

City of Kodiak Special Council Meeting Agenda for November 9, 2010
Immediately Following 6:30 p.m. Work Session at 2160 Mill Bay Road

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

- II. Previous Minutes**
Approval of Minutes of the October 28, 2010, Regular Council Meeting1

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

- IV. Unfinished Business**
 - a. Second Reading and Public Hearing, Ordinance No. 1279, Amending KCC 10.08.030, Additional Parking Regulations; Repealing And Reenacting KCC 10.08.050, Limited Time Parking; Adopting KCC 10.08.055, Parking in City Parking Lots; and Amending KCC 10.44.030, Vehicle And Traffic Offenses—Fine Schedule; Regarding the Regulation of Parking on Streets and Other Rights-Of-Way, and in City Parking Lots ...10

- V. New Business**
 - a. Authorization of Change Order No. 13, Kodiak Police Station, Project No. 04-23, Alternate No. 1 – Kodiak Jail18

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

- VII. Mayor’s Comments**

- VIII. Council Comments**

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

- X. Executive Session**
 - b. Clerk’s Annual Evaluation.....22

- XI. Adjournment**

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DRAFT

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, OCTOBER 28, 2010
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Mayor Carolyn L. Floyd called the meeting to order at 7:31 p.m. Councilmembers Josefina F. Rosales, Gabriel T. Saravia, Thomas D. Walters, and John B. Whiddon were present and constituted a quorum. Councilmember Terry Haines arrived at 7:39 p.m. Councilmember Mary A. Monroe was absent. City Manager Aimée Kniazowski and City Clerk Debra L. Marlar were also present.

After the Pledge of Allegiance, Captain John Quinn gave the invocation.

II. PREVIOUS MINUTES

Councilmember Walters MOVED to approve the minutes of the September 23, 2010, Regular meeting and September 29, 2010, Special meeting as presented.

The roll call vote was Councilmembers Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Haines Arrived at 7:39 p.m. Councilmember Monroe was absent. The motion passed.

III. PERSONS TO BE HEARD

a. Proclamation: Filipino American History Month

Councilmember Rosales read the proclamation, which urges all citizens to celebrate the rich history and contributions of Filipino Americans in Kodiak. Mary Hawver accepted the proclamation from Mayor Floyd.

b. Proclamation: Isle of Lights

Councilmember Walters read the proclamation, which urges all residents to join with the City in lighting our businesses and homes with energy-efficient LED lights, not just for the holidays but also for the winter season, beginning November 2010 and concluding February 2011.

c. Public Comments

Rich Walker, Kodiak Football League Vice president, thanked the Public Works crew and other city staff for their work to restore the Woody Way field. He also remarked that the Football League had submitted a proposal to operate the crossing guard program and spoke in favor of the program.

IV. UNFINISHED BUSINESS

None

V. NEW BUSINESS

- a. **First Reading, Ordinance No. 1279, Amending KCC 10.08.030, Additional Parking Regulations; Repealing And Reenacting KCC 10.08.050, Limited Time Parking; Adopting KCC 10.08.055, Parking in City Parking Lots; and Amending KCC 10.44.030, Vehicle And Traffic Offenses—Fine Schedule; Regarding the Regulation of Parking on Streets and Other Rights-Of-Way, and in City Parking Lots**

Mayor Floyd read Ordinance No. 1279 by title. Title 10 of the City Code, Vehicles and Traffic, must be amended to provide the authority for the City Council to establish the permit parking program requested by the City's Port and Harbor Advisory Board (PHAB). According to City attorney Tom Klinkner, the current Code language is not clear enough to allow the City to establish permit parking in the harbor areas. The ordinance will amend four sections of Title 10 to set time limits for parking, designate specific kinds of parking, provide for official traffic control devices, allow the designation and establishment of paid or permit type parking lots by Council resolution, and sets fines for related violations. When the ordinance is effected, staff will bring a resolution to Council to establish the permit parking facilities and set the terms and rates for the six-month trial period as requested by the PHAB.

Councilmember Haines arrived during the Manager's report.

Councilmember Walters MOVED to pass Ordinance No. 1279 in the first reading and advance to second reading and public hearing at the next regular or special meeting.

In response to Council questions, Manager Kniazowski clarified the fine structure and explained as written, the ordinance would add two new \$50 fines to KCC 10.44.030 pertaining to parking.

Councilmembers voiced concern about penalties for fishermen.

Councilmember Walters MOVED to amend Ordinance No. 1279 in Section 4, KCC 10.08.050(a) and 10.08.055(b) by changing the fine from \$50.00 to \$10.00.

The roll call vote on the amendment was Councilmembers Haines, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Monroe was absent. The amendment passed.

The roll call vote on the amended motion was Councilmembers Haines, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Monroe was absent. The motion passed.

- b. **Resolution 2010–28, Appointing a Member to the Kodiak Fisheries Development Association**

Mayor Floyd read Resolution 2010–28 by title. The term for the joint City–Borough seat on the Kodiak Fisheries Development Association (KFDA) board held by Stosh Anderson expired in July. He submitted an application to the Borough Clerk and is interested in being reappointed to the KFDA board. The Borough Assembly made the reappointment at their October 21, 2010, meeting. Once the City appointment is made, KFDA will have a full complement of Directors.

Councilmember Saravia MOVED to adopt Resolution 2010–28.

The roll call vote was Councilmembers Haines, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Monroe was absent. The motion passed.

c. Authorization of SPCC Plan-Spill Prevention, Project No. 03-01/5024

One part of the Spill Prevention Control & Countermeasures (SPCC) Plan-Spill Prevention project was to remove all of the old drums stored on site at the Public Works facility. The vast majority of these drums contain an old asphalt oil product from over 25 years ago. Other drums contain oil contaminated soil and mixers of other emulsion oil and diesel fuel. Three companies were asked for quotes to evaluate the contents of the drums and submit disposal plans. Emerald Alaska submitted the best and most affordable plan to evaluate the drum contents and dispose of the materials. Because the Environmental Protection Agency (EPA) requires the work to be completed before November 1, 2010, the City Manager had to approve the drum evaluation and removal under emergency purchasing, City Code Section 3.12.070 (b), in the amount not to exceed \$28,000 to Emerald Alaska Inc. Staff recommend Council acknowledge and authorize this emergency purchase.

Councilmember Rosales MOVED to authorize the SPCC plan-spill prevention contract with Emerald Alaska in an amount not to exceed \$28,000, with \$5,310 coming from the Street Capital Improvement Fund, SPCC Plan-Spill Prevention project, Project NO. 03-01/5024, and the additional \$22,690 to be appropriated to the project in the FY11 supplemental budget.

The roll call vote was Councilmembers Haines, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Monroe was absent. The motion passed.

d. Authorization of Change Order No. 12 Kodiak Police Station, Project No. 04-23, Alternate No. 1–Kodiak Jail Construction

This change order authorizes Roger Hickel Contracting, Inc. (RHC) to proceed with several contractor change order requests to Alternate No. 1 Kodiak Jail construction. The items in this change order have been reviewed and recommended by the City's project manager and Chief of Police. The changes will enhance safety, security, and effective operations of the new jail.

Councilmember Walters MOVED to authorize Change Order No. 12 Kodiak Police Station, Project No. 04–23, Alternate No. 1–Kodiak Jail Construction in the amount of \$87,933, with funds coming from the Public Safety Building Fund Police Station project account.

The roll call vote was Councilmembers Haines, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Monroe was absent. The motion passed.

e. Authorization of Emergency Repair of Electric Start System at Monashka Pumphouse

On September 21, pump #2 at the Monashka pumphouse failed to start. The Public Works shop supervisor checked the system and found the soft start for pump #2 had arced within itself and failed. At the time of this failure the City was in the middle of a major Pollock opening with daily water flow demands of about eight million gallons per day. Because of the high water usage, it was critical to have this pump repaired as soon as possible. Staff located a replacement soft start controller through North Coast Electric and immediately ordered it. The water utility

repair and maintenance account had the funds available to cover the cost of the new soft start, but the amount exceeded the Manager's spending limit. Due to the critical nature of the repair, the Manager made an emergency approval under the provision in KCC 3.12.070 (b), which allows the Manager to purchase beyond normal limits under emergency circumstances.

Councilmember Whiddon MOVED to authorize the emergency repair of pump #2 in the amount of \$18,343.50, with funds coming from the Water Utility, Water Distribution Fund, repair and maintenance account.

The roll call vote was Councilmembers Haines, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Monroe was absent. The motion passed.

f. Authorization of Monashka Pumphouse Feasibility Study PN 11-05/7029

Monashka Reservoir and Pumphouse are the primary sources of water for the City of Kodiak's public water system. The plans on file for the pumphouse indicate that construction began sometime in 1972. Since the start up of operations, only minor changes have occurred such as the addition of pumps and replacement of the original motor start systems. The additional pumps were installed by the Public Works crew, and the electrical work was completed by local electricians. With 38-year-old electrical and pumping technology housed in this building, this feasibility study has been needed for quite some time. This study is an important step in ensuring the Monashka facility remains fully operational at all times. A complete system analysis should be done and will identify improvements that will improve and extend reliability. The Public Works Director identified this as an important project to accomplish for several years and was successful in including it in the FY11 budget.

Councilmember Haines MOVED to authorize CH2MHill to perform the Monashka Pumphouse Feasibility Study, PN 11-05/7029, for a lump sum contract in the amount of \$175,000, with funds coming from Water Capital Improvement Fund project number 11-05/7029.

The roll call vote was Councilmembers Haines, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Monroe was absent. The motion passed.

g. Authorization to Cancel the November Regular Meetings and Schedule a Special Meeting for November 9, 2010

The regularly scheduled Council meetings for November must be cancelled due to November holidays, which conflict with regular meeting dates. The City offices are closed on November 11, which is Veterans Day. The Mayor, some Council members, and staff will be in Juneau for the annual Alaska Municipal League conference November 14-19, and the Thanksgiving holiday falls on the November 25 regular meeting date. Staff discussed the scheduling with Council at the September work session and recommended a special meeting be scheduled for November 9, 2010. The special meeting will be a combined work session and regular meeting.

Councilmember Whiddon MOVED to cancel the November 11 and 25 regular meetings and schedule a work session and special meeting for November 9, 2010.

The roll call vote was Councilmembers Haines, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Monroe was absent. The motion passed.

h. Certification of Election

The City of Kodiak held a regular election October 5, 2010, and voters cast ballots for one one-year City Council position, two three-year City Council positions, and voted on Proposition Numbers 1 and 2. The Canvass Board met October 13, 2010, to tally the votes of the admissible questioned and absentee ballots, together with votes counted on election night. The final results of the October 5, 2010, Municipal City election were:

City Council—One One-Year Term

Pat Branson792
Write-Ins30

City Council—Two Three-Year Terms

John Whiddon551
Charles Davidson506
Terry Haines.....492
Write-Ins11

Proposition No. 1 (Authorizing collective bargaining)

Yes430
No.....**469**

Proposition No. 2 (Amending City Charter Article X, Section 3)

Yes687
No.....178

Of the 3,743 registered City voters, 1,010 cast eligible City ballots, for a 26.9 percent voter turnout, which is .007 percent lower than last year.

Councilmember Walters MOVED to certify the results of the October 5, 2010, regular election and declare Patricia Branson elected to the City Council for a one-year term, John Whiddon and Charles Davidson elected to the City Council for three-year terms, that Proposition No. 1 failed and Proposition No. 2 passed.

The roll call vote was Councilmembers Haines, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Monroe was absent. The motion passed.

VI. STAFF REPORTS

a. City Manager

Manager Kniazowski thanked Councilmember Haines for his service and welcomed Pat Branson and Charles Davidson to the Council. She reported the City hosted a successful vehicle auction, earning \$18,850. She provided an update on the Kodiak Area Native Association conduit bond sale. She announced she would meet with Senator Gary Stevens and Representative Alan

Austerman to discuss the City's capital improvement project requests. Manager Kniazowski reported on her attendance at an invitation only Rasmuson Foundation pre-development library funding meeting and noted she had also attended two meetings with the City new insurance broker. She notified the Council of upcoming ICS training courses and of the Kodiak Fisheries Advisory Committee meeting the following day. She noted the Council needed to appoint a City representative to the committee to replace Councilmember Haines.

b. City Clerk

City Clerk Marlar thanked Councilmember Haines for his service and welcomed Ms. Branson and Mr. Davidson. She encouraged the public to apply for vacant City advisory boards, informed the public of the next scheduled Council work session and regular meeting, and reminded the public that City work sessions are now being held in the City's Emergency Operations Center at 2160 Mill Bay Road.

VII. Oath of Office

KCC 2.28.080 requires elected officials to take and subscribe to the Oath of Office. The City Clerk administered the Oath of Office to the City's re-elected and newly-elected officials.

VIII. MAYOR'S COMMENTS

Mayor Floyd presented outgoing Councilmember Terry Haines with a framed photo of the Kodiak harbors and thanked him for his service. She congratulated Pat Branson and Charles Davidson on their election to the Council. She encouraged citizens to vote in the November 2 election.

IX. COUNCIL COMMENTS

Councilmember Whiddon thanked Councilmember Haines for his service and welcomed Pat Branson and Charles Davidson to the Council. He spoke about the pilot composting project that was presented at the October 26 work session. He urged the City Manger to work with the Borough regarding the Borough's proposed landfill closure to sludge. He stated his desire for the City to review its consultant policies. He spoke about the importance of the City staying informed about fisheries issues and having a voice about fishing policies that affect the community. Councilmember Whiddon expressed his desire for City work sessions to be held in the Borough Building, instead of the City's new police station.

Councilmember Haines said he was proud and honored to have served on the City Council and voiced appreciation for the Council's civility toward each other. He spoke about the importance of continued fiscal responsibility and stated his belief the City Charter should mandate that the City has six months of operational funds at all times. He opined safe streets for children is important and urged the Council to continue to offer \$12,000 to help fund a crossing guard program. He advocated for the City to assert its stakeholder status in fisheries issues. Councilmember Haines noted Proposition 1 had been narrowly defeated and spoke in support of the Alaska Public Employment Relations Act for City employees.

Councilmember Rosales congratulated Pat Branson and Charles Davidson. She praised Councilmember Haines for his service. She voiced agreement with fisheries comments made by

Councilmembers Whiddon and Haines. She urged drivers to be careful and watch for children during the dark morning hours.

Councilmember Walters thanked Councilmember Haines for his outstanding service to the citizens of Kodiak and congratulated Pat Branson, John Whiddon, and Charles Davidson. He urged parents and drivers to ensure the safety of children going to and from school. He spoke in favor of a nonprofit organization operating the school crossing guard program. He noted the voters failed Proposition 1 and voiced his preference of handling personnel issues in house. He cautioned people about black ice on the roads and encouraged the Department of Transportation to install warning lights. He voiced support for exploring alternatives to hiring consultants.

Councilmember Saravia thanked Councilmember Haines and welcomed John Whiddon, Pat Branson, and Charles Davidson. He voiced support of the City helping to fund the crossing guard program and stated the Borough and School District should be responsible for the administration of the program and should also contribute operating funds. He urged parents to ensure the safety of their children to and from school. He noted that salmon bycatch may be a big problem for Kodiak that will affect Kodiak seafood workers and the Kodiak economy; he urged the Council to discuss the issue at a future work session. Councilmember Saravia also urged voters to vote at the November 2 election.

X. AUDIENCE COMMENTS

Charles Davidson thanked Kodiak voters for re-electing him. He wished Councilmember Haines well.

Pat Branson thanked Councilmember Haines for his service and said she looked forward to working with the Council and staff. She acknowledged Councilmember Walter’s concern about black ice and commented that the Borough Assembly has been lobbying for safety lights near Deadman’s Curve.

XI. ADJOURNMENT

Mayor Floyd adjourned the meeting at 8:40 p.m.

CITY OF KODIAK

MAYOR

ATTEST:


CITY CLERK

Minutes Approved:

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UNFINISHED BUSINESS

MEMORANDUM TO COUNCIL

To: Mayor Floyd and City Councilmembers
From: Aimée Kniazowski, City Manager 

Date: November 9, 2010

Agenda Item: IV. a. Ordinance No. 1279, Amending KCC 10.08.030, Additional Parking Regulations; Repealing And Reenacting KCC 10.08.050, Limited Time Parking; Adopting KCC 10.08.055, Parking in City Parking Lots; and Amending KCC 10.44.030, Vehicle And Traffic Offenses – Fine Schedule; Regarding the Regulation of Parking on Streets and Other Rights-Of-Way, and in City Parking Lots

SUMMARY: Title 10 of the City Code, Vehicles and Traffic, must be amended to provide the authority for the City Council to establish the permit parking program requested by the City's Port and Harbor Advisory Board (PHAB). According to City attorney Tom Klinkner, the current Code language is not clear enough to allow the City to establish permit parking in the harbor areas. The ordinance amends four sections of Title 10 -- to set time limits for parking, designate specific kinds of parking, provide for official traffic control devices, allow the designation and establishment of paid or permit type parking lots by Council resolution, and sets fines for related violations. Staff recommends Council adopt Ordinance No. 1279 after the public hearing and second reading.

PREVIOUS COUNCIL ACTION: Council received presentations on the proposed permit parking program at the harbors at work sessions on April 20, 2010, and May 25, 2010. Council directed staff to implement a six month trial period permit parking program as proposed by the PHAB.

On October 26, 2010, Ordinance No. 1279 was reviewed and discussed at the work session. Council did not support the proposed new fine amounts of \$50 each and discussed lowering the amounts to be more similar to the existing fine amounts in KCC 10.44.030.

On October 28, 2010, Council amended Ordinance No. 1279 to reflect new fine amounts of \$10 each and moved the amended ordinance to public hearing and second reading at the next regular or special meeting.

DISCUSSION: In response to a lack of available parking for slip holders in the City's harbors, the Port and Harbor Advisory Board (PHAB) developed a plan to convert 140 spaces in the 30-day parking lots adjacent to the harbors into parking by permit only (see Attachment B). The plan was reviewed by staff and then brought forward to the City Council for review in April and May. The City Council approved a

plan that incorporated the original PHAB permit parking recommendations and agreed to implement it on a six-month trial basis. The main elements of the plan include the following:

1. Cost per permit per month: \$30 first permit & \$50 for a second permit
2. Six-month trial basis only: June 30 - Dec 31
3. Permits sold at the harbor office to slip holders and paid-up transient vessels only
4. Non-harbor customers not eligible for permit parking in former 30-day parking lots
5. General terms:
 - a. No “for hire” vehicles
 - b. Vehicles must be in operable condition with current license
 - c. No long-term parking downtown during Crab Festival
 - d. Permit does not guarantee parking availability
 - e. No vehicles longer than 23 feet
 - f. No trailers

Prior to implementation of the permit parking program, the City attorney advised staff that several sections of Title 10 of the City Code must be amended to establish the authority necessary to regulate parking activities as proposed by the PHAB plan. Once amended, the Code will allow Council the authority to regulate parking activities by resolution. Staff advised the PHAB of the need for the code amendments and asked the attorney to draft the appropriate revisions.

Ordinance No. 1279 proposes the following four amendments to KCC Title 10:

- Amend KCC 10.08.030, Additional Parking Regulations, by revising the wording in section (g) to add that a vehicle cannot remain parked in public property, including a City parking lot, for longer than 24 hours unless it is in an area designated for a different amount of time marked by an official traffic control device.
- Substitutes existing language in KCC 10.08.050, Limited Time Parking, with revised language that the Chief of Police may use traffic control devices to designate time limits when and where warranted, and that vehicles may not park in violation of the posted traffic control devices. The revision allows the Chief of Police to issue permits to applicants for temporary activities as may be necessary.
- Proposes a new section, KCC 10.08.055, Parking in City Parking Lots, which allows the City Council, by resolution, to set time limits in City parking lots, designate paid parking lots and set fees, establish permit parking and set qualifications and fees for such parking, and to notify the public of time limits.
- Amends KCC 10.44.030, Vehicle and Traffic Offenses – Fine Schedule to include two new sections with fines of \$10 each for violation of exceeding limited time parking and for parking in City lots in violation of posted parking.

Council discussed the proposed fines in the ordinance at the October 26 work session. They amended the ordinance at the regular meeting on October 28 to reflect fine amounts of \$10 for each category. Ordinance No. 1279 (attached) reflects Council’s amendment.

ALTERNATIVES:

1. Adopt Ordinance No. 1279, which is staff's recommendation. The current Title 10 language does not address parking issues adequately and the amendments will provide the authority and flexibility to make parking changes as needed.
2. Council may amend, postpone, or fail the ordinance, which is not recommended because the proposed amendments will allow the City to establish parking changes as identified by PHAB.

FINANCIAL IMPLICATIONS: Once the ordinance is effective, the proposed permit parking fee structure will be established on a six-month trial basis next season and is estimated to generate between \$25,000 and \$46,000 in revenues. If the permit parking program at the harbors is extended, parking fees will offset some costs of a operating a permit program. It was proposed as a needed convenience to vessel operators who use the City's harbors and not as a source of revenue.

LEGAL: City attorney, Tom Klinkner, advised staff that sections of Title 10 of the KCC had to be amended to allow the City to create permit parking as requested by the PHAB. Mr. Klinkner worked with staff to draft the code changes needed.

STAFF RECOMMENDATION: Staff recommends Council adopt Ordinance No. 1279.

CITY MANAGER'S COMMENTS: Staff has been working on this since the proposal was introduced by PHAB members in response to a lack of parking for vessel owners and operators in the City's two harbors. We were prepared to implement a six-month trial program per Council's direction after the May 25, 2010, work session. However City attorney Tom Klinkner advised us that the Code needed to be amended before we could move forward to establish paid or permit parking. I informed the Harbormaster and PHAB of the need for code revisions before the program could be implemented. I asked Tom Klinkner to prepare the necessary Code amendments so we can proceed with this plan in time for the 2011 summer season. I recommend Council adopt this ordinance. Staff will bring a resolution to Council in January that will establish the permit parking facilities and set the terms and rates for the six-month trial period as requested by the PHAB.

ATTACHMENTS:

Attachment A: Ordinance No. 1279

Attachment B: Maps of various parking lots adjacent to City harbors

PROPOSED MOTION:

Move to adopt Ordinance No. 1279.

**CITY OF KODIAK
ORDINANCE NUMBER 1279**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK AMENDING KCC 10.08.030, ADDITIONAL PARKING REGULATIONS; REPEALING AND REENACTING KCC 10.08.050, LIMITED TIME PARKING; ADOPTING KCC 10.08.055, PARKING IN CITY PARKING LOTS; AND AMENDING KCC 10.44.030, VEHICLE AND TRAFFIC OFFENSES—FINE SCHEDULE; REGARDING THE REGULATION OF PARKING ON STREETS AND OTHER RIGHTS-OF-WAY, AND IN CITY PARKING LOTS

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

Section 1: Kodiak City Code Section 10.08.030 is amended to read as follows:

10.08.030 Additional parking regulations. Subsections (f) and (g) of 13 AAC 02.365 are hereby amended to read as follows:

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

(1) Washing of the vehicle if the person parking the vehicle is a dealer, agent, or employee of a garage, filling station, or car wash;

(2) Repairing or performing maintenance work on the vehicle except repairs or maintenance necessitated by an emergency;

(3) Displaying the vehicle for sale or hire in the regular course of the person's business except that a motor bus, sightseeing vehicle, airline service vehicle, or taxicab may park in accordance with the provisions of 13 AAC 02.372 (see also 5.04.010(a));

(4) Storing or parking, without being attended by a driver, a vehicle to be used for hire to another person; or

(5) Commercial advertising.

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

Section 2: Kodiak City Code Section 10.08.050 is repealed and reenacted to read as follows:

10.08.050 Limited time parking. (a) The chief of police may designate, by placing official traffic control devices, time limits for parking on those parts of a street, roadway, alley or vehicular way where the chief of police has determined that demand for parking warrants the designation. No person may stop, stand or park a vehicle in violation of such an official traffic control device.

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

[Bold and underlined added. Deleted language stricken through.]

Section 3: Kodiak City Code Section 10.08.055 is adopted to read as follows:

10.08.055 Parking in city parking lots. (a) The council by resolution may:

- (1) Establish time limits for parking in city parking lots;
- (2) Designate city parking lots for paid parking, and establish fees for paid parking in city parking lots; and
- (3) Designate city parking lots for permit parking, and the fees and qualifications for obtaining a permit.

(b) The city shall notify the public of time limits in city parking lots, fees required to park in city parking lots, and permit requirements for parking in city parking lots by the placement of official traffic control devices. No person may stop, stand or park a vehicle in violation of such an official traffic control device.

Section 4: Kodiak City Code Section 10.44.030 is amended by adding the following lines to the fine schedule in that section to read as follows:

KCC 10.08.050(a)	Limited time parking	<u>10</u>
KCC 10.08.055(b)	Parking in city parking lots	<u>10</u>

Section 5: This ordinance shall be effective one month after its final passage and publication in accordance with Kodiak Charter Section 2-13.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

First Reading: October 28, 2010 (amended)
Second Reading:
Effective Date:

[Bold and underlined added. Deleted language stricken through.]

Current St Paul Harbor Parking Layout, 3-23-10





Current St Herman Harbor Parking Layout 3-23-10



NEW BUSINESS

MEMORANDUM TO COUNCIL

To: Mayor Floyd and City Councilmembers
From: Aimée Kniaziowski, City Manager 
Thru: Chief of Police T.C. Kamaï 
Date: November 9, 2010

Agenda Item: V. a. Authorization of Change Order No. 13, Kodiak Police Station, Project No. 04-23, Alternate No. 1 – Kodiak Jail

SUMMARY: This Change Order authorizes Roger Hickel Contracting, INC. (RHC) to proceed with three contractor change order requests to Alternate No. 1 Kodiak Jail construction. Staff recommends Change Order No. 13 be authorized in the amount of \$12,230, with funds to come from Public Safety Building Fund Police Station project account.

PREVIOUS COUNCIL ACTION:

- The Council approved Change Order No. 12, in the amount of \$87,933, with funds to come from Police Station Capital Project Fund, Police Station Construction account.
- The Council has approved a total of 12 previous change orders from April 2009 through October 2010.

BACKGROUND: On August 26, 2010, the City Council authorized Roger Hickel Contracting, INC. (RHC) to proceed with construction of Alternate No. 1 – Kodiak Jail Construction.

DISCUSSION: RHC, INC. is submitting three change order requests through the project construction administrator; USKH. USKH has reviewed each request and has recommended they be approved. A summary of each request follows:

- COR # 84-R2 Provide and implement modifications to the BAS & HVAC System per New Sequence of Operation plan. New sequencing necessary for maximum efficient operation of building environmental systems.
- COR # 94 Cost to add required hardware to security door in Corridor 178C.
- COR # 95 Provide engineering modifications and additional fire alarm materials, labor and system programming and configuration.

Staff believes that COR # 84-R2, 94 and 95 are necessary measures needed to enhance the safety, security and livability of the new Kodiak Jail.

ALTERNATIVES:

1. Authorize Change Order No. 13 in the amount of \$12,230. Staff recommends this alternative as it will allow construction of Kodiak Jail to continue.
2. Do not authorize Change Order No. 13. Staff does not recommend this alternative.

FINANCIAL IMPLICATIONS: Staff believes there remains an adequate construction contingency fund to pay for this change order.

LEGAL: N/A.

STAFF RECOMMENDATION: Staff recommends the Council authorize Change Order No. 13 Kodiak Police Station, Project No. 04-23, Alternate No. 1 – Kodiak Jail Construction, in the amount of \$12,230, with funds to come from Public Safety Building Fund Police Station project account.

CITY MANAGER'S COMMENTS: Work on the jail is progressing. Substantial completion is expected by November 30. However, the occupancy date for the jail may be delayed due to a manufacturing delay for plumbing fixtures. The items listed in Change Order No. 13 have been reviewed and identified as necessary by our project manager and Chief of Police. The final sequencing of the air exchange/HVAC system is necessary to allow the systems to operate at peak efficiency. The remaining two items will add hardware to a security door and add additional fire alarms & strobes to meet NFPA standards. I support staff's recommendation to authorize Change Order No. 13 as itemized.

ATTACHMENTS:

Attachment A: Roger Hickel Contracting, INC. Change Order Request 84-R2, 94 & 95.

PROPOSED MOTION:

Move to authorize Change Order No. 13 Kodiak Police Station, Project No. 04-23, Alternate No. 1 – Kodiak Jail Construction, in the amount of \$12,230, with funds to come from Public Safety Building Fund Police Station project account.



Technical Memorandum

Date: November 4, 2010 **W.O.#:** 818904
To: Charles T.C. Kamai
Chief of Police **cc:**
From: Hans Gisler, CDT
Project: Kodiak Police Station
Subject: USKH's Recommendation to Approve Change Order No. 13

USKH recommends the approval of the following Contractor Change Order requests:

- COR # 83** This change is required to the finalize the HVAC sequence of operation. A couple of sensors were added to the system to control the ventilation air in the building. The contractor is passing this one through without any markup.
- COR # 94** This change is required to provide access control to the door that was added to the jail corridor; this door was added to give better security between the male and female sides of the jail.
- COR # 95** This change is required to provide three fire horns to the fire alarm system and addresses the DUI room which was added later in the project. USKH does a performance spec and the Contractor has to provide a NFPA system. The new corridor partition wall necessitated the addition of two new devices; the DUI room added another one.

EXECUTIVE SESSION

MEMORANDUM TO COUNCIL

To: Mayor Floyd and City Councilmembers

From: Debra Marlar, City Clerk *DM*

Date: November 9, 2010

Agenda Item: X. a. Clerk's Annual Evaluation

SUMMARY: Annually, the City Council reviews the performance of the City Clerk. In accordance with the Open Meetings Act, the City Clerk does not object to the evaluation being done in executive session.

PROPOSED MOTION:

Move to enter into executive session, as authorized by Kodiak City Code Section 2.04.100(b)(2), to conduct the City Clerk's annual performance evaluation.

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