements, investigation documentation, findings, and disposition. Disciplinary findings are transferred to the HR Personnel file.	6 / 0 / DESTROY at KPD	Upon employee separation.	
6060 KPD	JAIL RECORDS	Paper files contain documents related to inmate health screening reports, medical treatment, discipline reports, criminal remand, ICE reports, prisoner information cards, and currency ledgers.	0 / 0 DESTROY These are kept in Safety Suites through 2018.	Upon death, deportation or no contact after 10 years.	KCC 2.36.060(b)

KPD-POLICE DEPARTMENT RECORD

Item No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
60601 KPD	JAIL RECORDS	Electronic files related to inmate booking records: <ul style="list-style-type: none"> • Basic Personal information • Arrest Type and Offenses • Medical screening Assessments • Money ledger • Incident reports • Personal property • Court documents • Release Paperwork 	0 / 0 / DESTROY. Maintained for the Lifecycle of the Spillman effective 2018.	Information entered into Spillman -and retained indefinitely.	KCC 2.36.060(b)
6062 KPD	JAIL ACTIVITY LOGS	Files contain logs of activities involving jail inmates related to criminal investigations/procedures .	Maintained for the Lifecycle of the Spillman. 10 / 0 / DESTROY	Information entered into Spillman and retained indefinitely.	KCC 2.36.060(d)
6063	JAIL LOGS -- OTHER	Files contain logs of: clothing distribution, visitors, contraband, hazardous items etc. <ul style="list-style-type: none"> • Monthly billing • Summons, subpoena statistics • Court transports • Dropped of items • Contraband • Jail Programs • Visitation • other 	1 / 0 / DESTROY	End of calendar year.	KCC 2.36.060(b)
6070 KPD	LICENSES-CHAUFFEUR	Files contain documents related to application, copy of license issued, fingerprinting record , and correspondence.	2 / 0 / DESTROY	Upon permit expiry, revocation , or cancellation. Records created in ID Image.	KCC 5.40.100
6080 KPD	POLICE PERSONNEL - MEDICAL FILES	Files contain documents related to medical forms, psychological evaluations.	0 / 0 / TRANSFER TO HR	Upon employee separation.	KCC 2.36.060(b)(13)
6081	POLICE CONFIDENTIAL RECORDS	Files contain documents related to background checks, credit checks, CVSA results, polygraph results, ASPIN printouts, and other.	0 / 2 / TRANSFER TO HR	Upon employee separation.	KCC 2.36.060(f)
6082 KPD	POLICE PERSONNEL - PERSONNEL FILES	Files contain documents related to oath of office, law enforcement code of ethics, employee sign-in form, picture, badge and photo, letter of resignation, drug test consent, Police Academy correspondence, background checks , etc.	0 / 0 / TRANSFER TO HR	Upon employee separation.	KCC 2.36.060(f)
6090 KPD	POLICE INVESTIGATIVE FILES	Files contain documents related to all crimes and complaints investigated by the Police Department, including reports, follow up, property records; arrest, court, processing, disposition, consent to search documents, witness/Miranda rights statements, motor vehicle accidents.	27 / 0 / SCAN, DESTROY PAPER Prior to June 2018	Upon case closure.	KCC 2.36.060(d)

KPD-POLICE DEPARTMENT RECORD

Item No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
6091	POLICE INVESTIGATIVE FILES	Files contain documents related to all crimes and complaints investigated by the Police Department, including reports, follow up, property records; arrest, court, processing, disposition, consent to search documents, witness/Miranda rights statements, motor vehicle accidents.	9947 / 0 / DESTROY ELECTRONIC. Prior to June 2018.	Upon case closure, Information is maintained Versatile Electronic Records Management System (ERMS).	KCC 2.36.060(d)
6015	POLICE REPORTS	Any record after June 2018 that contains incident investigated by the Kodiak Police Department.	Maintained for the Lifecycle of the Spillman.	Information entered into Spillman and retained indefinitely.	KCC 2.36.060(d)
6092	STANDARD OPERATING PROCEDURES (SOPs)	Files contain documents related to the development and publication of handbooks, and operating procedures.	2 / 0 / DESTROY	When superseded or obsolete.	
6093	MOTOR VEHICLE ACCIDENT (MVA) REPORTS REQUESTS	Files contain motor vehicle accident reports requested by qualified individuals.	2 / 0 / DESTROY	End of calendar year.	KCC 2.36.060 (g)
6094	SECURITY RECORDINGS	Surveillance video and digital recordings created to monitor activities occurring inside and outside the Kodiak Police Department.	Record Copy Retain 54 DAYS, then erase & reuse, provided any necessary images are saved.	Surveillance video and digital recordings created to monitor activities occurring outside the Police buildings. If the recording has evidentiary value it will be preserved as a record.	
6095	CONTRACTS AND AGREEMENTS	Files contain original signed agreements, correspondence, addenda, and insurance certificates as required by the contract/agreement managed by Kodiak Police department.	2 / 4 / DESTROY	Upon completion of contract.	KCC 3.12
6096	DIGITAL EVIDENCE	Files from Body Worn Cameras, digital cameras, digital recorders, which include audio and video.	Record copy retain 60 days, then erase, & reuse, provided necessary images are saved.		KCC 2.36.060((d))

KPD-POLICE DEPARTMENT RECORD

Item No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
6096	<u>DIGITAL EVIDENCE</u>	<p>Files from Body Worn Cameras, digital cameras, digital recorders, which are audio and video of incidents to include the following:</p> <p>1. Arrest Made (Felony or Misdemeanor): digital files will reside on Evidence.com until the case has been fully adjudicated. Following the receipt of the "green sheet," digital files are subject to the same day or 30 or 60 day hold that physical evidence is.</p> <p>2. Homicide: digital files associated with a homicide or potential homicide will be retained indefinitely.</p> <p>3. Sexual Assault and Sexual Abuse of a Minor (Class A or Class B Felonies): digital files associated with a sexual assault and/or sexual abuse of a minor consisting of a class A or class B felony will be retained indefinitely.</p> <p>4. Other Sexual Offenses Against Minors: digital files associated with a violation of AS 11.41.425, 11.41.427, 11.41.458, AS 11.66.110 – 11.66.130, or former AS 11.41.430, when committed against a person who, at the time of the offense, was under 18 years of age will be retained indefinitely.</p> <p>5. Manslaughter and Felonies Against a Person: digital files associated with the commission of a felony offense in violation of AS 11.41.120 – 11.41.370, 11.41.425(a)(1), or 11.41.450 – 11.41.458 will be retained for 10 years.</p>	<p>See SOP 14.27.</p> <p>1. 0 / 0 / Destroy</p> <p>2. PERMANENT RETENTION</p> <p>3. PERMANENT RETENTION</p> <p>4. PERMANENT RETENTION</p> <p>5. 10 / 0 / Destroy at KPD</p>	<p>1. Upon case closure of the court.</p> <p>2. PERMANENT RETENTION.</p> <p>3. PERMANENT RETENTION.</p> <p>4. PERMANENT RETENTION.</p> <p>5. Upon case closure.</p>	<p><u>KCC 2.36.060(d)</u></p> <p><u>AS 47.17</u></p> <p><u>AS 47.17</u></p> <p><u>4. AS 11.41.425, 11.41.427, 11.41.458, AS 11.66.110 – 11.66.130, or former AS 11.41.430</u></p> <p><u>5. of AS 11.41.120 – 11.41.370, 11.41.425 (a)(1), or 11.41.450 – 11.41.458</u></p>

KPD-POLICE DEPARTMENT RECORD

Item No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
6096	<u>DIGITAL EVIDENCE (continued)</u>	<p><u>6. All Other Felonies:</u> digital files associated with all other felonies will be retained for five years.</p> <p><u>7. All Misdemeanors:</u> digital files associated with all misdemeanors will be retained for one year.</p> <p><u>8. Violations and Traffic Citations:</u> digital files associated with only an issued violation or citation will be retained for nine months.</p> <p><u>9. Officer Encountered Resistance:</u> digital files associated with an incident requiring an officer to complete an Officer Encountered Resistance Report.</p> <p><u>10. Restricted:</u> -digital files tagged as being restricted will be retained indefinitely. This category is reserved for files involved in potential litigation or when complaints against officers result in internal investigations.</p>	<p><u>6. 5 / 0 / Destroy at KPD</u></p> <p><u>7. 1 / 0 / Destroy at KPD</u></p> <p><u>8. 9 months / 0 / Destroy at KPD</u></p> <p><u>9. 2 / 0 / Destroy at KPD</u></p> <p><u>10. PERMANENT RETENTION unless restriction lifted by city attorney.</u></p>	<p><u>6. Upon case closure.</u></p> <p><u>7. Upon case closure.</u></p> <p><u>8. Date of issued violation or citation.</u></p> <p><u>Date of report.</u></p> <p><u>10. PERMANENT RETENTION.</u></p>	

BUILDING SERVICES RECORDS

Record Series No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
7100 BUIL	BUILDINGS - GENERAL	Files contain general information regarding building services.	2 / 3 / DESTROY	End of calendar year.	
7120 BUIL	BUILDINGS - STREET FILES	Files contain documents related to applications, copy of permit, maps, site plans, specifications, drawings, engineer/architect's certification, as built, inspection reports, etc.	1 / 5 / DESTROY	Upon destruction of all structures on the lot.	
7125 BUIL	BUILDINGS - OVERSIZED PLANS	Files contain oversized site plans, maps, drawings related to street files.	1 / 5 / DESTROY	Upon destruction of all structures on the lot.	

WATER AND WASTEWATER TREATMENT PLANT RECORDS

Record Series No.	Records Series Title	Records Description	Retention In Dept / Record Center / Final Disposition	Folder Closure Criteria	Legal Citation
7230	WASTEWATER - GENERAL	Files contain general information related to wastewater.	2 / 3 / DESTROY	End of calendar year.	
7232	WWTP PERSONNEL FILES	Files contain documents related to training and certification Water and Wastewater Treatment Plant employees.	0 / 0 / TRANSFER TO HR	Upon employee separation.	
7235	WASTEWATER PUMP STATION COLLECTION	Files contain documents related to wastewater pump stations.	2 / 0 / DESTROY	Upon equipment disposal.	
7237	WASTEWATER – SLUDGE/SEPTIC COLLECTION	Files contain documents related to the collection of sludge and septic collection from third-party vendors.	5 / 5 / DESTROY	End of calendar year.	
7240	WASTEWATER - EQUIPMENT MAINTENANCE AND REPAIRS	Files contain documents related to record of work performed and completed on individual equipment.	2 / 0 / DESTROY	Until equipment is replaced.	
7250	SAFETY DATA SHEETS	Files contain Safety Data Sheets (SDS) for all hazardous material used in the department or encountered at a job site. Also includes inventory lists (by calendar year) of all hazardous material used by the department throughout the year.	2 / 28 / DESTROY	When superseded or obsolete.	
7260	WASTEWATER – TREATMENT	Files contain documents related to wastewater treatment such as wastewater testing and analysis, SOA/EPA discharge monitoring reports, SOA/EPA inspection reports, laboratory quality assurance and quality control.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	
7270	WATER TREATMENT – GENERAL	Files contain general information regarding water treatment.	2 / 8 / DESTROY	End of calendar year.	
7275	WATER TREATMENT – CONSUMER CONFIDENCE REPORTS	Files contain documents related to consumer confidence reports.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	
7277	WATER TREATMENT – REPORTS AND SURVEYS	Files contain documents related to water treatment reports and surveys.	10 / 15 / DESTROY	End of calendar year.	
7280	WATER TREATMENT – EQUIPMENT MAINTENANCE AND REPAIRS	Files contain documents related to the maintenance and repairs to the water treatment equipment.	2 / 0 / DESTROY	Upon equipment disposal.	

WATER AND WASTEWATER TREATMENT PLANT RECORDS

Record Series No.	Records Series Title	Records Description	Retention In Dept / Record Center / Final Disposition	Folder Closure Criteria	Legal Citation
7290	WATER TREATMENT – CHEMICAL ANALYSIS TESTING	Files contain documents related to record of chemical testing and analysis conducted on water system. Records may include, but are not limited to, chemical sample analysis such as disinfectant residual; disinfectant by products; nitrate; asbestos; VOC; SOC; TTHM; HAA5; radionuclides; inorganics; lead, copper, and other chemical analysis.	5 / 10 / DESTROY	End of calendar year.	
7291	WATER TREATMENT – MICROBIOLOGICAL ANALYSIS TESTING	Files contain documents related to record of water testing and analysis conducted on water system. Records include microbiological analysis, proficiency testing, study results and miscellaneous testing, i.e. pH, swimming pool analysis, hardness, ammonia, iron, free or total chlorine residual. NOTE: Notification of destruction published mandatory.	5 6 / 0 / DESTROY	End of calendar year.	
7292	ADMINISTRATIVE STUDIES AND SPECIAL PROJECTS	Files contain documents related to major administrative studies and special management projects.	2 / 13 / DESTROY	When superseded or obsolete.	
7293	QUALITY ASSURANCE PLAN AND STANDARD OPERATING PROCEDURES FOR LABORATORY	Files contain documents related to the laboratory operating procedures and quality assurance programs.	RETAINED PERMANENTLY	KEPT PERMANENTLY.	
7294	SECURITY RECORDINGS	Surveillance video and digital recordings created to monitor activities occurring outside the WWTP buildings.	Record copy retain 10 days, then erase & reuse, provided any necessary images are saved.	Surveillance video and digital recordings created to monitor activities occurring outside the WTP buildings. If the recording has evidentiary value it will be preserved as a record.	

PW – PUBLIC WORKS RECORDS

Record Series No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
7000 PW	PUBLIC WORKS – GENERAL	Files contain general correspondence related to public works activities.	2 / 3 / DESTROY	End of calendar year.	
7002 PW	ADMINISTRATIVE STUDIES AND SPECIAL PROJECTS	Files contain documents related to major administrative studies and special management projects (including property appraisals).	2 / 13 / DESTROY	When superseded or obsolete.	
7003 PW	PROJECT CORRESPONDENCE	Files contain correspondence related to current projects.	26 / 0 / DESTROY	Upon completion of project.	
7005 PW	AIRPORTS	Files include documents related to the maintenance of City-owned airports.	2 / 18 / DESTROY	When superseded or obsolete. End of calendar year.	
7006 PW	AIRPORT LEASES	Files contain original signed agreements, correspondence, addenda, and insurance certificates as required by the lease.	2 / 5 / DESTROY	When superseded or obsolete. Upon termination of lease.	
7010 PW	COMPLAINTS/ NOTIFICATION OF HAZARDS	Files contain documents related to complaints, including caller, nature of call, disposition of call, final resolution.	2 / 3 / DESTROY	End of calendar year.	KCC 2.36.060(e).
7015 PW	PUBLIC WORKS PERSONNEL TRAINING FILES	Files contain records related to training and certification of Public Works Department personnel.	0 / 0 / TRANSFER TO HR	Upon employee separation.	KCC 2.36.060(f).
7030 PW	ENCROACHMENT PERMITS	Files contain documents related to encroachment permits issued by the Public Works Department.	2 / 4 / DESTROY	Upon permit expiry or cancellation.	
7040 PW	EQUIPMENT RECORDS	Files contain documents related to repair and maintenance records of all City-owned vehicles, including correspondence, damage/accident reports, checklists, inspection, service, and maintenance.	2 / 0 / DESTROY	Upon equipment disposal.	
7042 PW	SAFETY DATA SHEETS	Files contain Safety Data Sheets (SDS) for all hazardous material used in the department or encountered at a job site. Also includes inventory lists (by calendar year) of all hazardous material used by the department throughout the year.	2 / 28 / DESTROY	When superseded or obsolete.	
7045 PW	FUEL LOGS	Files contain documents related to the amount of fuel used by City-owned vehicles.	2 / 5 / DESTROY	End of calendar year.	
7060 PW	WATERSHED, RESERVOIRS, AND DAMS	Files contain documents related to the construction and/or maintenance of the City's watershed, reservoirs, and dams.	2 / 18 / DESTROY	When superseded or obsolete.	
7065 PW	STREETS	Files contain documents related to the construction and/or maintenance of City streets.	2 / 18 / DESTROY	End of calendar year.	
7070 PW	WASTEWATER COLLECTION	Files contain documents related to wastewater collection, including correspondence, reports, and studies.	2 / 0 / DESTROY	Upon equipment disposal. End of calendar year.	


PW – PUBLIC WORKS RECORDS

Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes	Legal Citation
7080 PW	WATER DISTRIBUTION	Files contain documents related to the construction and/or maintenance of the water distribution system.	2 / 18 / DESTROY	When superseded or obsolete.	
7081 PW	<u>CONTRACTS AND AGREEMENTS</u>	Files contain original signed agreements, correspondence, addenda, and insurance certificates as required by the contract/agreement, where the contract/agreement managed by Public Works.	2 / 4 / DESTROY	Upon completion of contract.	KCC 3.12
7085 PW	<u>SECURITY RECORDINGS</u>	Surveillance video and digital recordings created to monitor activities occurring outside Public Work's buildings.	Record copy retain, for 10 days then erase & reuse, provided any necessary images are saved.	Surveillance video and digital recordings created to monitor activities occurring outside the Public Works buildings. If the recording has evidentiary value, it will be preserved as a record.	
7090 PW- Compost	<u>COMPOST-GENERAL</u>	Files contain records of a general nature created or received by the Compost staff and facilities.	2 / 3 / DESTROY	End of calendar year.	40 CFR 503.17
7091 PW- Compost	<u>EQ SEWAGE SLUDGE</u>	Files contain records of pollutant concentrations. Pathogen reduction certification and description.	2 / 3 / DESTROY	End of calendar year.	40 CFR 503.17
7092 PW- Compost	<u>PC SEWAGE SLUDGE</u>	Files contain records of pollutant concentrations. Management practice certification and description (where Class B pathogen requirements are met) Vector attraction reduction certification and description.	2 / 3 / DESTROY	End of calendar year.	40 CFR 503.17
7093 PW- Compost	<u>CPLR SEWAGE SLUDGE</u>	Files contain records of pollutant concentrations. Management practice certification. -Certification and description information -Site location -Number of hectares -Amount of sewage sludge -Cumulative amount of pollutants -Date of application	2 / 3 / DESTROY	End of calendar year.	40 CFR 503.17
7094 PW- Compost	<u>APLR SLUDGE</u>	Files contain records of pollutant concentrations. Management practice certification and description pathogen reduction certification and description vector attraction reduction certification and description. The AWSAR for the sewer sludge.	2 / 3 / DESTROY	End of calendar year.	40 CFR 503.17

LGL –LEGAL					
Record Series No.	Records Series Title	Records Description	Retention In Dept / Records Center / Final Disposition	Folder Closure Criteria	Legal Citation
1000 LGL	MUNICIPAL ATTORNEY - OPINIONS	Consists of official and informal positions regarding legal issues affecting Departments or the City Council. May include information/action memoranda regarding ordinances and resolutions.	2 / PERMANENT	End of calendar year.	
1020 LGL	LITIGATION CASE FILES	Files contain documents related to civil and criminal cases. Includes briefs, pleadings, investigative materials, court proceedings, transcripts, correspondence, exhibits, photographs and other media.	1 / 5 / DESTROY	When case is closed.	

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Date: January 23, 2020

Agenda Item: V. c. Resolution No. 2020-04, Adopting a FY2021 State Capital Improvement Program List

SUMMARY: Each year the City identifies capital improvement projects important to the maintenance and/or improvement of the City's infrastructure as well as issues that are important to the City or greater community. Council reviewed the draft outlining the proposed state requests and issues at the December 10, 2019, work session.

Resolution No. 2020-04 reflects the prioritized list of funding requests for the City's main infrastructure related projects as outlined for FY2021 and will be submitted to our Alaska Legislature, via the Capital Project Submission & Information System (CAPSIS) upon adoption by Council. The five projects included in the resolution will provide formality to the City's concerns and allow the Mayor, Council, and staff to promote the City's interests. Resolution No. 2020-04 reflects the list, which Council and staff recommend for approval.

PREVIOUS COUNCIL ACTION:

- Council adopts a resolution each year identifying the City's prioritized list of projects for needed funding assistance.
- On December 10, 2019, Council reviewed the proposed FY2021 draft resolution identifying the City's state projects and agreed to move the resolution forward for approval.

ALTERNATIVES: Council may adopt, amend, or reprioritize Resolution No. 2020-04. Staff recommends Council approve the resolution as submitted or amended. The list reflects City needs and is based on the City's Long Term Capital Improvement Plan.

FINANCIAL IMPLICATIONS: The City and its residents will benefit if the City is successful in obtaining additional capital funding sources contributing to reliance on local revenues.

CITY MANAGER'S COMMENTS: Staff will continue to work with our State Legislature to promote the requested funding. This capital list is consistent with previous year's requests demonstrating the urgent need of our community to provide needed and regulation compliance of services.

ATTACHMENTS:

Attachment A: Resolution No. 2020-04 FY2021 Capital Requests and Issues

PROPOSED MOTION:

Move to adopt Resolution No. 2020-04.

**CITY OF KODIAK
RESOLUTION NUMBER 2020-04**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK ADOPTING
A FY2021 STATE CAPITAL IMPROVEMENT PROGRAM LIST**

WHEREAS, the City of Kodiak uses a Capital Improvements Program planning process to identify the capital improvement project needs of the community; and

WHEREAS, this identification and planning process plays a vital role in directing the City's administration and is utilized as a long-range planning and policy setting tool for City infrastructure maintenance and enhancement; and

WHEREAS, the City of Kodiak is committed to paying its way to the greatest extent possible, but the cost of some of the City's capital project needs are greater than the resources available locally; and

WHEREAS, the Kodiak City Council has identified and prioritized capital improvement projects for submission to the Alaska State Legislature and Governor for funding consideration due to their significance and/or magnitude; and

WHEREAS, the National Marine Fisheries Service identified Kodiak as the second largest commercial fishing port in the United States in terms of volume and third largest in terms of U.S. economic value of product landed in their most recent 2018 national report, and the City requires a large infrastructure to support this commercial activity; including the United States Coast Guard military facility; and

WHEREAS, the City of Kodiak relies upon the State of Alaska's legislative and matching grant programs and the Community Assistance Program to continue to keep its economy strong.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that the following infrastructure replacement/improvement projects and issues are considered of primary importance and are hereby adopted as the City of Kodiak's FY2021 State capital improvement project and issues list:

1. New Fire Station, Phase II \$20,000,000

The City of Kodiak identified the need to replace its fire station and has been working toward a replacement plan since 2004. The building has clearly outlived its design life. The building is composed of three structures and sits on a site that is currently very vulnerable and rests within the recently updated tsunami inundation zone. The structure is built of cement block type construction built in the 1940s with two block and wood frame additions added in the 1960s and 1975. The structure poses a significant risk of failure in a seismic event. Cracks in the walls and initial separation of one of the additions from the rest of the structure occurred following the large 7+ earthquake in 2016 and suffered additional damage during the January

2018 earthquake 60 miles off the Kodiak coast. It has ongoing plumbing, drainage, and water infiltration issues. The facility houses Fire and EMS personnel, fire and rescue apparatus, three ambulances, and many types of specialty equipment and medical supplies that support the Advanced Life Support services offered to the entire Kodiak area well beyond the City boundaries. The building condition poses constant challenges and problems to the crews who work and live in the structure. Work to replace this building must continue because it is a key emergency response and life-safety facility for Kodiak and continues to require constant maintenance.

The City proposes completion of the project in three phases. Phase I of this project with a budget of \$1,110,000 and funded by the City was used to study the site, for a new facility once a derelict building is removed. It included the removal of the derelict building, site grading, and other work following the demolition of the old building. Phase I is complete.

Phase II would include a new site acquisition and design completed prior to construction. The city council is evaluating several potential sites and building designs proposed on each location. Relocation would make the project more affordable to do in phases, would reduce the impact to the active fire station, and benefit the transition to a new building. Phase II costs would include site acquisition and building design anticipated during FY2020-21. The City has increased the Phase II budget to \$1.3 M including a legislative re-appropriation grant award of \$76,755 for partial building design costs. The remaining funding request would be required to complete construction and furnish the facility.

The City of Kodiak is requesting funding for Phase II of the New Fire Station project from the State in an amount of \$20,000,000 to ensure the project continues to move forward. This project may also be suitable for a GO Bond package in the event the legislature pursues bonds as a capital budget financing mechanism.

2. Outdoor Warning Sirens /Tsunami Siren \$370,000

The City of Kodiak is responsible for the early warning system in case of tsunami or other known hazards. The current warning sirens were installed in 1984-1986. This system includes 12 sirens within the city limits and nine more along the Kodiak road system. These sirens are beyond the recognized lifespan of 20 years and require annual maintenance. Removing a siren or two for maintenance leaves voids in the audible system and potentially places areas of town at risk. The city contracted a site assessment study and determined location and size of sirens necessary to provide coverage to the entire community. In FY 2020 the city has received two grants; NOAA and State of Alaska Homeland Security Program totaling \$380,873.00. The capital request of \$370,000 is anticipated to complete this project of removal and replacement.

The City of Kodiak is seeking funding to replace the entire system and move to a more reliable outdoor warning system.

Audible outdoor warning systems are used by public safety agencies to alert people about natural and manmade hazards such as tsunami, extreme weather conditions, flooding, and

chemical release. Sirens are the most widely used sound-making device for inclusion in an audible outdoor warning system.

Today's sirens have at least a 20-year lifespan, unlimited product support, various training options, 10-30 minute continuous signaling capability, sound output of at least 120 db, and backup power options to power the siren in the event of AC power outage. Some of the sirens are remote test capable, can broadcast live or pre-recorded voice messages, and can utilize multiple communication methods for control and monitoring.

3. St. Herman Harbor Infrastructure Replacement \$10,000,000

The economy of the City of Kodiak is based upon commercial fishing including local, state and federal governmental activities associated with support of the fisheries as well as research and enforcement activities. Each year Kodiak ranks as a top commercial fishing port. In 2015, NOAA statistics again put Kodiak as the second largest commercial fishing port in the United States in terms of volume and third in terms of value. This activity requires an infrastructure of potable water, electrical systems supply, and harbor and dock infrastructure that is much larger than its population might suggest. Current piling repairs indicate the life to date of the docks which are failing after 50 years of use.

The Kodiak Harbor Department relies on the generation of user fees and the State of Alaska's Harbor Facilities Grant Program to help match municipal costs for dock replacements. The City's request of state funding assistance in the amount of \$10,000,000 would help the City develop a plan, including replacement of this aging infrastructure which supports the nations scientific and food source needs. Currently the city has \$1.3 M dedicated to a replacement fund, State support would bolster this account to replace more than one harbor float. These floats contain electrical pedestals, fire suppression water lines, safety ladders and supply water.

4. Waste Water Treatment Plant Facility \$ 19,000,000

The first phase of a larger project evaluated the condition of the Waste Water Treatment Plant facility (WWTP) and design a necessary upgrade to the City of Kodiak facility. The prior upgrade to the facility was in 1999. The condition and evaluation assessment included all major components such as the building and aeration basins; including equipment replacement needs. Alaska Pollution Discharge Elimination System (APDES) permitting requirements are also considered during this assessment. The City of Kodiak has received the Alaska Department of Environmental Conservation (ADEC) APDES permit. This new regulation of compliance requires upgrades to our facility including additional monitoring and testing requirements. The APDES permit set a five-year timeline for full compliance of effluent discharge, which has been factored in our condition and evaluation assessment. Included in the facility rebuild are two sewer lift stations and the supervisory control and data acquisition (SCADA) system to interface with the pumps and treatment at the facility.

The City of Kodiak is requesting state funding in the amount of \$19,000,000 to further assess, design and construct this WWTP project that will help support the wastewater needs of the community for the next twenty years.

5. Parks and Recreation Facility Upgrade

\$3,500,000

The City of Kodiak provides multi-purpose recreation programs for the community residents and visiting public. Baranof Park is home to playground facilities, tennis, track and field, baseball, football, soccer, ice skating and hockey. The park's use continues to increase and has outgrown its original design. The Parks and Recreation Advisory Board, together with the City Council, have requested a master plan study to identify the future growth options.

A local committee of volunteers has offered to provide matching funds to assist with design, and construction of needed improvements. The areas considered include additional parking, enclosure of the ice rink, with locker rooms, restrooms and rental office. The master plan study is intended to identify these priorities and costs associated with construction. This facility is a multi-purpose complex.

The City of Kodiak is requesting state funding assistance for the completion of the master plan study of Baranof Park, including the enclosure of the ice rink with the remodel amenities in the amount of \$3,500,000.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted:

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Date: January 23, 2020

Agenda Item: V. d. Resolution No. 2020-05, Adopting the Federal Fiscal Year 2020 Supported Federal Issues List and Fiscal Year 2021 Federal Projects Capital List

SUMMARY: The City identifies capital improvement projects (CIP) important to the maintenance and/or improvement of the City's infrastructure as well as issues that are important to the City or greater community. Council reviewed the federal requests and issues at the December 10, 2019, work session and prioritized the capital projects list. Brad Gilman and Sebastian O'Kelly reviewed the proposed CIP list and supported the request and issues.

Staff worked closely with the City's federal lobbyists' Brad Gilman and Sebastian O'Kelly of Robertson, Monagle & Eastbaugh to articulate the list of projects and issues, which the Mayor will promote in Washington, D.C. The Prioritized Federal Capital Project Lists include: (Priority 1) Fire Station Phase II in the amount of \$20,000,000; (Priority 2) Waste Water Treatment Plan Ultraviolet (UV) System in the amount of \$5,300,000; (Priority 3) St. Herman Harbor Infrastructure Replacement in the amount of \$10,000,000; (Priority 4) Waste Water Treatment Plant Facility \$19,000,000; (Priority 5) Parks and Recreation Facility Upgrade in the amount of \$3,500,000. There were revisions to the Pink Salmon Disaster Assistance and Gulf of Alaska Pacific Cod Disaster Assistance.

Resolution No. 2020-05 reflects the prioritized list of funding for the City's main infrastructure related projects and other federal issues as outlined above for FFY2021 and will be submitted to our Alaska delegation upon adoption by Council. These are not the only funding and policy issues the City will pursue in the coming year, but they are important because they benefit the entire community and region. The five projects and two issues included in the resolution will provide formality to the City's concerns and allow Mayor Branson and staff to promote the City's interests. Resolution No. 2020-05 reflects the list which Council, staff, and the City's federal lobbyist recommend for approval.

PREVIOUS COUNCIL ACTION:

- Council adopts a resolution each year identifying the City's prioritized list of projects for federal funding assistance

- On March 14, 2019, Council reviewed and adopted the FFY19 resolution identifying the City's federal projects and issues and prioritized the federal capital list and requested the City Manager also work with the federal lobbyist.

ALTERNATIVES: Council may adopt, amend, or reprioritize Resolution No. 2020-05. Staff recommends Council approve the resolution as submitted. The list reflects City needs and is based on advice from our federal lobbyist.

FINANCIAL IMPLICATIONS: The City and its residents will benefit if the City is successful in obtaining an additional capital funding source to help offset losses of funding at the State level and by reducing reliance on local contributions.

CITY MANAGER'S COMMENTS: I worked with DC Lobbyist Brad Gilman and Sebastian O'Kelly to scope the development of this year's resolution, which identifies specific capital projects and requested funding. This resolution continues to reflect our infrastructure needs, including compliance with Federal mandates and follows Brad's advice to advocate for full project costs with a focus on infrastructure type projects. It also lists the key issues the City has advocated for in the past and should keep an eye on during this congressional cycle. Mr. Gilman is approving of this year's capital requests and the issues. Staff recommends Council adopt the resolution.

ATTACHMENTS:

Attachment A: Resolution No. 2020-05 FFY20 Supported Federal Issues List and FFY2021 Federal Capital List

PROPOSED MOTION:

Move to adopt Resolution No. 2020-05.

**CITY OF KODIAK
RESOLUTION NUMBER 2020-05**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK ADOPTING
THE FEDERAL FISCAL YEAR 2020 SUPPORTED FEDERAL ISSUES LIST AND FIS-
CAL YEAR 2021 FEDERAL CAPITAL LIST**

WHEREAS, the City of Kodiak uses a Capital Improvements Program planning process to identify the capital needs of the community; and

WHEREAS, this identification and planning process plays a vital role in directing the City’s administration and is utilized as a long-range planning and policy setting tool for City infrastructure maintenance and enhancement; and

WHEREAS, the City of Kodiak is committed to paying its way, to the greatest extent possible, but the cost of some of the City’s capital project needs are greater than resources available locally; and

WHEREAS, Kodiak City Council has identified capital project needs for submission to the Alaska Congressional Delegation for funding consideration due to their significance and/or magnitude; and

WHEREAS, changes may be required as to how capital funding contributions for smaller communities like Kodiak, Alaska can be made at the Federal level; and

WHEREAS, the City of Kodiak faces several issues generated by Federal legislation or rulemaking that are of importance to the City of Kodiak, Alaska, and which may adversely impact life in Kodiak by placing undue burdens on those who work and live in the community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that the following projects and issues are high priorities for the community and are hereby adopted as the City of Kodiak Federal Fiscal Year 2020 supported federal issues list and Federal Fiscal Year 2021 prioritized federal capital projects list:

FFY 2021 City of Kodiak Prioritized Federal Capital Projects List

1. Fire Station Phase II \$20,000,000

The City of Kodiak identified the need to replace its fire station and has been working toward a replacement plan since 2004. The building has clearly outlived its design life. The building is composed of three structures and sits on a site that is currently very vulnerable and rests within the recently updated tsunami inundation zone. The structure is built of cement block type construction built in the 1940s with two block and wood frame additions added in the 1960s and 1975. The structure poses a significant risk of failure in a seismic event. Cracks in the walls and initial separation of one of the additions from the rest of the structure occurred

following the large 7+ earthquake in 2016 and suffered additional damage during the January 2018 earthquake 60 miles off the Kodiak coast. It has ongoing plumbing, drainage, and water infiltration issues. The facility houses Fire and EMS personnel, fire and rescue apparatus, three ambulances, and many types of specialty equipment and medical supplies that support the Advanced Life Support services offered to the entire Kodiak area well beyond the City boundaries. The building condition poses constant challenges and problems to the crews who work and live in the structure. Work to replace this building must continue because it is a key emergency response and life-safety facility for Kodiak and continues to require constant maintenance.

The City proposes completion of the project in three phases. Phase I of this project with a budget of \$1,110,000 and funded by the City was used to study the site, for a new facility once a derelict building is removed. It included the removal of the derelict building, site grading, and other work following the demolition of the old building. Phase I is complete.

Phase II would include a new site acquisition and design completed prior to construction. The city council is evaluating several potential sites and building designs proposed on each location. Relocation would make the project more affordable to do in phases, would reduce the impact to the active fire station, and benefit the transition to a new building. Phase II costs would include site acquisition and building design anticipated during FY2020-21. The City has increased the Phase II budget to \$1.3 M including a legislative re-appropriation grant award of \$76,755 for partial building design costs. The remaining funding request would be required to complete construction and furnish the facility.

The City of Kodiak requests Federal funding for Phase II of the New Fire Station project in the amount of \$20,000,000 to ensure the project continues to move forward.

2. Waste Water Treatment Plant Ultraviolet (UV) System \$5,300,000

The City of Kodiak operates the area wide water distribution and collection system for area residents, businesses, and fish processors and provides lab testing for the US Coast Guard Base Kodiak and commercial facilities including the island's fish processors. A condition of permit renewal by ADEC is to provide additional disinfection to our secondary treatment of effluent discharge. The City met with ADEC in January 2018 to ask for a seven-year grace period prior to the implementation of the new EPA requirement in order to obtain funding to construct the ultra violet disinfection facility and was denied.

The Alaska Pollution Discharge Elimination System (APDES) permit is complete and became effective on July 1, 2018. The new permit includes requirements for disinfection alternatives that will require capital improvement to the existing Wastewater Treatment Plant within five years.

The City has secured a \$600,000 loan from the State of Alaska Revolving Fund loan program to begin the process of meeting the APDES permit requirements. Jacobs has been contracted to provide the design of the new facility and prepare the bid documents. This is expected to be

completed this year. By July 2020 the City must secure funding for the construction of the EPA required facility in order to meet the deadline of compliance by July 2023.

The City of Kodiak requests Federal funding to construct the EPA/ADEC required effluent disinfection facility in the amount of \$4,500,000 to remain compliant with current regulations.

3. St. Herman Harbor Infrastructure Replacement \$10,000,000

The economy of the City of Kodiak is based upon commercial fishing including local, state and federal governmental activities associated with support of the fisheries as well as research and enforcement activities. Each year Kodiak ranks as a top commercial fishing port. In 2018, NOAA statistics again put Kodiak as the second largest commercial fishing port in the United States in terms of volume and third in terms of value. This activity requires an infrastructure of potable water, electrical systems supply, and harbor and dock infrastructure that is much larger than its population might suggest. Current piling repairs indicate the life to date of the docks which are failing after 50 years of use.

The Kodiak Harbor Department relies on the generation of user fees and the State of Alaska’s Harbor Facilities Grant Program to help match municipal costs for dock replacements. The City’s request of funding assistance in the amount of \$10,000,000 would help the City develop a plan, including replacement of this aging infrastructure which supports the nations scientific and food source needs. Currently the city has \$1.3 M dedicated to a replacement fund, Federal support would bolster this account to replace its harbor floats. These floats contain electrical pedestals, fire suppression water lines, safety ladders and supply water.

4. Waste Water Treatment Plant Facility \$19,000,000

The first phase of a larger project evaluated the condition of the Waste Water Treatment Plant facility (WWTP) and design a necessary upgrade to the City of Kodiak facility. The prior upgrade to the facility was in 1999. The condition and evaluation assessment included all major components such as the building and aeration basins; including equipment replacement needs. Alaska Pollution Discharge Elimination System (APDES) permitting requirements are also considered during this assessment. The City of Kodiak has received the Alaska Department of Environmental Conservation (ADEC) APDES permit. This new regulation of compliance requires upgrades to our facility including additional monitoring and testing requirements. The APDES permit set a five-year timeline for full compliance of effluent discharge, which has been factored in our condition and evaluation assessment. Included in the facility rebuild are two sewer lift stations and the supervisory control and data acquisition (SCADA) system to interface with the pumps and treatment at the facility.

The City of Kodiak requests federal funding in the amount of \$19,000,000 to assess, design and construct this WWTP project that will help support the wastewater needs of the community for the next twenty years.

5. Parks and Recreation Facility Upgrade \$3,500,000

The City of Kodiak provides multi-purpose recreation programs for the community residents and visiting public. Baranof Park is home to playground facilities, tennis, track and field, baseball, football, soccer, ice skating and hockey. The park's use continues to increase and has outgrown its original design. The Parks and Recreation Advisory Board, together with the City Council, have requested a master plan study to identify the future growth options.

A local committee of volunteers has offered to provide matching funds to assist with design, and construction of needed improvements. The areas considered include additional parking, enclosure of the ice rink, with locker rooms, restrooms and rental office. The master plan study is intended to identify these priorities and costs associated with construction. This facility is a multi-purpose complex.

The City of Kodiak is requesting federal funding assistance for the master plan study of Baranof Park, including the enclosure of the ice rink with the remodel amenities in the amount of \$3,500,000.

FY 2020-21 City of Kodiak Supported Federal Issues:

1. Pink Salmon Disaster Assistance

The City of Kodiak remains concerned over the delay in the final approval of the \$2.4 million set aside for local government relief as part of the 2016 Pink Salmon Disaster. The City understands that NOAA and OMB are now requiring that eligible local governments, including Kodiak, submit a proposal on how the funds would be spent, including specifying that the funds be spent on projects that would support the pink salmon fishery. We have been informed that this proposal can include harbor or other pink salmon fishery-supporting infrastructure projects. The City is contemplating projects that it believes meet the criteria as follows: the replacement of 24 electrical power pedestals located around Saint Herman Harbor; the installation of harbor security cameras around Saint Herman Harbor (the most requested harbor improvement project by our fishing fleet); the addition of two sewage pump out stations to service the fishing fleet (one in Saint Herman Harbor and one in Saint Paul Harbor); and the installation of 60 rescue safety ladders in Saint Herman Harbor (extending from dock to the water line in case of accidental fall in). The City appreciates and requests continued Alaska Congressional Delegation support for finalizing the local government funding awards from the disaster funding provided for the pink salmon disaster.

2. Gulf of Alaska Pacific Cod Disaster Assistance

Last fall, the Secretary of Commerce approved the application filed by former Alaska Governor Walker to declare the 2018 Gulf Pacific Cod fishery a commercial fishery failure caused by a fishery resource disaster pursuant to the Magnuson-Stevens Act. The Congress has already appropriated \$165 million in unallocated disaster assistance funding which can be used for a number of recent fishery resource disasters, including for Pacific Cod. The next step in the process is for the Secretary to approve the specific allocation of funding for each of the newly declared fishery disasters. Once the allocation is approved, the State of Alaska will begin work with the NMFS Alaska Region staff and the Pacific States Marine Fisheries Commission to put together a proposed Spend Plan to allocate funding to the different sectors

of the cod fishery impacted by the disaster. The City urges continued engagement by our Congressional Delegation through this process, including support for local government relief should the State include it as part of its Spend Plan.

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: Timothy Putney, Chief of Police
Date: January 23, 2020

Agenda Item: V. e. **Authorization to Award a Supply Agreement for Community Jail Meals to MEA Enterprises (dba KFC Taco Bell of Kodiak) and Sealko, Inc (dba Subway of Kodiak)**

SUMMARY: The City of Kodiak Police Department issued a request for proposal (RFP) for jail meals for the Kodiak Community Jail on November 29, 2019. Proposals were due on January 10, 2020. The RFP was advertised in the Kodiak Daily Mirror and on the Department's Facebook page. The Department only received one (1) proposal from the current vendor, Subway and KFC/Taco Bell of Kodiak, to provide all meals. The price per person for 3 meals a day has been quoted at \$19.99 for the first year (subsequent years would increase with the Anchorage CPI). Similar to Alaska DOC practices, the jail only serves two meals a day on weekends and holidays. The meals from Subway and KFC/Taco Bell are supplemented with apple sauce, milk, juice, and coffee which are purchased through other grocery stores.

PREVIOUS COUNCIL ACTION: The cost of jail meals is included in the Corrections operating budget; it is authorized by Council each year.

BACKGROUND/DISCUSSION: The Kodiak Police Department has historically had agreements with local businesses to provide meals to people incarcerated at the Kodiak Community Jail. The last solicitation for jail meals was issued in June 2011. That solicitation was awarded to Subway and KFC/Taco Bell of Kodiak. The initial 3-year term of the agreement was extended 2 additional years. The Department issued a new RFP for jail meals in November 2019 because the initial agreement expired. The Department was otherwise happy with the meals and services being received. Subway of Kodiak has been involved in supplying at least one meal per day to the Kodiak Community Jail for over 20 years.

The daily prisoner population can fluctuate between 1 and 22 people, and on occasion it has exceeded 22. Jail meals are required to be nutritional, well balanced, and meet Regular Daily Allowance (RDA) requirement levels set to maintain good nutrition in healthy persons. Meal service is required seven (7) days a week, including holidays. The jail is required to accommodate prisoners with special diets, such as prisoners with religious beliefs that require adherence to a particular practice, prisoners who have been prescribed a special diet by a licensed health care provider or nutritionist, and/or prisoners who are vegetarians. The Department of Corrections requires prisoners receive at least 2 hot meals per day.

The only alternative would be to keep meal preparation in-house; however, the jail kitchen was not designed with food preparation in mind, and it would need an extensive remodel. The Department would need to invest in new kitchen equipment to accommodate an increase in food storage and preparation. This would include, but is not limited to: a large capacity freezer, commercial oven, all surfaces used in food preparation need to be replaced with stainless steel, and a 3 compartment sink would need to be installed (wash, rinse, sanitize). The equipment alone is estimated to cost approximately \$15,000. The Department has not solicited bids to estimate the remodel costs. The remodel could take several months to complete. In addition to upgrading the kitchen, each Corrections Officer would need to obtain a Food Handlers Card through the State of Alaska, and the Department would need to have meals approved by a dietician before an accurate estimate on food could be provided.

The initial benefits of providing meals for prisoners in-house would be more control over what food is served and how it's prepared. Adequate food could be stored to ensure there was enough in case of disaster, and the overall cost of providing jail meals would be expected to decrease after the initial investment.

The negative effects of preparing food in-house are related to the additional time and responsibility of food preparation. This additional task associated with preparing up to 3 meals per day is expected to reduce the amount of time corrections officers have to attend to their regular duties, such as: supervising prisoners, booking and releasing prisoners, court transports, and pretrial electronic monitoring. This could also increase the time it takes to respond to an emergency within the facility. The Department is required to serve meals at certain times throughout the day, and delays could occur if corrections officers are preoccupied with other tasks. As an example, the jail served an average of 10,000 meals a year between FY2017 and FY2019.

ALTERNATIVES:

- 1) Authorize a supply agreement for community jail meals to MEA Enterprises d/b/a KFC Taco Bell of Kodiak and Sealco Inc. d/b/a Subway of Kodiak, Inc. for a period of up to five (5) years. The initial contract price will remain firm until June 30, 2021. Each subsequent year would increase at the rate of the Anchorage CPI. This is staff's recommendation.

- 2) Jail meals could be prepared in-house. The initial investment could be substantial, but the cost of providing jail meals would be expected to decrease in the long term. The additional time and responsibility of preparing food is expected to interfere with corrections officers regular duties. This alternative is not recommend at this time.

FINANCIAL IMPLICATIONS: In FY 2019 the Department spent a total of \$50,797 on jail meals, and the FY 2020 amount is projected to be about the same.

LEGAL: The RFP was advertised in accordance with KCC 3.12.040 (a)(b)

STAFF RECOMMENDATION: Staff recommends authorizing a supply agreement with MEA Enterprises (dba KFC Taco Bell of Kodiak) and Sealko, Inc. (dba Subway of Kodiak) to provide meals to persons detained at the Kodiak Community Jail.

CITY MANAGER'S COMMENTS: During the past two years staff has evaluated options to meals service at the Kodiak Community Jail. This service of using a vendor was the most cost and time effective and was therefore advertised locally. Only one proposal was received and we are again using the same vendors.

NOTES/ATTACHMENTS:

Attachment A: Proposal from Subway of Kodiak and KFC/ Taco Bell of Kodiak

Attachment B: Supply Agreement

PROPOSED MOTION:

Move to authorize the award of a Supply Agreement for Community Jail Meals to MEA Enterprises (dba KFC Taco Bell of Kodiak) and Sealko, Inc (dba Subway of Kodiak) for five years with funds coming from the Corrections meals for prisoners line item and authorize the City Manager to execute the documents on behalf of the City.

Subway of Kodiak
KFC Taco Bell of Kodiak
326 Center Street, Suite 208
Kodiak, Alaska 99615

January 5, 2020


Chief Putney,

It has been our pleasure to supply meals for the City of Kodiak Jail for over 20 years. I wanted to share some fun history with you. When we took over doing the jail meals your previous contract was for \$10 per meal with a minimum of 10 meals per meal part (minimum of \$300 per day). Keep in mind this was over 20 years ago. Today our meals are at 6.25 for breakfast, 5.75 for lunch, and 7.50 for dinner and there is no minimum. Yesterday alone the savings was \$163.50 for just one day compared to 20 years ago. The current agreement has literally saved tens of thousands of dollars per year and hundreds of thousands over the last twenty. The current price has not been changed in 7 years and at that point it was changed between 25 cents and 50 cents per meal depending on the day part.

Over the years I think the current program has worked really well. Of course there have been hiccups along the way but we pride ourselves in addressing those immediately. What we are proposing is basically the exact same program we have used for years. If you would desire to change that program we are willing to look at alternatives.

Thank you for the opportunity to continue to serve you,

Respectfully,


Daniel A Rohrer
Owner

Jail Meal Proposal

This proposal is valid for 90 days. We are willing to continue to perform the services described in the RFP. As we have shown over the years we have the staff and resources necessary to perform the services described in the RFP on a 365 day a year schedule. We currently make the breakfast and lunch meals at the downtown Subway and we make the dinner meal at KFC Taco Bell. In the case where the downtown Subway is closed for a remodel or some other unforeseen issue we will provide breakfast and lunch from the Walmart Subway. If KFC Taco Bell is closed for some unforeseen issue then we will work with the Police Department staff to provide the meals out of one of the Subways. The downtown Subway has been in existence for 30 years and the KFC Taco Bell for over 11 years.

Currently we do not provide drinks because you were able to do so at a cost savings. We are more than willing to provide milk or juice or water and will include pricing for that as an add on so you have it for your consideration.

Additionally we are excluding delivery which is consistent with how this has been handled for the last 20 years. We do not offer delivery and would have to do that through a third party at a fixed cost per delivery. I prefer our being able to hand it off directly to a police officer in our stores. This enables me to guarantee quality and I believe saves you money.

I have attached a basic menu and am willing to expand upon that with whatever additional information you might require. Also we continue to be willing to change this menu daily depending on the dietary requirements of the inmates.

Lastly we have successfully provided 3 meals a day 365 days a year (currently 2 meals a day on holidays) for all these years with zero food borne illness events and look forward to doing the same for the next 20 years.

Daniel Rohrer has the signatory authority to bind this contract.

Vendor References

City of Kodiak – Chief Putney
City of Kodiak – Sergeant Suarez

Other references upon request

Proposed Jail Menu

Breakfast:

6" Black Forrest Ham and Egg Sandwich	410 Calories
(can substitute 6" Bacon & Egg or 6" Sausage and Egg)	
Apple	85 Calories
Yogurt	170 Calories
Breakfast Total	665 Calories

Lunch:

6" Turkey Sandwich (with cheese)	410 Calories
(can substitutes Ham, Subway Club, or Roast Beef)	
Lays Potato Chips (reg, bbq, Doritos, Sun, etc)	230 Calories
Lunch Total	640 Calories

Dinner (one of three different meals):

Original Chicken Leg	120 Calories
Original Chicken Thigh	250 Calories
Mashed Potatoes	120 Calories
Buttermilk Biscuit	180 Calories
Dinner Total	670 Calories

Or

3 Extra Crispy Chicken Strips	390 Calories
Potato Wedges	290 Calories
Buttermilk Biscuit	180 Calories
Dinner Total	860 Calories

Or

Large Grilled Burrito	540 Calories
Crunchy Taco	170 Calories
Cinnamon Twists	170 Calories
Dinner Total	880 Calories

Daily Total (less drinks) 1,975 Calories to 2,185 Calories

We will adjusted this menu on a needed basis to meet peoples dietary needs.

Pricing:

Breakfast:	\$6.49
Lunch:	\$5.75
Dinner:	\$7.75

Add On Beverage:

Milk (chocolate or 2%)	\$1.25
Juice (orange or apple)	\$1.75
Water (20 Oz)	\$1.00

This pricing would be fixed for the first year of the contract. Each additional year of the contract the price would increase by the Anchorage CPI for the year.

Delivery is excluded.

If you have any questions or need any clarifications in regards to our proposal please call me at 539-5836 or email Drohrer@kodiakak.net. If the selection committee wishes to meet in person I am happy to interview at your convenience.

Respectfully,



Daniel A Rohrer

SUPPLY AGREEMENT

THIS SUPPLY AGREEMENT made and entered into this 3rd day of February, 2020, by and between CITY OF KODIAK, an Alaskan municipal corporation, whose address is 710 Mill Bay Rd. Kodiak, AK 99615, hereinafter referred to as "City" or "Kodiak" and Sealko, Inc. (dba Subway of Kodiak) and MEA Enterprises (dba Taco Bell and KFC of Kodiak), both organized under the laws of the State of Alaska, and having its principal place of business at 326 Center Ave. Suite 208 Kodiak, AK 99615, hereinafter referred to as "Supplier."

WITNESSETH:

WHEREAS, City has solicited proposals for goods in the form of meals for prisoners incarcerated in Kodiak and wishes to purchase from Supplier such goods; and

WHEREAS, Supplier is a provider of such goods and is willing to provide and sell them to City, all upon the terms and conditions hereinafter stated.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein set forth, the parties hereby agree as follows:

ARTICLE 1. **DEFINITIONS**

For purposes of this Agreement, the following terms, word and phrases, where written with an initial capital letter shall have the following meanings:

1.1 "Products" shall mean meals for inmates incarcerated at the Kodiak Community Jail by Supplier according to specifications. The meal specifications are identified in Exhibit A.

1.2 "Point of Delivery" is the City of Kodiak Community Jail at 2160 Mill Bay Road, Kodiak.

1.3 "Force Majeure" shall mean any event or condition, not existing as of the date of signature of this Agreement, not reasonably foreseeable as of such date and not reasonably within the control of either party, which prevents in whole or in material part the performance by one of the parties of its obligations hereunder or which renders the performance of such obligations so difficult or costly as to make such performance commercially unreasonable. Without limiting the foregoing, the following shall constitute events or conditions of Force Majeure: acts of State or, governmental action, riots, disturbance, war, strikes, lockouts, slowdowns, prolonged shortage of energy supplies, epidemics, fire, flood, hurricane, typhoon, earthquake, lightning and explosion.

ARTICLE 2.
SUPPLY AND PURCHASE

2.1 City agrees to purchase from Supplier, and Supplier agrees to supply to City, at the prices determined in accordance herewith, and subject to the terms and conditions hereinafter set forth, the services and products set forth in Exhibit A.

ARTICLE 3.
ORDERS, DELIVERY AND MODIFICATION OF PRODUCTS

3.1 Purchase Orders. The delivery dates will be seven days a week, including holidays, as outlined in Exhibit A and will be the dates the meals are expected to arrive at the Point of Delivery.

3.2 Delivery of Products. Supplier shall deliver the Products within the times (which is of the essence) specified in paragraph 3.1, and at the price specified herein, all in accordance with City's instructions and specifications.

ARTICLE 4.
QUALITY OF PRODUCTS

The quality of all Products delivered by Supplier shall be in accordance with the specifications (Exhibit A), and meet any and all applicable laws and regulations promulgated by any federal, state, local or municipal governmental authority or agency, including, but not limited to, public safety, health and environmental standards.

ARTICLE 5.
PRICES AND PAYMENT REVISED

5.1 Price. The price to be paid by City for the Products purchased hereunder shall be the prices set forth in Exhibit B attached hereto.

5.2 Payment Terms. Payment for delivered Products shall be made via check or by City thirty (30) days from the date of the Bill of Lading for Products ordered and delivered to the Point of Delivery.

ARTICLE 6.
TAXES

Except as otherwise provided in this Agreement, Supplier shall be responsible for and shall pay any and all (a) import duties, (b) gross receipt, income and sales taxes and (c) other governmental charges which relate to the production, delivery and sale of the Products, as such are now or may hereafter be imposed under or by any state, local or municipal governmental authority or agency.

ARTICLE 7.
ACCEPTANCE

7.1 N/A

ARTICLE 8.
FORCE MAJEURE

8.1 Notice. Upon giving notice to the other party, a party affected by an event of Force Majeure shall be released without any liability on its part from the performance of its obligations under this Agreement, except for the obligation to pay any amounts due and owing hereunder, but only to the extent and only for the period that its performance of such obligations is prevented by the event of Force Majeure. Such notice shall include a description of the nature of the event of Force Majeure, its cause and possible consequences. The party claiming Force Majeure shall promptly notify the other party of the termination of such event.

8.2 Suspension of Performance. During the period that the performance by one of the parties of its obligations under this Agreement has been suspended by reason of an event of Force Majeure, the other party may likewise suspend the performance of all or part of its obligations hereunder.

ARTICLE 9.
DISPUTES AND GOVERNING LAW

9.1 Disputes. The parties hereto shall submit any disputes arising under this Agreement to non-binding mediation. Should mediation not resolve the dispute within thirty (30) days after one party has demanded mediation from the other party, the dispute may be heard solely in the State of Alaska Superior Court, Third Judicial District at Kodiak, Alaska.

9.2 Governing Law. This Agreement shall be governed by, and interpreted and construed in accordance with, the laws of the State of Alaska.

ARTICLE 10.
GENERAL TERMS AND CONDITIONS

10.1 Relationship. This Agreement does not make either party hereto the employee, agent or legal representative of the other party for any purpose whatsoever. Neither party hereto is granted any right or authority to assume or to create any obligation or responsibility, express or implied, on behalf of or in the name of the other party. In fulfilling its obligations pursuant to this Agreement, each party hereto shall act as an independent contractor.

10.2 Assignment. Each party shall not assign or otherwise transfer any of its rights or obligations under this Agreement without the prior written consent of the other party. This

Agreement and the rights and obligation arising hereunder shall not be affected by any change in the corporate structure of ownership of the parties.

10.3 Notices. All notices permitted or required to be given hereunder shall be delivered personally or sent by facsimile or registered or certified air mail, postage prepaid, return receipt requested, addressed to the addresses of the parties hereto as set forth above or to such other addresses as the parties may designate by like notice from time to time. Notices so given shall be effective (a) upon the date of personal delivery, (b) if sent by facsimile, concurrently with the transmission thereof if the sender's machine produces a transmission report without notice of a communication fault, (c) on the third (3rd) business day following the date on which such notice is mailed by registered or certified air mail.

10.4 Entire Agreement. This Agreement, including the Exhibits attached hereto and by this reference made an integral part hereof, constitute the entire agreement of the parties hereto with respect to the subject matter hereof and thereof, and supersede all previous proposals, verbal or written, expressed or implied, and all negotiations, conversations or discussions heretofore between the parties hereto related to the subject matter of this Agreement.

10.5 Amendment. This Agreement shall not be deemed or construed to be modified, amended, rescinded, canceled or waived, in whole or in part, except by written statement signed by both parties hereto.

10.6 Severability. In the event that any of the terms of this Agreement are in conflict with any rule of law or statutory provision or otherwise unenforceable under the laws or regulations of any government or subdivision thereof, such terms shall be deemed stricken from this Agreement, but such invalidity or unenforceability shall not invalidate any of the other terms of this Agreement, and this Agreement shall continue in force, unless the invalidity or unenforceability of any such provisions hereof does substantial violence to, or where the invalid or unenforceable provisions comprise an integral part of, or are otherwise inseparable from, the remainder of this Agreement.

10.7 Compliance with Applicable Laws. The parties to this Agreement shall at all times conduct their activities hereunder in accordance with all applicable federal, state and local laws, rules and governmental regulations.

10.8 Waiver. No failure by either party hereto to take any action or assert any right hereunder shall be deemed to be a waiver of such right in the event of the continuation or repetition of the circumstances giving rise to such right.

10.9 Counterparts. This Agreement may be executed in two (2) or more counterparts in the English language, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

10.10 Remedies Cumulative. Each of the rights and remedies of the parties set forth in this Agreement shall be cumulative with all other such rights and remedies, as well as with all rights and remedies of the parties hereto otherwise available at law or in equity.

10.11 Indemnification. Supplier shall indemnify City and hold it harmless from and against any and all costs including reasonable attorneys' fees, court costs and litigation expenses, losses, expenses and damages incurred by City in connection with any claim or cause of action brought by any third person or party against City which, in whole or in part is based upon or arises out of any breach of any of Supplier's obligations hereunder.

10.12 Captions. The captions of Articles and Sections of this Agreement are included for convenient reference only, shall not be construed as part of this Agreement and shall not be used to define, limit, extend or interpret the terms hereof.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first written above.

CITY OF KODIAK

By: _____
Its: _____

SUPPLIER

By: _____
Its: _____

EXHIBIT A

Meal Service Requirements

The daily prisoner population can fluctuate between 1 and 22 prisoners. Occasionally, the daily prisoner population can exceed 22 prisoners. Jail staff will notify vendor by predetermined methods of the meal count and any special instructions. The successful vendor will be required to provide nutritionally-adequate meals for all prisoners while this contract is in place. Meals must be nutritional, heart-healthy, well balanced, and meet Regular Daily Allowance (RDA) requirement levels set to maintain good nutrition in healthy persons.

Meal service will be required seven (7) days a week, including holidays, for the duration of the jail meals contract. The successful vendor will also be required to provide meals for prisoners with special diets, such as prisoners with religious beliefs that require adherence to a particular practice, prisoners who have been prescribed a special diet by a licensed health care provider or nutritionist, and/or prisoners who are vegetarians.

Monday through Friday (except holidays)

Prisoner meals are served Monday through Friday (except holidays) promptly at 7:00 am, 11:00 am, and 5:00 pm. All meals must be delivered within 15 minutes of serving times. Two meals per day must be hot meals and delivered in container(s) designed to keep food warm.

Saturday, Sunday and Holidays

Prisoner meals are served Saturday, Sunday and holidays promptly at 9:00 am and 4:30 pm. All meals must be delivered within 15 minutes of serving times. Both of these meals are required to be hot meals.

The holidays recognized by this contract are:

New Years Day

Veterans Day

Martin Luther King Day

Thanksgiving Day

Presidents' Day

Christmas Day

Seward's Day

Memorial Day

Independence Day

Labor Day

Alaska Day

EXHIBIT B

Pricing as per the Proposal for Jail Meals from Subway of Kodiak and KFC Taco Bell of Kodiak as submitted by Daniel Rohrer dated January 5, 2020.

For Fiscal Year FY2021 the amount agreed upon for each daily meal for 365 days a year is as follows:

Breakfast \$6.49

Lunch: \$5.75

Dinner\$7.75

The price will remain firm until June 30, 2021. Each subsequent year would increase at the rate of the Anchorage CPI.