

City of Kodiak Regular Council Meeting Agenda for September 27, 2012
7:30 p.m., at 710 Mill Bay Road, Assembly Chambers (Room 232)

I. Call to Order/Roll Call	
Pledge of Allegiance/Invocation	
II. Previous Minutes	
Approval of Minutes of the September 13, 2012, Regular Council Meeting	1
III. Persons to Be Heard	
a. Proclamation: Applauding the United States Coast Guard Presence in Kodiak.....	8
b. Proclamation: Fire Prevention Week	10
c. Proclamation: Domestic Violence Awareness Month	12
d. Public Comments (limited to 3 minutes) (486-3231)	
IV. Unfinished Business	
a. None	
V. New Business	
a. Resolution No. 2012–27, Naming Election Workers for the October 2, 2012, Regular Municipal Election.....	16
b. Resolution No. 2012–28, Appropriating Funds to Pay the Cost of Repairing the Baranof Park Ice Rink and Authorizing the City Manager to Award a Contract for the Repair Work.....	18
c. Resolution No. 2012–29, Authorizing Revisions to the Downtown Parking Plan.....	26
d. Resolution No. 2012–30, Joint Resolution Supporting the Overall Approach to Fishery Issues by the Kodiak Fisheries Workgroup	32
e. Resolution No. 2012–31, Joint Resolution Supporting Comments to the North Pacific Fishery Management Council on Pending Actions Regarding Comprehensive Management of Prohibited Species Catch by the Trawl Fishery in the Central Gulf of Alaska	38
f. Authorization of Bid Award for Shelikof Street Pedestrian Improvements, Phase I, Project No. 10-04/8016.....	44
g. Authorization of Contract for Baranof Park Storage Area Fencing	56
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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DRAFT

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, SEPTEMBER 13, 2012
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Deputy Mayor John B. Whiddon called the meeting to order at 7:30 p.m. Councilmembers Randall C. Bishop, Charles E. Davidson, Terry J. Haines, Gabriel T. Saravia, and Mark-Anthony G. Vizcocho were present and constituted a quorum. Mayor Pat Branson was absent. City Manager Aimée Kniazowski, Deputy Clerk Matthew Gandel, and Administrative Assistant Catherine Perkins were also present.

After the Pledge of Allegiance, Salvation Army Sergeant Major Dave Blacketer gave the invocation.

II. PREVIOUS MINUTES

Councilmember Haines MOVED to approve the minutes of the August 23, 2012, regular meeting as presented.

The roll call vote was Councilmembers Bishop, Davidson, Haines, Saravia, Vizcocho, and Whiddon in favor. The motion passed.

III. PERSONS TO BE HEARD

a. Proclamation: Declaring Hispanic Heritage Month

Councilmember Saravia read the proclamation, which urges all citizens to celebrate the rich history and recognize the important contributions of Hispanic Americans in Kodiak.

Deputy Mayor Whiddon presented the proclamation to Veronica Orozco Belarde, who said it was an honor to accept the proclamation, and thanked the Council for recognizing the Hispanic American community.

b. Proclamation: Recognizing Ian Fulp

Councilmember Haines read the proclamation, which recognizes Parks and Recreation Director Ian Fulp who is retiring after 39 years of service.

Deputy Mayor Whiddon presented the proclamation to Parks and Recreation Director Fulp, who said being Parks and Recreation Director had been the perfect job for him. He said it allowed him the stability to raise his family in Kodiak and said he would miss all the interactions with community members and having the opportunity to make Kodiak a better place to live.

c. Public Comments

Jeremiah Gardner urged the Council to consider using money left in the Baranof Park Improvements project to renovate and rebuild the local skate park. He said the skate park is unsafe and had been neglected for too long.

Peter Rosendahl spoke in favor of improving the skate park. He said there are lots of people who use the park and would like to see it renovated.

Ryan Murdock spoke in favor of repairing and enhancing the skate park.

IV. UNFINISHED BUSINESS

None

V. NEW BUSINESS

- a. Resolution No. 2012–25, Authorizing the City Manager to Adopt and Amend From Time to Time Standard Specifications Applicable to Earthwork, Portland Cement Concrete, Asphalt Surfacing, Sanitary Sewers and Storm Drains, Water Systems, Miscellaneous Items, and Standard Details For Construction on Public Property, and Repealing Resolution Number 2000–29 and Prior Resolutions Adopting Such Standard Specifications**

Deputy Mayor Whiddon read Resolution No. 2012–25 by title. The City of Kodiak is currently using Construction Standard Specifications adopted in 2000. In the years since the present addition was adopted, construction standards have changed somewhat and newer techniques and materials are now available. In September 2011, Council authorized DOWL/HKM to develop a comprehensive update to the City’s Standard Construction Specification and Standard Details 2000 Edition.

Councilmember Haines MOVED to adopt Resolution No. 2012–25.

The roll call vote was Councilmembers Bishop, Davidson, Haines, Saravia, Vizcocho, and Whiddon in favor. The motion passed

- b. Resolution No. 2012–26, Appropriating Funds to Pay the Cost of Repairing the Kodiak Police Department Boiler and Authorizing the City Manager to Award a Contract for the Repair Work**

Deputy Mayor Whiddon read Resolution No. 2012–26 by title. In January 2012, leaks were detected in the Kodiak Police Department heating system. Over the past several months staff worked with the designer and contractors to determine if this was a design or installation error, but no determination has been made. In the meantime, repairs must be made in order to minimize the damage and keep the building adequately heated as winter approaches. The City Attorney recommended that Council appropriate the funds for the repair by resolution because this is not a budgeted project.

Councilmember Davidson MOVED to adopt Resolution No. 2012–26.

The roll call vote was Councilmembers Bishop, Davidson, Haines, Saravia, Vizcocho, and Whiddon in favor. The motion passed.

c. Authorization of a Technical Services Contract With Willard A. Fedra to Operate the Marine Travelift

Willard (Bill) Fedra has been under contract with the City to operate the Marine Travelift since operations started in 2009. His contract expired August 31, 2012. A new two-year contract with a continuation of the same terms was discussed with the contractor and is ready for Council approval.

Councilmember Davidson MOVED to authorize a two-year technical services contract, Contract No. 205502, with Willard A. Fedra to operate the Harbor Marine Travelift, with funds coming from the Boat Yard/Vessel Lift Enterprise Fund, Professional Services Account.

The roll call vote was Councilmembers Bishop, Davidson, Haines, Saravia, Vizcocho, and Whiddon in favor. The motion passed.

d. Authorization of Professional Services Contract Amendment for Shelikof Pedestrian Pathway Improvement Project No. 8016/10-04

In October 2011 Council authorized a professional services contract for design services to DOWL HKM to complete the design of Phase I of the Shelikof pedestrian improvement project in the amount of \$218,336. During the design process, several items required additional work beyond the agreed design concept and scope of work.

Councilmember Bishop MOVED to authorize an amendment to the professional services contract with DOWL HKM for design services for the Pedestrian Improvements from Pier II to Downtown Kodiak, Project No. 8016/10-04 in the amount of \$24,463, with funds coming from Harbor Cargo Capital Development Fund.

The roll call vote was Councilmembers Bishop, Davidson, Haines, Saravia, Vizcocho, and Whiddon in favor. The motion passed.

e. Authorization of Bid Award for KPD Boiler System Repair, Project No. 04-23

Leaks started to occur in the Kodiak Police Department (KPD) heating system in January 2012, shortly after the system warranty expired. Within a period of six weeks the impeller seals in the boiler pumps began to fail. John's Heating Service was brought in to do the immediate repairs and to help identify the problem. John's Heating found the leaks and determined the failures were due to contaminated glycol in the boiler system. Staff recommends Council authorize a repair contract to John's Heating Service for the immediate and urgent replacement of the contaminated glycol in the boiler system at the KPD facility.

Councilmember Vizcocho MOVED to authorize the City Manager to award a contract for the repair of the Kodiak Police Station boiler system to John's Heating Service in the amount of \$37,000 with funds coming from the Insurance Fund fund balance.

The roll call vote was Councilmembers Bishop, Davidson, Haines, Saravia, Vizcocho, and Whiddon in favor. The motion passed.

f. Authorization of ABC Board Restaurant Designation for Noodles

Noodles Restaurant filed an application for a restaurant designation permit with the State of Alaska Alcoholic Beverage Control (ABC) Board. State regulations require the ABC Board to forward the application to the City Council for approval before a permit can be issued.

Councilmember Davidson MOVED to approve the Restaurant Designation Application for Noodles restaurant.

The roll call vote was Councilmembers Bishop, Davidson, Haines, Saravia, Vizcocho, and Whiddon in favor. The motion passed.

VI. STAFF REPORTS

a. City Manager

Manager Kniazowski thanked Ian and Judy Fulp for their many years of service to the community and urged the public to attend an upcoming reception for them at Henry's Restaurant. She said that paving work on the back lot of the Kodiak Police Department was underway and should be finished shortly. She updated the Council on the status of the Class and Compensation Study and the New Library project.

In response to a question from Councilmember Davidson, Manager Kniazowski said that the repairs at the Baranof Park ice rink were underway, and would be covered by insurance except for a \$25,000 deductible.

b. City Clerk

Deputy Clerk Gandel informed the public of the next scheduled Council work session and regular meeting dates.

VII. MAYOR'S COMMENTS

Deputy Mayor Whiddon thanked Veronica Belarde for accepting the Hispanic Heritage Month Proclamation and thanked Parks and Recreation Director Fulp for his hard work and dedication to the community.

VIII. COUNCIL COMMENTS

Councilmember Bishop thanked Ian Fulp for his years of service. He urged the public to go see the new Baranof Park track and field. He said he was happy to see community members attending Council work sessions.

Councilmember Saravia thanked Ian Fulp for his years of service to the City. He encouraged everyone to look at the progress that had been made at Baranof Park track and field, the New Li-

brary project and the Baranof Park ice rink. He thanked the City and Council for recognizing Hispanic Heritage Month and said he was honored to be Hispanic and serve the citizens of Kodiak. He also encouraged everyone to participate in the upcoming elections.

Councilmember Davidson thanked Ian Fulp for his many years of dedicated service and the great job he had done for the community. He encouraged the public to take care of the new infrastructure projects being completed.

Councilmember Haines encouraged the public to drive with their headlights on, use caution in school zones, and to use the crosswalks provided to them. He thanked Ian Fulp for his dedication to the community. He said he was glad to see the community attending Council meetings.

Councilmember Vizcocho congratulated Ian Fulp on his retirement. He thanked the Belarde family for accepting the Hispanic Heritage Month proclamation. He expressed condolences to the families of those who lost their lives during the recent sinking of the F/V Advantage, and in the terrorist attacks on September 11, 2001.

IX. AUDIENCE COMMENTS

None

X. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

The roll call vote was Councilmembers Bishop, Davidson, Haines, Saravia, Vizcocho, and Whiddon in favor. The motion passed.

The meeting adjourned at 8:22 p.m.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Minutes Approved:

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PERSONS TO BE HEARD

MEMORANDUM TO COUNCIL

Date: September 27, 2012

Agenda Item: III.a. **Proclamation: Applauding the United States Coast Guard Presence in Kodiak**

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.

ATTACHMENTS:

Attachment A: Proclamation: Applauding the United States Coast Guard Presence in Kodiak

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 October 6, 2012, 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 October 6, 2012, 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 27th day of September 2012.

City of Kodiak

Pat Branson, Mayor

MEMORANDUM TO COUNCIL

Date: September 27, 2012

Agenda Item: III.b. Proclamation: Fire Prevention Week

SUMMARY: This proclamation urges all citizens to plan and practice a home fire escape plan during Fire Prevention Week 2012, and to support the many public safety activities and efforts of Kodiak's fire and emergency services.

ATTACHMENTS:

Attachment A: Proclamation: Fire Prevention Week

PROCLAMATION

Declaring Fire Prevention Week

October 7 to 13, 2012

WHEREAS, the City of Kodiak is committed to ensuring the safety and security of all those living in and visiting our city; and

WHEREAS, fire is a serious safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,600 people in the United States in 2010, according to the latest research from the National Fire Protection Association, and fire departments in the United States responded to more than 369,000 home fires; and

WHEREAS, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, almost three-quarters of Americans do have an escape plan; however, less than half have actually practiced it, and

WHEREAS, Kodiak's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2012 Fire Prevention Week theme, "Have Two Ways Out!" effectively serves to remind us to develop and practice a home fire escape plan during Fire Prevention Week and year-round.

NOW THEREFORE, I, Pat Branson, Mayor of the City of Kodiak, Alaska, do hereby proclaim October 7 to 13, 2012, as

Fire Prevention Week

in Kodiak, and urge all citizens to plan and practice a home fire escape plan and to support the public safety efforts of Kodiak's fire and emergency services.

Dated this 27th day of September 2012.

City of Kodiak

Pat Branson, Mayor

MEMORANDUM TO COUNCIL

Date: September 27, 2012

Agenda Item: III.c. Proclamation: Domestic Violence Awareness Month

SUMMARY: This proclamation urges all citizens to actively support and participate in the ongoing programs designed to reduce and eventually eliminate violence as a social problem.

ATTACHMENTS:

Attachment A: Proclamation: Domestic Violence Awareness Month

Attachment B: Letter from Kodiak Women's Resource and Crisis Center, September 10, 2012

PROCLAMATION

Declaring Domestic Violence Awareness Month October 2012

WHEREAS, historically, women have been and continue to be victims of violence in their own homes, with a women beaten every 15 seconds; and

WHEREAS, the problems of family violence are not confined to any group or groups of people but affects all economic, racial, affectional preference, and social groups; and

WHEREAS, domestic violence can result in the emotional damage, physical harm, or death to members of the family unit, and FBI statistics show that at least 30% of all homicides victims are killed by their boyfriends or husbands; and

WHEREAS, during October 2012 the Kodiak Women's Resource and Crisis Center is sponsoring Domestic Violence Awareness Month activities to focus attention on battered women and their children and to promote support of shelter and programs that serve them.

NOW, THEREFORE, I, Pat Branson, Mayor of the City of Kodiak, Alaska, do hereby proclaim the month of October 2012 as

Domestic Violence Awareness Month

in Kodiak and encourage all citizens of Kodiak to actively support and participate in the ongoing programs designed to reduce and eventually eliminate violence as a social problem.

Dated this 27th day of September 2012.

City of Kodiak

Pat Branson, Mayor

KODIAK WOMEN'S RESOURCE AND CRISIS CENTER



P.O. Box 2122, Kodiak, Alaska 99615

Phone: (907) 486-6171 Crisis Line: (907) 486-3625 Fax: (907) 486-4264

September 10, 2012

Mayor Pat Branson
City of Kodiak
P.O. Box 1327
Kodiak, Alaska 99615

Dear Mayor Branson:

Enclosed please find a proclamation, which the Kodiak Women's Resource and Crisis Center would like to sponsor as a means of bringing to the attention of the city of Kodiak Council and the public, that **Domestic Violence Awareness Month** will be the month of October 2012.

Being asked to be more aware of the victims of domestic violence during October is not pleasant, but a necessary function of the Kodiak Women's Resource and Crisis Center. We feel strongly that the Center provides safe shelter, counseling, referral and productive new beginnings for the women and children who suffer these abuses.

Thank you for your time, and if you will please have the proclamation read at an appropriate time during a Council meeting. Kodiak Women's Resource and Crisis Center and the women and children of Kodiak thank you.

Sincerely,
Jessica Schilleci & Sandra Wilkins
Outreach Coordinator

The Board of KWRCC
Kodiak Women's Resource and Crisis Center

Enclosure

NEW BUSINESS

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Debra Marlar, City Clerk *MG for DM*

Date: September 27, 2012

Agenda Item: V.a. **Resolution No. 2012-27, Naming Election Workers for the October 2, 2012, Regular Municipal Election**

SUMMARY: Resolution No. 2012-27 names election workers and canvass board members for the October 2, 2012, regular municipal election.

PREVIOUS COUNCIL ACTION: Annually, the Council adopts a resolution naming election workers for the regular municipal election.

BACKGROUND: Kodiak City Code specifies that, prior to each election, the Council shall appoint judges and clerks for each City precinct and will also appoint a canvass board consisting of at least three persons.

This resolution names election workers and canvass board members for the October 2, 2012, regular municipal election and authorizes the City Clerk to appoint other persons, if necessary, to ensure that an adequate number of workers are present to conduct and canvass the election.

CITY CLERK'S COMMENTS: The City Clerk recommends the Council adopt Resolution No. 2012-27.

ATTACHMENTS:

Attachment A: Resolution No. 2012-27

PROPOSED MOTION:

Move to adopt Resolution No. 2012-27.

**CITY OF KODIAK
RESOLUTION NUMBER 2012-27**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK NAMING
ELECTION WORKERS FOR THE OCTOBER 2, 2012, REGULAR MUNICIPAL
ELECTION**

WHEREAS, the City will conduct a regular municipal election on Tuesday, October 2, 2012; and

WHEREAS, the City Code requires that Judges and Clerks of the election be named.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Kodiak, Alaska, hereby appoints the following individuals to serve as election workers for the regular municipal election to be held within the City of Kodiak on Tuesday, October 2, 2012:

- Section 1.** The election workers for Precinct No. 820 (Kodiak No. 1), located at the Harbor-master Building, shall be Merle Powell, Chair and Sandy Peotter, Co-chair; and, Margaret Bosworth, Kelly Nymeyer, Linda Ross, and Angelito Llave as Judges.
- Section 2.** The election workers for Precinct No. 825 (Kodiak No. 2), located at the Teen Center, shall be Esther Waddell, Chair and Richard Waddell, Co-Chair, Sonia Downing, Carol Wandersee, Helen Williams, and Delia Aspiras as Judges.
- Section 3.** The Accuvote Board shall be the City and Borough Clerks and their staff.
- Section 4.** The Receiving Board shall be Marya Nault, Judy Starrett, and Cathy Cordry.
- Section 5.** The Canvass Board shall be Maureen Butler, Linda Freed, and Pat Szabo.
- Section 6.** The City Clerk and Clerk’s staff shall have the authority to fill in where needed, and the City Clerk shall have the authority to appoint additional persons, as necessary, to ensure an adequate number of election workers are available to conduct and canvass the election.

CITY OF KODIAK

MAYOR


ATTEST:

CITY CLERK

Adopted:

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Aimée Kniazowski, City Manager 

Thru: Glen Melvin PE, City Engineer 

Date: September 27, 2012

Agenda Item: V.b. **Resolution No. 2012-28, Appropriating Funds to Pay the Cost of Repairing the Baranof Park Ice Rink and Authorizing the City Manager to Award a Contract for the Repair Work**

SUMMARY: There was a fire at the Baranof Park ice rink in the early morning of August 1, 2012, which caused a substantial amount of damage to the facility. The facility is insured and the City has been working with the insurance company and adjustor to assess the damages and make preparations to repair the rink. Due to the nature of the damage and the timeframe needed to make immediate repairs and restoration to the rink to ensure its availability by November, staff recommends the City enter a contract with Jay-Brant General Contractors as the general contractor to oversee and facilitate the repairs. Staff recommends Council adopt Resolution No. 2012-28 to appropriate the funds for the repairs and to authorize the City Manager to award a contract to Jay-Brant in the amount of \$400,000.

DISCUSSION: In the early morning on August 1, 2012, there was a fire in the Baranof Park ice rink. The fire, determined to be an arson event, was started sometime between midnight and 3 a.m. The fire started in the player booths and penalty box and caused extensive damage to roof and wall panels, structural supports, facility lighting and electrical, dasher boards, modular flooring, protective screening and the ice rink cooling slab. In addition to the direct fire damage there was extensive smoke damage to the entire interior of the facility. Shortly following the fire, staff developed a quick response plan for initial cleanup using the Parks and Recreation Department staff. This work began immediately and was intended to address initial site safety and to remove equipment that could be salvaged as well as prepare the site for deep cleaning and restoration.

On August 6, 2012, the City's insurance company sent their adjustor to Kodiak with a damage assessment team including structural, electrical, and restoration specialists. Restoration work was started in response to the initial evaluation and the need to begin weather-dependent repairs. The structural engineer prepared a report for the insurance company that will be used to develop the scope of repairs.

Follow-up meetings were held in Kodiak on August 21, 2012 with staff, the insurance adjustor, and a representative from Jay-Brant to identify the scope and timing of repair work the City would have to undertake to have the rink useable by November. Based on those discussions, staff determined that it was not practicable to develop sufficiently detailed contract terms or specification for competitive sealed

bidding. Kodiak City Code §3.12.070(b) permits the City to issue contracts for services necessitated by an emergency if the delays required to meet bidding requirements would jeopardize the public health, safety or welfare, and the delays required to meet bidding requirements for the work of repairing the facility would have that effect in this case. In order maintain safety in the park area and to meet the goal of opening the ice rink this season, the Council must appropriate funds to award the contract for the repairs and authorize the City Manager to award the contract to Jay-Brant as the City's general contractor for this project. Staff recommends the City contract with Jay-Brant Construction because they are available, have the resources to oversee and complete the repairs in the necessary timeframe, recently successfully completed work on the UV Water Treatment Plant project, and have a good working relationship with the City of Kodiak.

ALTERNATIVES:

1. Adopt Resolution No. 2012-28, which is staff's recommendation because it is the method by which Council appropriates the funds necessary to complete the ice rink repairs this season and allows the City Manager to award a repair contract.
2. Do not adopt the resolution, which is not recommended because the repairs must be completed before winter to make the rink available, and to do so would delay the appropriation of funds and not allow the repair contract to be awarded to ensure the rink is serviceable by November.

FINANCIAL IMPLICATIONS: As outlined in the attached resolution, the funds necessary to complete these repairs will be transferred from the Insurance Fund and the APEI Reserve fund. Note that APEI, the City's insurer, will remit all but the deductible of \$25,000 to the City to cover the contract and any other approved miscellaneous expenses associated with the repairs to the ice rink.

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

STAFF RECOMMENDATION: Staff recommends Council adopts Resolution No. 2012-28 as discussed in the memo.

CITY MANAGER'S COMMENTS: It is important that Council approve this resolution to appropriate the funds and to permit me to award the contract to Jay-Brant in the amount of \$400,000 so the repairs can be made in the timeliest way possible. The repairs are important for the safety of the area and are weather dependent, so they must be completed as quickly as possible.

ATTACHMENTS:

- Attachment A: Resolution No. 2012-28
- Attachment B: Jay-Brant Construction Proposal

PROPOSED MOTION:

Move to adopt Resolution No. 2012-28.

**CITY OF KODIAK
RESOLUTION NUMBER 2012-28**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK
APPROPRIATING FUNDS TO PAY THE COST OF REPAIRING THE KODIAK
ICE RINK AND KODIAK POLICE DEPARTMENT BOILER AND
AUTHORIZING THE CITY MANAGER TO AWARD CONTRACTS FOR THE
REPAIR WORK**

WHEREAS, on August 1, 2012, the Kodiak Ice Rink was severely damaged by fire; and

WHEREAS, the City's insurance carrier has obtained a report estimating the cost of repairing the damage, and has undertaken preliminary work toward the repair of the facility; and

WHEREAS, the work of repairing the damage to the facility must proceed expeditiously if the facility is to be available for use this winter; and

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

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

Section 1. The Fiscal Year 2013 Operating Budget is amended by appropriating and transferring \$410,000 from the proceeds of the City's property insurance to the following accounts to pay the cost of repairing the Kodiak Ice Rink:

Appropriation / Transfer From:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
780.790.100.490.300	Insurance Fund	\$ 25,000
	APEI Insurance Reserve	\$ 385,000

Transfer to:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
300.001.390.780	Insurance Fund	\$ 25,000
300.001.375.600	APEI Insurance Reserve	\$ 385,000

Section 2. The City Manager is authorized to award a contract for the repair of the Kodiak Ice Rink without competitive bidding pursuant to KCC 3.12.070(b) to Jay-

Brant General Contractors, LLC in the amount of \$ 400,000, and to execute the contract and other necessary documents.

Section 3. This resolution shall become effective upon adoption.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

JAY-BRANT GENERAL CONTRACTORS, LLC


460 GRUBSTAKE AVENUE, HOMER, ALASKA 99603 (907) 235-8400 FAX (907) 235-8731 www.jaybrant.com

Glenn Melvin
Kodiak City Engineer
2410 Mill Bay Road
Kodiak, Alaska 99615

September 14, 2012

Glenn,

Per your request we have estimated a budget to carry out fire damage repairs to the Baranof Park Ice Rink. We recommend a reserve estimate of \$400,000. This includes our time and airfare to carry out inspections and estimates to date.

We have made every effort to include contingencies for unforeseen damages that may be hidden beneath the damaged ice rink slab as well as the possibility that the glycol system may be contaminated and purging/reloading may be necessary. Contaminated glycol will need to be disposed of off island. It is our understanding that the City desires a budget to include possible contingencies and that our contract amount will be for actual costs, (Time and Materials), plus 20%. Detailed invoices, time cards can be submitted daily, weekly or however agreed upon.

Joel Anderson of Festive Outfitters, Inc., (original system installer/supplier), has assisted in defining these contingencies and as we have discussed, the exact extent of those damages will not be known until the slab is chipped up and the tubing inspected.

With the understanding that time is of the essence and that the City hopes to have repairs complete as soon as possible, please advise as soon as you are authorized with a Notice to Proceed so that we can begin ordering long lead items.

Lead time constraints are estimated as follows, from date of notice to proceed:

- Structural steel and Roofing – 3 to 4 weeks
- Dasher boards/Lexan – 8 weeks (requires down payment of approx. \$38,000)
- Floor matting - 4 weeks (requires down payment of approx. \$8,600)
- Lighting – 4 to 5 weeks
- Concrete Cure – minimum 30 days from date of pour before slab can be refrigerated. (We intend to begin concrete demolition immediately if advised to proceed)

Local Electric of Kodiak has included an option to replace the light fixtures with updated, higher efficiency, higher lumen output lighting fixtures for less cost than replacement to original. Acceptance of that option would bring down the overall costs as well.

If awarded this project, we would begin initial repairs to the concrete slabs immediately.


Please contact us with any questions.

Thank you,
William Waldorf (Wally)
Jay-Brant General Contractors
Homer, Alaska
Ph. (907) 235-8400 ext 117
Cell (907) 399-7018
wwaldorf@jaybrant.com

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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Council members

From: Aimée Kniazowski, City Manager 

Thru: TC Kamai, Chief of Police 

Date: September 27, 2012

Agenda Item: V.c. **Resolution No. 2012-29, Authorizing Revisions to the Downtown Parking Plan**

SUMMARY: Staff proposes Council consider adopting by resolution the following amendments to the City Parking Plan: 1) Change the designation of 36, 2-hour parking spaces in the downtown Mall parking lot to 36, 9-hour parking spaces, with the location of these parking spaces to be designated by staff; 2) Eliminate two reserved parking spaces located in the State Courthouse parking and create two additional 2-hour parking spaces in the same location; and 3) Permit staff to improve parking signage throughout the downtown area. Staff recommends the Council adopt Resolution No. 2012-29 which would authorize these changes.

PREVIOUS COUNCIL ACTION: At its September 11, 2012, work session, the Council received a briefing on the City Parking Plan. The actions proposed in this resolution were discussed at this work session.

BACKGROUND: A parking plan is a comprehensive framework that articulates a vision and approach for parking management. Parking plans serve to align policy makers, staff, residents, and business and property owners with a shared common vision for parking.

DISCUSSION: At its September 11, 2012, work session, Council received a briefing on the City's downtown parking plan. The current plan was developed in the mid 1990s in partnership with the downtown business community. This plan provides 566 free off-street parking spaces to support the needs of the downtown Kodiak Business District. The plan in its current configuration favors short term parking; 47% of the available spaces are designated 2-hour parking. At the time this plan was crafted there was a need for 2-hour parking.

Over the past several years the downtown business district has changed. It is no longer dominated by retail business alone. Today, a windshield survey of the downtown business district reveals a strong non-retail presence. Consequently, parking needs have changed.

A parking study was commissioned by the Kodiak Police Department in July 2012. The goal of this study was to identify parking usage in the downtown area. The following conclusions resulted from this

study: 1) The majority of 2-hour parking was being underutilized; 2) There is a need for more 9-hour parking in the Mall; and 3) Regulatory parking signage needed to be improved.

As explained in the Council briefing on September 11, 2012, staff can find no explanation about why two parking spaces located in the State Courthouse parking lot were designated as reserved for the local judicial officers. There is no legal requirement that judicial officers be provided private parking spaces in public parking lots. Consequently, the presence of reserved parking for the judicial officers had been somewhat controversial. Over the past several years, staff has received requests from other private and governmental agencies asking for the same consideration. On each occasion, staff has not supported the re-designation of timed parking spaces to reserved parking. Staff and the City have been criticized for this decision and often asked to justify why the local judicial officers are afforded this courtesy and others are not. Given the absence of any facts or justification as to why the local judicial officers are afforded a benefit not available to others, and in an effort to create more needed parking in this area, staff recommends Council change the designation of the two reserved parking spaces in the State Court House parking lot to 2-hour parking. The decision to add two additional 2-hour parking spaces is in staff's opinion, consistent with the general business use theme of the area.

Based on the foregoing information, staff has made the recommendations as noted in the attached resolution and encourages the Council to adopt the resolution authorizing the changes.

ALTERNATIVES:

1. Council may adopt the resolution which directs staff to make the recommended changes. Staff believes this decision will have an immediate and obvious positive impact on our downtown parking issues. Staff believes this decision will be supported by the community and recommends Council pass this resolution.
2. Council may choose to withhold making any changes to the City's existing parking plan. This decision would delay making short term improvements which are desperately needed. The ramifications are likely to result in negative public outcry. Staff does not recommend this action.

FINANCIAL IMPLICATIONS: All costs associated with these recommendations will be absorbed within the FY2013 Public Works Operations Budget.

LEGAL: Per Kodiak City Code, §10.08.055, Council establishes parking plans, including established time limits, in City parking lots by resolution.

STAFF RECOMMENDATION: Staff proposes Council adopt Resolution No. 2012-29 which would authorize the following revisions to the existing downtown parking plan: 1) Change the designation of 36, 2-hour parking spaces in the downtown Mall parking lot to 36, 9-hour parking spaces, with the location of these parking spaces to be designated by Staff; 2) Eliminate two reserved parking spaces

located in the State Courthouse parking and create two additional 2-hour parking spaces in the same location; and 3) Permit staff to improve parking regulatory signage throughout the downtown area.

CITY MANAGER'S COMMENTS: Parking in the downtown area has come to the fore over the past year. Council approved a low-cost paid permit parking plan for harbor users at their request. More recently, downtown merchants, businesses, residents, and employees have complained because the places they can park are reduced and they are being ticketed. They believe the existing downtown parking plan in City lots like the Mall don't meet their needs. KPD studied the usage patterns of the lots and identified the need for an adjustment to increase longer term parking for employees in the downtown lots. The recommendation made by Chief Kamai at the September 11, 2012, work session was to focus on changes to the Mall lot and to remove the reserved spaces at the courthouse. He recommends this solution will alleviate much of the problem in the near term. I support that recommendation and ask Council to adopt Resolution No. 2012-29, which will authorize the implementation of the changes.

ATTACHMENTS:

Attachment A: Resolution No. 2012-29

Attachment B: Aerial Photo Showing Proposed Changes

PROPOSED MOTION:

Move to adopt Resolution No. 2012-29.

**CITY OF KODIAK
RESOLUTION NUMBER 2012-29**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK AUTHORIZING REVISIONS TO THE DOWNTOWN PARKING PLAN

WHEREAS, KCC §10.08.055 authorizes the Council by resolution to establish time limits for parking in City parking lots, designate City parking lots for paid parking, establish fees for paid parking in City parking lots, and designate City parking lots for permit parking, and

WHEREAS, Council adopted a parking plan for the downtown parking lots in the 1990s that provided 566 free off-street parking spaces with more 2-hour parking spaces and limited longer-term parking, which met the needs of the downtown businesses at that time; and

WHEREAS, the Council authorized designation of paid, permit parking in several areas adjacent to the City's harbors for harbor users by resolution in 2011 which may have displaced some downtown business users; and

WHEREAS, the City has received numerous complaints from businesses and tenants of the main downtown parking lots after having received parking citations due to enforcement of the existing parking plan; and

WHEREAS, the complainants identified the current plan as having inadequate provisions for longer-term parking to meet business, employee, and tenant needs in the downtown lots; and

WHEREAS, the Kodiak Police Department conducted a study of the large downtown parking lots in July 2012 to identify usage patterns and found that the majority of 2-hour parking spaces were underutilized, that there is a need for more 9-hour parking spaces in the Mall parking lot, and that parking signage should be improved; and

WHEREAS, the July review showed that parking needs in the downtown lots have changed since the downtown parking plan was implemented in the 1990s; and

WHEREAS, based on City staff's findings and recommendations, the Council has determined that it is in the best interest of the public and the users of the downtown parking lots to revise the downtown parking plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that the City's Downtown Parking Plan will be revised as follows:

- 1) The designation of 36, 2-hour parking spaces in the downtown Mall parking lot will be increased to 36 9-hour parking spaces, with the location of these parking spaces to be designated by staff; and

- 2) Elimination of 2 reserved parking spaces located in the State Courthouse parking and the creation of two additional 2-hour parking spaces in the same location; and
- 3) Permit staff to improve parking regulatory signage throughout the downtown area.

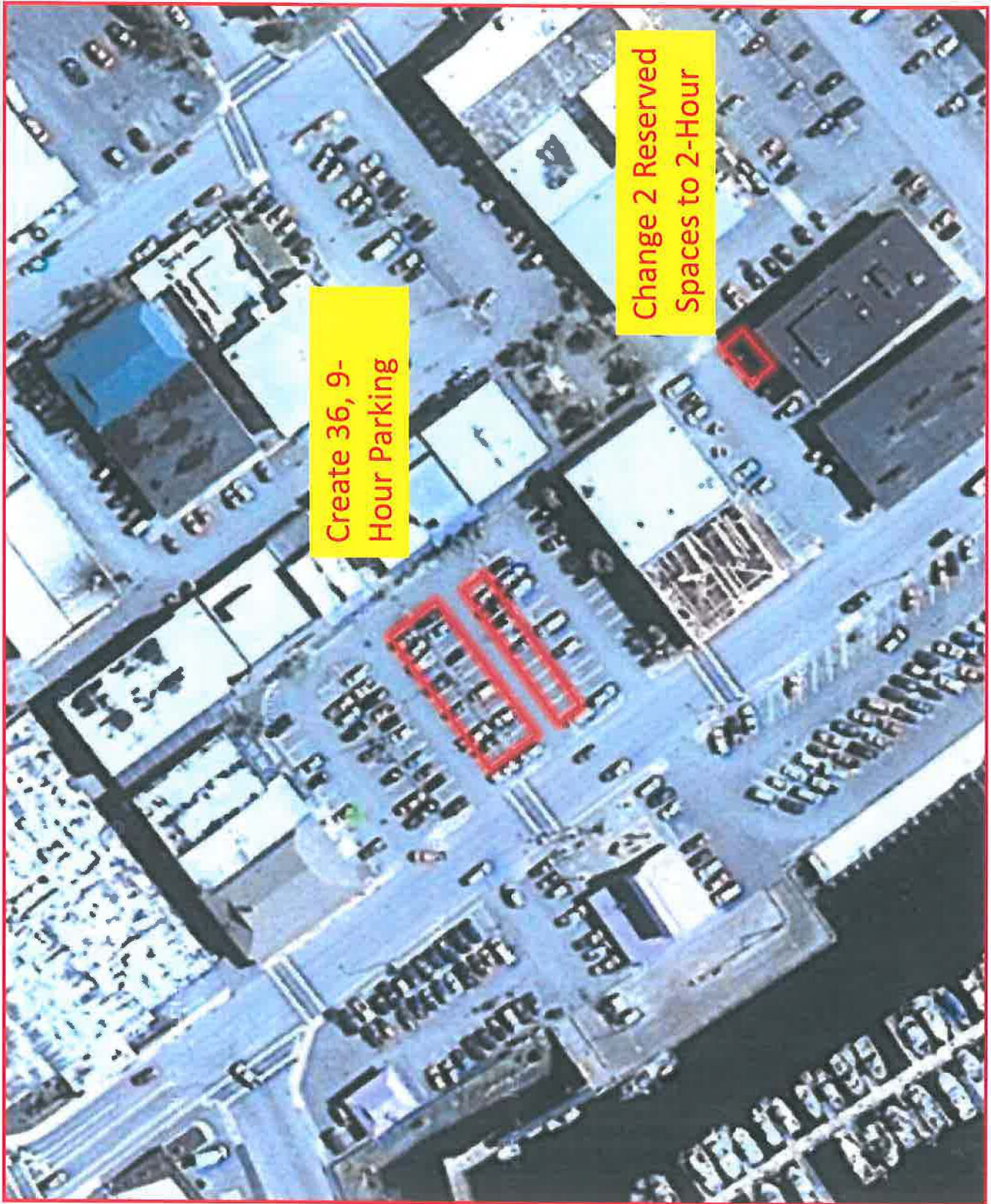
CITY OF KODIAK

MAYOR

ATTEST:


CITY CLERK

Adopted:



MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Aimée Kniaziowski, City Manager 

Date: September 27, 2012

Agenda Item: V.d. **Resolution 2012-30, Joint Resolution Supporting the Overall Approach to Fishery Issues by the Kodiak Fisheries Workgroup**

SUMMARY: At the September 4, 2012, joint work session, the City and Borough agreed to adopt a joint resolution to support the overall approach the Kodiak Fisheries Workgroup will use when reviewing and responding to fisheries management issues. The attached joint resolution identifies the overall approach that will be used to further Kodiak's interests when dealing with fisheries management issues.

PREVIOUS COUNCIL ACTION: From time to time, the City Council adopts joint resolutions with the Kodiak Island Borough to provide statements of support by both governing bodies for a particular issue or item. The adoption of the joint resolutions was discussed and agreed to at the September 4, 2012, joint work session.

DISCUSSION: The Kodiak Fisheries Workgroup is comprised of three City Council members and three Borough Assembly members. The group works closely with the City and Borough's Fisheries Analyst, Denby Lloyd. They developed and adopted the best approach to take when dealing with fisheries management issues that affect Kodiak. The approach is to support the overall health of Kodiak's fisheries by basing their recommendations on what is good, in the long view, for Kodiak and not favor one group over another.

The City and Borough held a joint work session on September 4, 2012, at which members of the Fisheries Workgroup and the Fisheries Analyst presented this approach to use in response to fisheries management decisions. Both governing bodies agreed to support this approach and agreed to adopt a joint resolution to strengthen the Workgroup's approach. The Borough Assembly adopted the joint resolution (Resolution No. FY 2013-09) at their meeting on September 20, 2012.

ALTERNATIVES:

1. Council may approve the resolution which is consistent with the discussion of intent at the September 4, 2012, joint work session.
2. Council may also amend or decline to pass the resolution which is inconsistent with the stated intent of both bodies and will not provide an official statement of support for the recommended approach to fisheries issues by the joint Fisheries Workgroup.

ATTACHMENTS:

Attachment A: Resolution No. 2012–30

Attachment B: Overall Approach to Fishery Issues by the Kodiak Fisheries Workgroup

PROPOSED MOTION:

Move to adopt Resolution No. 2012–30.

**CITY OF KODIAK
RESOLUTION NUMBER 2012-30**

**A JOINT RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK AND
THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH SUPPORTING THE
OVERALL APPROACH TO FISHERY ISSUES BY THE KODIAK FISHERIES
WORKGROUP**

WHEREAS, the economy and well-being of residents of the City of Kodiak and the Kodiak Island Borough depend upon commercial, recreational, and subsistence fisheries; and

WHEREAS, revenues to the municipal governments are derived directly and indirectly from activities of the fishing industry and related businesses; and

WHEREAS, the City of Kodiak and the Kodiak Island Borough wish to assure the growth and sustainability of the region's fisheries; and

WHEREAS, the City of Kodiak and the Kodiak Island Borough have begun a program to become directly involved in the public fishery policy decision-making processes of state and federal governments; and

WHEREAS, fishery management, regulation, and policy decisions are often complex and controversial and often affect various user groups in different fashions; and

WHEREAS, the City of Kodiak and the Kodiak Island Borough do not wish to unduly favor any user group over another.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Kodiak and the Assembly of the Kodiak Island Borough to support and adopt the following statement of the Kodiak Fisheries Workgroup's overall approach for consideration of fishery management issues of interest and concern to the Kodiak region:

Overall Approach:

1. Focus on overall impacts to the community and maintenance and growth of revenue streams.
2. Understand how various approaches will fundamentally impact fisheries and resources.
3. Frame benchmarks and objectives as positive statements.
4. Refrain from taking positions on allocative questions (to the extent possible, while understanding that many issues and decision will have allocative implications).
5. Focus on broad-scale program features (i.e., keep a 30,000 ft. viewpoint), unless specific program elements threaten the goals for management programs as referenced within Resolution No. 2012-31 of the City of Kodiak.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted:

Overall Approach to Fishery Issues by the Kodiak Fisheries Workgroup

**And Recommendations to the Joint
Kodiak Island Borough Assembly and the Kodiak City Council
on Action by the North Pacific Fishery Management Council
to address Comprehensive Bycatch (PSC) Management
for Groundfish Fisheries In the Gulf of Alaska**

August 27, 2012

The Kodiak Fisheries Workgroup, comprising three members of the Kodiak Island Borough and three members of the Kodiak City Council, has adopted the following statement of their overall approach to consideration of fishery management issues of interest and concern to the Kodiak region:

Overall approach for the Kodiak Fisheries Workgroup

1. Focus on overall impacts to the community and maintenance and growth of revenue streams.
2. Understand how various approaches will fundamentally impact fisheries and resources.
3. Frame benchmarks and objectives as positive statements.
4. Refrain from taking positions on allocative questions (to the extent possible, while understanding that many issues and decisions will have allocative implications).
5. Focus on broad-scale program features (i.e., keep a 30,000 ft. viewpoint), unless specific program elements threaten the goals outlined below.

The Kodiak Fisheries Workgroup recommends that this overall approach be adopted by the joint city/borough government bodies as well.

In addition, the Fisheries Workgroup recommends that the following statements of overarching purpose and goals for management programs be adopted by the joint city/borough governments as initial comments to the North Pacific Fishery Management Council on pending actions regarding comprehensive management of prohibited species catch (PSC) by the trawl fishery in the central Gulf of Alaska (CGOA):

North Pacific Fishery Management Council Motion on GOA Comprehensive Bycatch Amendment:

The Council will schedule a specific agenda item, preferably for the October meeting, that begins the process of developing a program to provide tools for effective management of PSC, incentives for the minimization of bycatch, and vessel level accountability for the Central Gulf of Alaska trawl groundfish fishery. The Council should develop a purpose and need statement with goals and objectives for a new fishery management system at that time.

Overarching purpose

1. Maintain healthy, sustainable resources in the central (and western) Gulf of Alaska.
2. Promote a sustainable, vigorous economy in the Kodiak region with healthy and competitive harvesting and processing sectors and support industries.
3. Maintain quality of life and social well-being in Kodiak.

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Goals for management programs

1. Provide effective controls of prohibited species catch and other bycatch to provide for balanced and sustainable fisheries and healthy harvesting and processing sectors.
2. Maintain or increase target fishery landings and revenues to Kodiak.
3. Maintain or increase employment opportunities for vessel crews, processing workers, and support industries.
4. Provide increased opportunities for value-added processing.
5. Maintain opportunities for fishermen to enter the fishery.
6. Maintain opportunities for processors to enter the fishery.
7. Minimize adverse economic impacts of consolidation of the harvesting or processing sectors.
8. Maximize active participation by owners of harvesting vessels and fishing privileges.
9. Maintain the economic strength and vitality of Kodiak's working waterfront.
10. Establish methods to measure success and impacts of all programs, including collection and analysis of baseline and after-action data.


The Kodiak Fisheries Workgroup has also identified and briefly considered the following specific questions regarding limits to application of the North Pacific Fishery Management Council's motion on PSC management in the CGOA trawl fisheries. However, the Workgroup believes that, while these questions will eventually need to be decided upon by the NPFMC, it is premature for them to be considered by the joint borough/city governments.

Limits to application of NPFMC action on PSC management

1. Should the action apply only to Central Gulf trawl fisheries?
2. Should the action be restricted to prohibited (or bycatch) species only, or apply to target species as well?

The Kodiak Fisheries Workgroup recommends that a letter, signed jointly by the city and borough mayors and containing the items listed above under overarching purpose and goals for management programs, be submitted as written comments to the North Pacific Fishery Management Council prior to their October 2012 meeting. Further, the Workgroup recommends that the Borough Mayor and the City Mayor, accompanied by the Fisheries Consultant, testify in person on these issues at the NPFMC meeting in Anchorage.

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Aimée Kniaziowski, City Manager 
Date: September 27, 2012

Agenda Item: V.e. **Resolution No. 2012–31, Joint Resolution Supporting Comments to the North Pacific Fishery Management Council on Pending Actions Regarding Comprehensive Management of Prohibited Species Catch by the Trawl Fishery in the Central Gulf of Alaska**

SUMMARY: At the September 4, 2012, joint work session, the City and Borough agreed to adopt a joint resolution to support comments to the North Pacific Fishery Management Council (NPFMC) at their October meeting. The comments, developed by the Kodiak Fisheries Workgroup, support Kodiak's overarching approach and goals on a pending NPMFC action on comprehensive management of prohibited species catch (PSC) by the trawl fishery in the central Gulf of Alaska. The attached joint resolution supports and identifies the overall approach that will be provided to the NPFMC by Kodiak's representatives at the October meeting to identify Kodiak's interests in this issue.

PREVIOUS COUNCIL ACTION: From time to time, the City Council adopts joint resolutions with the Kodiak Island Borough to provide statements of support by both governing bodies for a particular issue or item. The adoption of the two joint resolutions scheduled for action at this meeting was discussed and agreed to at the September 4, 2012, joint work session.

DISCUSSION: The Kodiak Fisheries Workgroup is comprised of three City Council members and three Borough Assembly members, and works closely with the City and Borough's Fisheries Analyst, Denby Lloyd. They adopted a statement outlining Kodiak's approach and desired outcomes for the management of PSC in the central Gulf trawl fishery which is scheduled for initial discussion at the October NPFMC meeting. The NPFMC will start development of a program to provide tools for the effective management of PSC, incentives for the minimization of bycatch, and vessel level accountability for the central Gulf of Alaska trawl fishery. The NPFMC plans to take the initial step and develop a purpose and needs statement that reflects their goals and objectives for a new management system.

The Workgroup recommended this approach to the Council and Assembly at the September 4, 2012, joint work session. Both bodies agreed that a joint resolution would be adopted identifying the community's overarching purpose and goals for NPFMC fisheries management programs. It was also agreed that Kodiak officials would testify on the issue and reference the joint resolution at the October NPFMC meeting when the discussion on this new management plan of PSC in the central Gulf is initiated.

The Borough Assembly adopted the joint resolution (Resolution No. FY 2013–10) at their meeting on September 20, 2012.

ALTERNATIVES:

1. Council may approve the resolution which is consistent with the discussion of intent at the September 4, 2012, joint work session.
2. Council may also amend or decline to pass the resolution which is inconsistent with the stated intent of both bodies and will not provide an official statement of support for the recommended approach to fisheries issues by the joint Fisheries Workgroup.

ATTACHMENTS:

Attachment A: Resolution No. 2012–31

Attachment B: Overall Approach to Fishery Issues by the Kodiak Fisheries Workgroup

PROPOSED MOTION:

Move to adopt Resolution No. 2012–31.

**CITY OF KODIAK
RESOLUTION NUMBER 2012-31**

**A JOINT RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK AND
THE KODIAK ISLAND BOROUGH ASSEMBLY SUPPORTING COMMENTS TO THE
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL ON PENDING ACTIONS
REGARDING COMPREHENSIVE MANAGEMENT OF PROHIBITED SPECIES
CATCH BY THE TRAWL FISHERY IN THE CENTRAL GULF OF ALASKA**

WHEREAS, the North Pacific Fishery Management Council is considering the need for and beginning development of a comprehensive program to manage prohibited species catch by the trawl fleet of the central Gulf of Alaska; and

WHEREAS, any such comprehensive management program for fisheries in the central Gulf of Alaska will have major and direct effects on the economy and well-being of residents of the Kodiak region; and

WHEREAS, National Standards of the Magnuson-Stevens Fishery Conservation and Management Act require that federal fishery management decisions take into account the importance of fishery resources to fishing communities, in order to provide for the sustained participation of such communities and minimize adverse economic impacts on such communities; and

WHEREAS, the City of Kodiak and the Kodiak Island Borough represent the communities of the Kodiak region, rather than individual user groups or fishing interests; and

WHEREAS, the City of Kodiak and the Kodiak Island Borough have begun a program to participate directly in public processes for fishery policy decision-making as outlined in Resolution No. 2012-30 of the City of Kodiak.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Kodiak and the Assembly of the Kodiak Island Borough that these bodies support the Kodiak Fisheries Workgroup's proposed overarching purpose for consideration of fishery management issues of interest and concern to the Kodiak region as follows:

Overarching Purpose:

1. Maintain healthy, sustainable resources in the central (and western) Gulf of Alaska.
2. Promote a sustainable, vigorous economy in the Kodiak region with healthy and competitive harvesting and processing sectors and support industries.
3. Maintain quality of life and social well-being in Kodiak.

BE IT FURTHER RESOLVED by the Council of the City of Kodiak and the Assembly of the Kodiak Island Borough that these bodies support the Kodiak Fisheries Workgroup's proposed goals for management programs as follows:

Goals for Management Programs:

1. Provide effective controls of prohibited species catch and other bycatch to provide for balanced and sustainable fisheries and healthy harvesting and processing sectors.
2. Maintain or increase target fishery landings and revenues to Kodiak.
3. Maintain or increase employment opportunities for vessel crews, processing workers, and support industries.
4. Provide increased opportunities for value-added processing.
5. Maintain opportunities for fishermen to enter the fishery.
6. Maintain opportunities for processors to enter the fishery.
7. Minimize adverse economic impacts of consolidation of the harvesting or processing sectors.
8. Maximize active participation by owners of harvesting vessels and fishing privileges.
9. Maintain the economic strength and vitality of Kodiak's working waterfront.
10. Establish methods to measure success and impacts of all programs, including collection and analysis of baseline and after-action data.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted:

Overall Approach to Fishery Issues by the Kodiak Fisheries Workgroup

**And Recommendations to the Joint
Kodiak Island Borough Assembly and the Kodiak City Council
on Action by the North Pacific Fishery Management Council
to address Comprehensive Bycatch (PSC) Management
for Groundfish Fisheries In the Gulf of Alaska**

August 27, 2012

The Kodiak Fisheries Workgroup, comprising three members of the Kodiak Island Borough and three members of the Kodiak City Council, has adopted the following statement of their overall approach to consideration of fishery management issues of interest and concern to the Kodiak region:

Overall approach for the Kodiak Fisheries Workgroup

1. Focus on overall impacts to the community and maintenance and growth of revenue streams.
2. Understand how various approaches will fundamentally impact fisheries and resources.
3. Frame benchmarks and objectives as positive statements.
4. Refrain from taking positions on allocative questions (to the extent possible, while understanding that many issues and decisions will have allocative implications).
5. Focus on broad-scale program features (i.e., keep a 30,000 ft. viewpoint), unless specific program elements threaten the goals outlined below.

The Kodiak Fisheries Workgroup recommends that this overall approach be adopted by the joint city/borough government bodies as well.

In addition, the Fisheries Workgroup recommends that the following statements of overarching purpose and goals for management programs be adopted by the joint city/borough governments as initial comments to the North Pacific Fishery Management Council on pending actions regarding comprehensive management of prohibited species catch (PSC) by the trawl fishery in the central Gulf of Alaska (CGOA):

North Pacific Fishery Management Council Motion on GOA Comprehensive Bycatch Amendment:

The Council will schedule a specific agenda item, preferably for the October meeting, that begins the process of developing a program to provide tools for effective management of PSC, incentives for the minimization of bycatch, and vessel level accountability for the Central Gulf of Alaska trawl groundfish fishery. The Council should develop a purpose and need statement with goals and objectives for a new fishery management system at that time.

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Goals for management programs

1. Provide effective controls of prohibited species catch and other bycatch to provide for balanced and sustainable fisheries and healthy harvesting and processing sectors.
2. Maintain or increase target fishery landings and revenues to Kodiak.
3. Maintain or increase employment opportunities for vessel crews, processing workers, and support industries.
4. Provide increased opportunities for value-added processing.
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
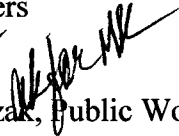
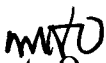
The Kodiak Fisheries Workgroup has also identified and briefly considered the following specific questions regarding limits to application of the North Pacific Fishery Management Council's motion on PSC management in the CGOA trawl fisheries. However, the Workgroup believes that, while these questions will eventually need to be decided upon by the NPFMC, it is premature for them to be considered by the joint borough/city governments.

Limits to application of NPFMC action on PSC management

1. Should the action apply only to Central Gulf trawl fisheries?
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The Kodiak Fisheries Workgroup recommends that a letter, signed jointly by the city and borough mayors and containing the items listed above under overarching purpose and goals for management programs, be submitted as written comments to the North Pacific Fishery Management Council prior to their October 2012 meeting. Further, the Workgroup recommends that the Borough Mayor and the City Mayor, accompanied by the Fisheries Consultant, testify in person on these issues at the NPFMC meeting in Anchorage.

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Aimée Kniaziowski, City Manager 
Thru: Glenn Melvin, City Engineer, Mark Kozak, Public Works Director, Marty Owen, Harbormaster   
Date: September 27, 2012

Agenda Item: V.f. **Authorization of Bid Award for Shelikof Street Pedestrian Improvements, Phase I, Project No. 10-04/8016**

SUMMARY: This project was developed to provide pedestrian improvements from Pier II to the downtown area. The City received legislative grants funded through the state's cruise ship excise tax fund. Phase I of the project is to make various pedestrian and associated parking improvements between Pier II and Jack Hinkle Way. The project was advertised in August 2012, and one bid was received on September 6, 2012. The bid was above the engineer's estimate and in excess of available funding. Staff negotiated the cost of the project to align with available funding. Staff recommends Council authorize the bid award for Phase I of the Shelikof Street Pedestrian Improvements project to Brechan Enterprises in the amount of \$1,719,130 (Attachment A) and authorize the City Manager to execute the necessary documents.

PREVIOUS COUNCIL ACTION:

1. August 2011: Council adopted Resolution No. 2011-27, accepting a \$1,600,000 legislative grant for pedestrian improvements and parking improvements between Pier II and downtown.
2. October 2011: Council awarded final design of the Pedestrian Improvements to DOWL HKM.
3. June 2012: Council approved the FY2013 budget which included all cruise ship excise fund awards for the Shelikof Street Pedestrian Improvements project for a total of \$2.3 million.
4. September 2013: Authorized an amendment to the DOWL HKM design contract to include necessary design adjustment and project costs.

DISCUSSION: The goal of the first phase of this work is to establish pedestrian improvements from Pier II into the downtown area to accommodate cruise ship passengers along Shelikof Street. Sidewalks begin at the intersection of Shelikof Street and Jack Hinkel Way. The initial project evaluated the options of a pathway along Rezanof Drive or along Shelikof Street. The selected option was to build an ADA compliant sidewalk along the west side of Shelikof Street from Pier II to the intersection of Jack Hinkel Way.

This project was designed to provide an eight-foot walk way along the west side of the street and to realign a section of Shelikof from the area of North Pacific Fuel into the Pier II working area, which would allow additional parking to be installed along the west side of the street.

The walkway is designed to allow trucks that pick up and deliver container vans to processors to drive over the rolled curb and onto the walk. This will improve both delivery and pickup of vans along this section of the street. In addition, the pedestrian improvements will provide pedestrian access for all users of the area. At the present time workers coming and going in the area have to walk in the street to access the limited parking areas.

The project includes some decorative features in order to improve the visual appearance of the concrete retaining wall and pathway which is consistent with the intent of the cruise ship excise tax funding to make improvements that benefit cruise ship passengers.

Project bids were received on September 6, 2012, and the City received only one bid, which was in excess of the engineer's estimate and project budget. Staff negotiated with the single bidder to make amendments to bring the project within budget, and the reductions were reviewed and approved by the engineers at DOWL HKM. Staff is recommending Council authorize the award of this bid to Brechan Enterprises as negotiated.

ALTERNATIVES:

1. Staff recommends Council authorize the bid award to Brechan Enterprises as negotiated. This is recommended because the award as renegotiated is within the existing project budget and will allow the project to get underway this fall.
2. Do not authorize the bid award to Brechan, which is not recommended. The improvements are within budget and will benefit users of the area year round. The accommodation of the cruise ship visitors is only a part of the overall benefit to the area. The project will provide improved safety for pedestrians, improved site distance in the area of the road be realigned, additional parking spaces and additional room for trucks transporting containers to the processors.

FINANCIAL IMPLICATIONS: This project is funded by legislative grants from cruise ship excise tax funds. The total project budget is \$2.04 million with an available budget of \$2.01 million, which is adequate to award this bid.

LEGAL: The City Code allows staff to negotiate bids that are received in excess of available funds, and staff used this process to allow the project to proceed in a safe and affordable manner.

STAFF RECOMMENDATION: Staff recommends Council authorize the bid award for Phase I of the Shelikof Street Pedestrian Improvements project, Project No. 10-04/8106, to Brechan Enterprises in the amount of \$1,719,130 with funds coming from Harbor Cargo Development Fund project number 8016.

CITY MANAGER'S COMMENTS: We have worked on this project for quite some time now, and we are now ready to award the construction contract for Phase I. Staff worked with the engineering firm and the Brechan to renegotiate the scope of the project so the bid costs would be consistent with project funds. I support the work and recommend Council authorize the award of the bid to Brechan and allow me to execute the necessary documents on behalf of the City.

ATTACHMENTS:

Attachment A: Bid Tab

Attachment B: Brechan Proposal

PROPOSED MOTION:

Move to authorize award of the bid for the Phase I of the Shelikof Street Pedestrian Improvements project, Project No. 10-04/8106, to Brechan Enterprises in the amount of \$1,719,130 with funds coming from Harbor Cargo Development Fund project number 8016, and authorize the City Manager to execute all necessary documents on behalf of the City.



Bid Tab *Shelikof St Pedestrian Improvement-Schedule A PN 10-04*

Bid Date: Tuesday, August 28, 2012

<i>Bid Item</i>	<i>Description</i>	<i>Quantity</i>	<i>Units</i>	<i>Engineers Estimate</i>		<i>Brechan Enterprises, Inc.</i>	
1	Clearing and Grubbing	1	Lump Sum	\$5,000.00	\$5,000.00	\$7,500.00	\$7,500.00
2	Unclassified Excavation	1	Lump Sum	\$41,000.00	\$41,000.00	\$115,000.00	\$115,000.00
3	Rock Excavation – Revetment Wall	460	square yard	\$250.00	\$115,000.00	\$300.00	\$138,000.00
4	Contaminated Soils Excavation	1	Contingent Sum	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00
5	Classified Material (Type A)	1	Lump Sum	\$45,000.00	\$45,000.00	\$100,000.00	\$100,000.00
6	Leveling Course	580	ton	\$65.00	\$37,700.00	\$40.00	\$23,200.00
7	Trench Excavation and Backfill – Storm Drain (Various Depth)	460	linear foot	\$120.00	\$55,200.00	\$10.00	\$4,600.00
8	Removal of Structures and Obstructions	1	Lump Sum	\$20,000.00	\$20,000.00	\$5,000.00	\$5,000.00
9	Remove Pavement	2E+04	square foot	\$1.50	\$33,000.00	\$0.50	\$11,000.00
10	Remove Manhole	2	each	\$1,000.00	\$2,000.00	\$500.00	\$1,000.00
11	Remove Curb and Gutter	1400	linear foot	\$3.00	\$4,200.00	\$5.00	\$7,000.00
12	Remove and Relocate Existing Utility Pole (By Contractor)	2	each	\$15,000.00	\$30,000.00	\$3,000.00	\$6,000.00
13	Curb and Gutter (Various Types)	1660	linear foot	\$70.00	\$116,200.00	\$65.00	\$107,900.00
14	Valley Gutter	250	linear foot	\$40.00	\$10,000.00	\$45.00	\$11,250.00
15	Parking Stops	32	Each	\$550.00	\$17,600.00	\$100.00	\$3,200.00
16	Concrete Retaining Wall	100	cubic yard	\$1,500.00	\$150,000.00	\$3,000.00	\$300,000.00
17	Concrete Revetment Wall	460	square yard	\$525.00	\$241,500.00	\$1,200.00	\$552,000.00
18	Decorative Wall	1	Lump Sum	\$70,000.00	\$70,000.00	\$80,000.00	\$80,000.00

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<i>Bid Item</i>	<i>Description</i>	<i>Quantity</i>	<i>Units</i>	<i>Engineers Estimate</i>		<i>Brechan Enterprises, Inc.</i>	
19	PCC Curb Ramp	16	square yard	\$350.00	\$5,600.00	\$150.00	\$2,400.00
20	Detectable Warnings	20	square foot	\$100.00	\$2,000.00	\$125.00	\$2,500.00
21	Asphalt Concrete Pavement, Type IIB	460	ton	\$400.00	\$184,000.00	\$250.00	\$115,000.00
22	Asphalt Concrete Sidewalk, Type IIB	1100	linear foot	\$110.00	\$121,000.00	\$45.00	\$49,500.00
23	Furnish and Install Fire Hydrant Assembly (Single Pumper)	1	each	\$8,000.00	\$8,000.00	\$2,000.00	\$2,000.00
24	Furnish and Install 12-inch CPEP, Type S	270	linear foot	\$70.00	\$18,900.00	\$135.00	\$36,450.00
25	Furnish and Install 18-inch CPEP, Type S	190	linear foot	\$90.00	\$17,100.00	\$210.00	\$39,900.00
26	Construct Storm Drain Manhole (Type I)	3	each	\$5,000.00	\$15,000.00	\$2,500.00	\$7,500.00
27	Construct Storm Drain Manhole (Field Inlet)	5	each	\$3,000.00	\$15,000.00	\$2,500.00	\$12,500.00
28	Construct Storm Drain Catch Basin	4	each	\$4,500.00	\$18,000.00	\$2,200.00	\$8,800.00
29	Furnish and Install Storm Drain Casting (Bee Hive Inlet)	4	each	\$1,000.00	\$4,000.00	\$400.00	\$1,600.00
30	Construct Open Ditch	990	linear foot	\$20.00	\$19,800.00	\$5.00	\$4,950.00
31	Connect to Existing Storm Drain Manhole	2	each	\$400.00	\$800.00	\$500.00	\$1,000.00
32	Mobilization and Demobilization	1	Lump Sum	\$250,000.00	\$250,000.00	\$190,000.00	\$190,000.00
33	Traffic Maintenance	1	Lump Sum	\$20,000.00	\$20,000.00	\$1,500.00	\$1,500.00
34	Traffic Control	1	Contingent Sum	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00
35	Erosion and Pollution Control Administration	1	Lump Sum	\$10,000.00	\$10,000.00	\$22,000.00	\$22,000.00
36	Erosion and Pollution Control	1	Contingent Sum	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00

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<i>Bid Item</i>	<i>Description</i>	<i>Quantity</i>	<i>Units</i>	<i>Engineers Estimate</i>		<i>Brechan Enterprises, Inc.</i>	
37	Construction Survey Measurement	1	Lump Sum	\$35,000.00	\$35,000.00	\$40,000.00	\$40,000.00
38	Standard Sign	39	square foot	\$140.00	\$5,460.00	\$105.00	\$4,095.00
39	Remove and Relocate Existing Sign	6	each	\$300.00	\$1,800.00	\$250.00	\$1,500.00
40	Chain Link Fence(48 inch)	460	linear foot	\$60.00	\$27,600.00	\$50.00	\$23,000.00
41	Remove and Reset Fence (7, 3 Strand Barb Wire)	210	linear foot	\$60.00	\$12,600.00	\$75.00	\$15,750.00
42	Temporary Security Fencing	1	Lump Sum	\$12,000.00	\$12,000.00	\$7,500.00	\$7,500.00
43	Adjust Manhole to Finish Grade	9	each	\$800.00	\$7,200.00	\$500.00	\$4,500.00
44	Adjust Catch Basin to Finish Grade	1	each	\$800.00	\$800.00	\$500.00	\$500.00
45	Adjust Valve Box to Finish Grade	1	each	\$800.00	\$800.00	\$150.00	\$150.00
46	Guardrail (Steel-Backed Timber)	34	linear foot	\$250.00	\$8,500.00	\$150.00	\$5,100.00
Grand Total				\$1,884,360.00		\$2,142,345.00	

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Bid Tab Shelikof St Pedestrian Improvement-Schedule B PN 10-04B

Bid Date: Tuesday, August 28, 2012

<i>Bid Item</i>	<i>Description</i>	<i>Quantity</i>	<i>Units</i>	<i>Engineers Estimate</i>		<i>Brechan Enterprises, Inc.</i>	
1	Paint for Asphalt Sidewalk	4320	square foot	\$8.00	\$34,560.00	\$12.00	\$51,840.00
2	Decorative Medallions	18	each	\$1,500.00	\$27,000.00	\$2,500.00	\$45,000.00
3	Landscape Boulders	21	each	\$400.00	\$8,400.00	\$420.00	\$8,820.00
4	Graffiti Protection	4625	square foot	\$3.00	\$13,875.00	\$5.00	\$23,125.00
<i>Grand Total</i>					<i>\$83,835.00</i>		<i>\$128,785.00</i>

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**CITY OF KODIAK
AGREEMENT**

This Agreement is between the City of Kodiak (hereinafter called OWNER) and Brechan Enterprises, Inc. an

Individual, Partnership, Corporation in the State of Alaska, Joint Venture

(hereinafter called CONTRACTOR).

The OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

1. Work

- A. The CONTRACTOR shall complete the Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

Shelikof Street Pedestrian Improvements PN 10-04/1016

Work: This project includes street improvements to approximately 1,100 linear feet of Shelikof Street between Pier II and Jack Hinkel Way. The project includes, but is not limited to, high bank rock removal, construction of a ~~concrete revetment wall varying from 4 feet to 18 feet in height~~ and concrete retaining wall varying from 5 feet to 11 feet in height, realignment of a portion of Shelikof Street creating additional parking, construction of an 8 foot wide pedestrian path way from Pier II to the intersection of Jack Hinkel, drainage improvements including installation of underground drainage and catch basins as well as some relocating of existing utilities, signage striping and fencing.

2. Engineer

- A. The City Engineer is hereinafter called ENGINEER and is to act as the OWNER's representative, assume duties and responsibilities, and have the rights and authority assigned to ENGINEER in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

3. Contract Times and Liquidated Damages

- A. The CONTRACTOR will achieve Final Completion no later than October 31, 2013.
- B. The OWNER and CONTRACTOR recognize that time is of the essence of the Agreement and that OWNER will suffer financial loss if the Work is not completed within the Contract Time specified above, plus any extension thereof allowed in accordance with Article 12 of the General Conditions. Accordingly, the CONTRACTOR agrees to pay the OWNER the liquidated damages set forth in Division 100, Article 14.08, paragraph B.

4. Contract Price

- A. The OWNER shall pay the CONTRACTOR for completion of the Work and in accordance with the Bid, an amount equal to bid by the CONTRACTOR of the respective estimated quantities aggregating approximately the sum of \$1,719,130.00.

Brechan Enterprises Bid Estimate

	Item No.	Description	Unit	Estimated Quantity	Unit Bid Price	Bid Amount
1	202(6)	Clearing and Grubbing	LS	1	\$ 7,500.00	\$ 7,500.00
2	203(10) SP	Unclassified Excavation	LS	1	\$ 115,000.00	\$ 115,000.00
3	203(11) SP	Rock Excavation – Revetment Wall	SY	460	\$ 300.00	\$ 138,000.00
4	203(12)	Contaminated Soils Excavation	Contingent Sum	1	\$ 20,000.00	\$ 20,000.00
5	204(4) SP	Classified Material (Type A)	LS	1	\$ 100,000.00	\$ 100,000.00
6	205(2)	Leveling Course	TN	580	\$ 40.00	\$ 23,200.00
7	206(1) SP	Trench Excavation and Backfill – Storm Drain (Various Depth)	LF	460	\$ 10.00	\$ 4,600.00
8	207(1) SP	Removal of Structures and Obstructions	LS	1	\$ 5,000.00	\$ 5,000.00
9	207(2) SP	Remove Pavement	SF	22,000	\$ 0.50	\$ 11,000.00
10	207(6) SP	Remove Manhole	EA	2	\$ 500.00	\$ 1,000.00
11	207(9) SP	Remove Curb and Gutter	LF	1,400	\$ 5.00	\$ 7,000.00
12	207(14) SP	Remove and Relocate Existing Utility Pole (By Contractor)	EA	2	\$ 3,000.00	\$ 6,000.00
13	302(1)	Curb and Gutter (Various Types)	LF	1,660	\$ 65.00	\$ 107,900.00
14	302(2)	Valley Gutter	LF	250	\$ 45.00	\$ 11,250.00
15	302(3) SP	Parking Stops	EA	32	\$ 100.00	\$ 3,200.00
16	304(2) SP	Concrete Retaining Wall	CY	100	\$ 3,000.00	\$ 300,000.00
17	304(4) SP	Decorative Wall	LS	1	\$ 80,000.00	\$ 80,000.00
18	306(1) SP	PCC Curb Ramp	SY	16	\$ 150.00	\$ 2,400.00
19	306(2) SP	Detectable Warnings	SF	20	\$ 125.00	\$ 2,500.00
20	402(1) SP	Asphalt Concrete Pavement, Type IIB	TN	460	\$ 250.00	\$ 115,000.00
21	402(4) SP	Asphalt Concrete Sidewalk, Type IIB	LF	1,100	\$ 45.00	\$ 49,500.00
22	604(1) SP	Furnish and Install Fire Hydrant Assembly (Single Pumper)	EA	1	\$ 2,000.00	\$ 2,000.00
23	702(1-12) SP	Furnish and Install 12-inch CPEP, Type S	LF	270	\$ 135.00	\$ 36,450.00
24	702(1-18) SP	Furnish and Install 18-inch CPEP, Type S	LF	190	\$ 210.00	\$ 39,900.00
25	704(1-1) SP	Construct Storm Drain Manhole (Type 1)	EA	3	\$ 2,500.00	\$ 7,500.00
26	704(1-2) SP	Construct Storm Drain Manhole (Field Inlet)	EA	5	\$ 2,500.00	\$ 12,500.00
27	704(2-1) SP	Construct Storm Drain Catch Basin	EA	4	\$ 2,200.00	\$ 8,800.00
28	704(4) SP	Furnish and Install Storm Drain Casting (Bee Hive Inlet)	EA	4	\$ 400.00	\$ 1,600.00

Brechan Enterprises Bid Estimate

	Item No.	Description	Unit	Estimated Quantity	Unit Bid Price	Bid Amount
29	707(1) SP	Construct Open Ditch	LF	990	\$ 5.00	\$ 4,950.00
30	708(1)	Connect to Existing Storm Drain Manhole	EA	2	\$ 500.00	\$ 1,000.00
31	801(1)	Mobilization and Demobilization	LS	1	\$ 190,000.00	\$ 190,000.00
32	802(2) SP	Traffic Maintenance	LS	1	\$ 1,500.00	\$ 1,500.00
33	802(6) SP	Traffic Control	Contingent Sum	1	\$ 40,000.00	\$ 40,000.00
34	803(1)	Erosion and Pollution Control Administration	LS	1	\$ 22,000.00	\$ 22,000.00
35	803(2)	Erosion and Pollution Control	Contingent Sum	1	\$ 10,000.00	\$ 10,000.00
36	805(1)	Construction Survey Measurement	LS	1	\$ 40,000.00	\$ 40,000.00
37	806(1) SP	Standard Sign	SF	39	\$ 105.00	\$ 4,095.00
38	806(2)	Remove and Relocate Existing Sign	EA	6	\$ 250.00	\$ 1,500.00
39	812(1)	Chain Link Fence(42inch)	LF	460	\$ 50.00	\$ 23,000.00
40	812(3) SP	Remove and Reset Fence (7', 3Strand Barb Wire)	LF	210	\$ 75.00	\$ 15,750.00
41	812(5) SP	Temporary Security Fencing	LS	1	\$ 7,500.00	\$ 7,500.00
42	814(1)	Adjust Manhole to Finish Grade	EA	9	\$ 500.00	\$ 4,500.00
43	814(2)	Adjust Catch Basin to Finish Grade	EA	1	\$ 500.00	\$ 500.00
44	815(1)	Adjust Valve Box to Finish Grade	EA	1	\$ 150.00	\$ 150.00
45	818(1) SP	Guardrail (Steel-Backed Timber)	LF	34	\$ 150.00	\$ 5,100.00
Total Amount Schedule A (Sidewalk, & Parking)					\$	1,590,345.00
	Item No.	Description	Unit	Estimated Quantity	Unit Bid Price	Bid Amount
1	819(1)	Paint for Asphalt Sidewalk	SF	4,320	\$ 12.00	\$ 51,840.00
2	820(1)	Decorative Medallions	EA	18	\$ 2,500.00	\$ 45,000.00
3	821(1)	Landscape Boulders	EA	21	\$ 420.00	\$ 8,820.00
4	822(1)	Graffiti Protection	SF	4,625	\$ 5.00	\$ 23,125.00
Total Amount Schedule B (Landscape)					\$	128,785.00
Total Amount Schedule A (Sidewalk & Parking)					\$	1,590,345.00
Total Amount Schedule B (Landscape)					\$	128,785.00
Total Project Amount					\$	1,719,130.00
Total Written in Words		One million seven hundred nineteen thousand one hundred thirty dollars				

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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Aimée Kniaziowski, City Manager *AK*
Thru: Ian Fulp, Parks and Recreation Director, and Mark Kozak, Public Works Director *OK Joe MK*
Date: September 27, 2012

Agenda Item: V.g. Authorization of Contract for Baranof Park Storage Area Fencing

SUMMARY: The Baranof Park storage facility consists of two 20-foot long containers, 24 feet apart with a roof covering the span between them. There is also a shed roof extending 16 feet from the back of the containers for increased storage area. Although this facility provides much needed storage space for equipment and supplies, is located in the biggest park facility, and is within short distance of two other major maintenance-activity areas, it needs to be fenced for security, safety, and aesthetic reasons. Staff requested quotes for fencing the area as identified in Attachment A. Two quotes were received, and staff recommends Council authorize the City Manager to sign a contract with Bugni Enterprises, Inc. in the amount of \$20,090.

PREVIOUS COUNCIL ACTION: On June 21, 2012, the City Council adopted Ordinance No. 1298 approving the City's annual budget, which included a project to make storage area improvements in Baranof Park.

DISCUSSION: Baranof Park is not only the biggest and most active park in the City park system, but it is also the headquarters and staging area for the park maintenance operation. In 2005 the department constructed a maintenance storage facility under the trees adjacent to the Baranof Park baseball field parking lot. This storage facility is composed of two 20-foot containers, set 24 feet apart and covered by a roof that spans 40 feet to cover both containers and the 24-foot-wide space between. In 2009 a 16-foot shed-roof addition was added to this building to increase its storage capacity.



Although the building functions well as a storage facility, offering a covered area for equipment under its roof and secure storage within the two 20-foot containers, it needs to be fenced off so that the public doesn't have access to the equipment and can't get hurt by running through an area not intended for their

use. For aesthetic purposes, a fence with privacy slats would serve as a visual barrier between the park and the equipment within the storage area.

Another benefit to having a fence is fuel storage and its security. Presently, the department stores diesel fuel for tractors and the compact excavator in five gallon cans and in a 55 gallon can inside the office garage. The 55-gallon can lasts about three days before it has to be refilled or before the tractors are driven to public works to refuel. A fence around the storage area would allow staff to place a 500 gallon tank within the fence to refuel equipment. This would save both time and money and would make the garage safer and more functional by providing more workspace.

The northeast corner of Baranof Park is an ideal location for a maintenance storage and staging area. It is located within close proximity to three major park facilities: Baranof Park, East Addition Park, and the City cemetery.

Staff requested quotes from local companies who provide fencing meeting the department's specifications and received two quotes in early September 2012. The lowest quote was received from Bugni Enterprises in the amount of \$20,090. The other company, Northwest Barriers, provided a quote of \$70,500.

ALTERNATIVES:

1. Authorize the City Manager to sign a contract to Bugni Enterprises, Inc., which is staff's recommendation. This is consistent with Kodiak City Code §3.12.030 Open Market Procedures, and meets the department's identified needs.
2. Do not authorize the action, which is not recommended, because it would leave the Baranof Park equipment storage area open to the public and therefore unprotected and unsafe. Not being fenced, the area would remain visually unpleasing and would not provide a solution to the department's fuel storage problem.

FINANCIAL IMPLICATIONS: The current City budget contains a capital project, Project No. 9007, to make improvements to the Baranof Park storage. This project has adequate funds budgeted, and the award to the lowest responder is consistent with KCC §3.12.030 due to the value of the contract. Additional financial considerations are that a fenced area will provide secure and safe storage, and a place to provide fuel for equipment and machinery would make the department's maintenance operation more efficient, safe, and cost effective. Less time and money would be spent obtaining fuel. Tractors would spend less time on public roads, and the office garage would not be a place for fuel storage.

LEGAL: All steps taken are consistent with KCC §3.12.030. Two quotes were solicited because there are only two local fence contractors.

STAFF RECOMMENDATION: Staff recommends Council authorize the City Manager to sign a contract with Bugni Enterprises, Inc. for the purchase and installation of fencing as described in the amount of \$20,090, with funds coming from Parks and Recreation Capital Improvement fund, Baranof Park Storage Improvements, Project No. 9007.

CITY MANAGER'S COMMENTS: This is an important improvement to the Baranof Park storage area as described. The project has adequate funds in the existing capital project. Installation of a six-foot fence around the storage area will help protect and secure the maintenance equipment, improve safety and security by limiting access, and beautify the park by blocking visual access to the area with the use of privacy slats. I support staff's recommendation and request Council to authorize me to execute the contract with Bugni on behalf of the City.

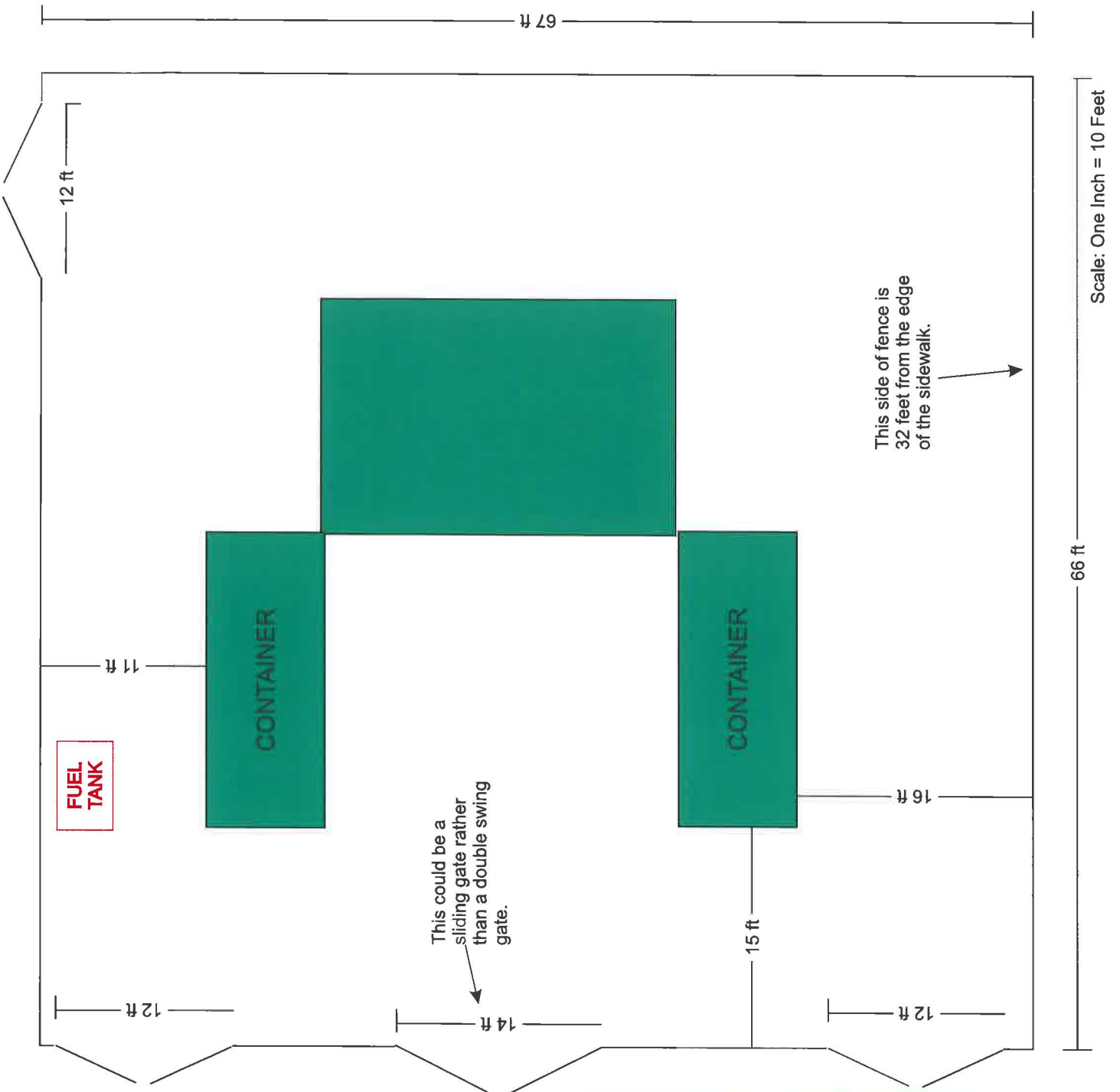
ATTACHMENTS:

- Attachment A: Baranof Park Storage Fencing Plan
- Attachment B: Quote from Bugni Enterprises, Inc.
- Attachment C: Quote from Northwest Barriers, LLC

PROPOSED MOTION:

Move to authorize the City Manager to enter a contract with Bugni Enterprises, Inc. for the purchase and installation of fencing in the amount of \$20,090, with funds coming from Parks and Recreation Capital Improvement fund, Baranof Park Storage Improvements, Project No. 9007.

**Baranof Park
Container-Storage
Fencing Plan—
for Security,
Safety, Aesthetics
and Outside Fuel
Storage.**



**Bugni Enterprises Inc.
1424 Baranof St.
Kodiak, AK 99615
Phone: 907 486 6030 or 907 539 1779
Fax: 907 486 7576**

**To: Ian Fulp
Kodiak Parks and Recreation Director
410 Cedar St.
Kodiak, Alaska 99615
Email: ifulp@city.kodiak.us**

September 2, 2012

Ian,

Contractor Bugni Enterprises Inc. proposes to install security fencing and gates around the storage containers for Baranof Park on the corner of Cedar and Armstrong Streets in Kodiak, Alaska. Basic fencing will consist of six foot tall view guard fabric stretched on a framework of 2 7/8" schedule 40 corner posts, 2 3/8" schedule 40 line posts and a 1 5/8" schedule 40 top rail. Three twelve foot wide double swing gates will be installed in the fence lines and those gates will swing on 2 7/8" schedule 40 posts. A 14 foot wide sliding cantilever gate will be installed in the fence line facing Armstrong Street and it will slide on 4 ea, six inch, composite rollers which will be mounted on 4" schedule 40 posts.

All posts will be set in a minimum of 2 1/2' to 3' of 3500 psi concrete. Three strands of 4 point galvanized barbed wire will be installed at top of fence line as well as all the gates.

Price for the above described fencing (with view guard) installed to comply with all State and Federal specifications is \$20,090.00.

Price for above described fencing with 2",9ga,6' tall galvanized fencing (without privacy slats) with 3 strands of barbed wire is \$19,000.00.

**If you have any questions please call me at 486-6030 or email me at davebugni@hotmail.com
Thank you,**

Dave Bugni

Estimate**Northwest Barriers LLC**

2147 W Shirley Rd
Wasilla, AK 99654

Date	Estimate #
09/04/2012	WEB000005

Name / Address
Kodiak Parks and Rec 410 Cedar St Kodiak AK 99615

Description	Qty	U/M	Rate	Total
8' View Guard	1		25000.00	25000.00
6' View Guard	1		23000.00	23000.00
6' Chain Link	1		22500.00	22500.00
If you do not want barbwire subtract \$250 and if you want to add a 14' Cantlever gate please add \$1500				
Exclusions				
Staking				
Locates				
Total				\$70500.00

Phone # (907) 376-7498

Fax # (907) 376-7438

E-mail nwbarrier@live.com