

City of Kodiak Regular Council Meeting Agenda for December 13, 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 November 8, 2012, Regular Council Meeting1

- III. Persons to Be Heard**
 - a. Public Comments (limited to 3 minutes) (486-3231)

- IV. Unfinished Business**
 - None

- V. New Business**
 - a. First Reading, Ordinance No. 1302, Amending Kodiak City Code 3.08.140(A) to Require Sales Tax Returns to Report the Number of Transactions in Which a Portion of the Price or Charge is Exempt From Sales Tax Under Kodiak City Code 3.08.12010
 - b. Resolution No. 2012–35, Certifying the FY2013 Shared Fisheries Business Tax Program Application to Be True and Correct16
 - c. Resolution No. 2012–36, Appropriating Additional Funds for a Design Contract for Demolition of the Old KPD Building and Authorizing the City Manager to Sign the Contract26
 - d. Resolution No. 2012-37, Accepting a Construction Grant From the Alaska Department of Environmental Conservation for the Design of the Monashka Pumphouse Upgrade Project Number 11-05/702936
 - e. Authorization of Contract Extension With Gillespie and Associates for State Lobbying Services 42
 - f. Authorization of Professional Services Contract for Pier III Project Management, Project No. 801350
 - g. Authorization of Professional Services Contract for Geotechnical Work Associated With Pier III Replacement, Project No. 801366
 - h. Authorization of a Professional Services Contract for Biosolids Consultation, Project No. 751778
 - i. Advisory Board Appointments84
 - j. Election of Deputy Mayor100

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

- VII. Mayor’s Comments**

- VIII. Council Comments**

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

- X. Adjournment**

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**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, NOVEMBER 8, 2012
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Mayor Pat Branson called the meeting to order at 7:30 p.m. Councilmembers Randall C. Bishop, Charles E. Davidson, Gabriel T. Saravia, and Richard H. Walker were present and constituted a quorum. Councilmember Terry J. Haines arrived at 7:41 p.m. Councilmember John B. Whiddon was absent. City Manager Aimée Kniazowski, City Clerk Debra L. Marlar, and Deputy Clerk Matthew Gandel were also present.

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

II. PREVIOUS MINUTES

Councilmember Saravia MOVED to approve the minutes of the October 25, 2012, regular meeting as presented.

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

III. PERSONS TO BE HEARD

a. Public Comments

Judi Kidder spoke against the proposed biosolids composting project, expressing concerns about the cost of the project and the potential for contamination of nearby properties. She said that information about the project was not being made available to the public.

Todd Hiner spoke against the proposed biosolids composting project and said as a neighboring property owner, he was worried that the Council wasn't concerned with protecting his property. He offered what he described as three locations better suited for the composting project.

Corey Wall, MRV Architects, introduced himself to the Council and provided a brief status update on the construction progress of the New Library.

Councilmember Haines arrived.

Marilyn Guilmet said she wasn't opposed to the biosolids composting project but she disagreed with the proposed location. She wondered why nearby property owners hadn't been notified before a contract was signed. She said the biosolids material contained many toxins harmful to people and animals.

Peter Olsen, Quayanna Development Corporation, said his company was looking forward to starting the biosolids composting project. He said he understood people's concerns but that he

expected to be in full compliance with all laws and regulations prior to starting the project. He said he was going to make an effort to reach out and help people better understand the composting process.

b. Update From and Discussion With the City's Juneau Lobbyist

City Lobbyist Ray Gillespie provided the Mayor and Council with an overview of the recent state election and the new makeup of the legislature. He said there would most likely be less state money available for capital projects in the next few years; therefore, it was important for the City to focus on infrastructure, health, and safety projects.

IV. UNFINISHED BUSINESS

a. Second Reading and Public Hearing, Ordinance No. 1301, Establishing Supplemental Appropriation No. 2 to the Budget for the Fiscal Year Commencing on the First Day of July 2011 and Ending on the Thirtieth Day of June 2012, and Repealing Ordinance No. 1296

Mayor Branson read Ordinance No. 1301 by title. It is customary for the City Council to approve at least one supplemental budget amendment each year that authorizes the adjustments of current revenues and expenses. These adjustments are for operating funds as well as additions to project funds for grant revenues received and additional expenditures needed that were not known at the time the original budget was adopted. Supplemental Appropriation No. 2 to the FY2012 budget totaled \$165,086 and is identified in Ordinance No. 1296, which contained errors that must be corrected by adopting a new ordinance.

Councilmember Bishop MOVED to adopt Ordinance No. 1301.

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

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

V. NEW BUSINESS

a. Resolution No. 2012-34, Accepting a 2012 State Homeland Security Program Grant

Mayor Branson read Resolution No. 2012-34 by title. The City has been awarded a State Homeland Security Program Grant to provide funding to participate in the Alaska Shield 2014 statewide emergency response exercise. The exercise is one of many being conducted statewide, as required every three years by the Homeland Security Exercise and Evaluation Plan. This grant, in the amount of \$13,860, will repay costs associated with local Red Cross disaster training and will cover the cost of expenses for City staff to attend key Alaska Shield 2014 planning meetings in Anchorage and position specific training in the National Incident Management System for City staff.

Councilmember Davidson MOVED to adopt Resolution No. 2012-34.

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

b. Authorization of FY2013 Special Services Contract With Alaska Department of Public Safety

The Alaska Department of Public Safety has requested a renewal of their contract with the City to provide services that support the mission and operations of the Alaska State Troopers and Alaska Wildlife Troopers based in Kodiak. The contract and services would continue to be administered through the Kodiak Police Department. In exchange for providing these services, the Alaska Department of Public Safety will pay the City \$19,687.50 every quarter, for a total of \$78,750.

Councilmember Saravia MOVED to authorize the City Manager to sign the FY2013 Special Services Contract with the Alaska Department of Public Safety, Division of Alaska State Troopers.

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

c. Authorization of Amendment No. 4 to the Professional Services Agreement With Cornerstone General Contractors, Inc. for Balance of Construction Work for New Library, Project No. 6012

This action will award the final package to Cornerstone General Contractors, Inc. to include the balance of the construction work to complete the new library. City staff, the library building committee, and the project manager reviewed the elements and costs of the remaining construction work on October 28, 2012, and support authorization to award the balance of construction work to Cornerstone for the guaranteed maximum price of \$4,322,932.

Councilmember Davidson MOVED to authorize Amendment No. 4 to the professional services contract with Cornerstone General Contractors, Inc. for completion of the balance of construction work on the new library for the guaranteed maximum price of \$4,322,932, with funds coming from the Building Improvement Fund, New Library Project, Project No. 6012.

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

d. Authorization of Professional Services Contract for Construction Administration for Shelikof Street Pedestrian Improvements Project, Project No. 10-04/8016

The City Council approved a construction contract with Brechan Enterprises, Inc. for the Shelikof Street Pedestrian Improvement Project at the September 27, 2012, meeting. With the nature of this project, City staff expects to need technical engineering support at various times throughout the project, particularly with the large rock cut area. Staff recommends that Council authorize a professional services contract to DOWL HKM on a time and materials basis with an amount not to exceed \$50,000 for construction administration and management.

Councilmember Haines MOVED to authorize the professional services contract to DOWL HKM for construction administration and management of the Shelikof Street Pedestrian Improvements Project, Project No. 10-04/8016, on a time and material basis with a not-to-exceed amount of \$50,000, with funds coming from the Cargo Capital Development Fund, Project No. 8016 and authorize the City Manager to sign the agreement on behalf of the City.

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

e. Authorization of Contract Amendment No. 1 for Additional Design Services for Aleutian Homes Water and Sewer Replacement Project, Phase V, Project No. 10-03/7026

The City started a phased utility replacement of the water and sewer utilities in the Aleutian Homes in 2005. The Aleutian Homes Subdivision was built in the early 1950s, and much of the water and sewer system is left from that original construction. The Council approved the design contract with DOWL HKM in August 2009 for Aleutian Homes Water and Sewer Replacement Phase V. The project is at 95% design and, with the award of an Alaska Municipal Matching Grant from the Alaska Department of Environmental Conservation for a segment of this project, the City is ready to have DOWL HKM finalize plans and bid the project.

Councilmember Walker MOVED to authorize Amendment No. 1 to the DOWL HKM design contract in the amount of \$24,928, with funds coming from the Aleutian Homes Water and Sewer Replacement Project, Phase V, Project No. 10-03/7026 and to authorize the City Manager to sign the amendment on behalf of the City.

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

VI. STAFF REPORTS

a. City Manager

City Manager Kniazowski said she welcomed the opportunity to spend time with City Lobbyist Gillespie and show him around various City capital projects. She said that she and City Clerk Marlar had recently provided a tour of various city departments to Councilmember Walker so he could get a feel for what each one does.

She said she had recently formed a small Incident Management Team with Fire Chief Rome Kamai and Chief of Police T.C. Kamai to monitor an earthquake off the coast of British Columbia for a potential tsunami, and said the new Emergency Operations Center was a vast improvement over previous facilities.

She said the City was preparing to submit a plan to the Alaska Department of Environmental Conservation for short term storage of biosolid waste at Gibson Cove, and that she had also been in discussions with the U.S. Coast Guard about potential storage options on their property on Anton Larsen Road.

She said the City would be holding an auction for surplus goods and vehicles on November 30, 2012, at the old Kodiak Police Department building. She acknowledged Finance Department employee Sandi Heglin for 25 years of service to the City.

b. City Clerk

City Clerk Marljar thanked Deputy Clerk Matt Gandel for his service over two years as deputy clerk and records manager. She encouraged the public to apply for open seats on the Parks and Recreation Advisory Board, Port and Harbors Advisory Board, City seat on the Borough Planning and Zoning Commission, Building Code Board of Appeals, and Personnel Board. She also informed the public of the next scheduled Council work session and regular meeting.

VII. MAYOR'S COMMENTS

Mayor Branson congratulated Sandi Heglin on 25 years of service and offered best wishes to Deputy Clerk Gandel. She congratulated Senator Gary Stevens and Representative Alan Austerman on their reelection to the state legislature, and said they were both very committed to the community. She thanked all the election workers who volunteered their time and thanked the community for supporting Bonding Proposition A, which included funding for Pier 3. She said she was very impressed with the progress on the New Library project and thanked everyone in the community who had stepped forward to advance the project. She encouraged members of the public to volunteer for City advisory boards.

VIII. COUNCIL COMMENTS

Councilmember Walker said he had learned a lot during his recent tour of city departments. He said the City had a lot of infrastructure that was deteriorating and that there was a lot of work coming up to repair it. He said City employees worked very hard to provide the community with the level of services they expected. He thanked the Mayor and Councilmembers for welcoming him to the Council.

Councilmember Haines thanked City Lobbyist Gillespie for his work for the City. He encouraged members of the community to get involved in the budget process and said the Council had some tough decisions ahead. He reminded everyone to drive safely and watch out for schoolchildren. He thanked Sandi Heglin for her years of service and wished Deputy Clerk Gandel well in his new job. He encouraged people to volunteer for open seats on City advisory boards. He said the Aleutian Homes Water and Sewer project had been going on for a long time, but the infrastructure improvements would serve the City well for years to come.

Councilmember Davidson thanked City staff for all their hard work and City Lobbyist Gillespie for his efforts on behalf of the City.

Councilmember Saravia thanked Deputy Clerk Gandel and wished him well. He also thanked City Lobbyist Gillespie and said his hard work helped to bring capital projects funds to Kodiak, which helped improved the quality of life.

Councilmember Bishop thanked the businesses that participated in the downtown trick or treating on Halloween and said it was great to see so much activity downtown. He congratulated the Kodiak High School girls' volleyball team for making it to the state tournament. He thanked voters who supported the bond proposition that included funding for Pier 3. He said the Council was committed to looking at potential capital projects to determine if they were necessary for the community, and said it was important that the Council focus on infrastructure improvements and balancing the budget.

IX. AUDIENCE COMMENTS

Todd Hiner spoke against the biosolids composting project, saying it would increase the cost to taxpayers and that there were other options for the Council to consider.

Judi Kidder said the operations plan for the biosolids composting project should be available for review by the public.

Marilyn Guilmet spoke against the biosolids composting project, saying she was concerned with the potential health effects to people and animals in the area.

Ashley Hiner spoke against the biosolids composting project, and said he was concerned about the potential health effects.

X. EXECUTIVE SESSION

a. Clerk's Annual Evaluation

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.

Councilmember Davidson **MOVED** 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.

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

The Council entered into executive session at 8:47 p.m. The regular meeting reconvened at 9:45 p.m. The Council took no action.

XI. ADJOURNMENT

Councilmember Haines **MOVED** to adjourn the meeting.

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

The meeting adjourned at 9:46 p.m.

CITY OF KODIAK

MAYOR

ATTEST:


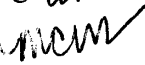
CITY CLERK

Minutes Approved:

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NEW BUSINESS

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Aimée Kniazowski, City Manager 
Thru: Mary Munk, Finance Director 
Date: December 13, 2012

Agenda Item: V. a. First Reading, Ordinance 1302, Amending Kodiak City Code 3.08.140 (A) to Require Sales Tax Returns to Report the Number of Transactions in Which a Portion of the Price or Charge is Exempt from Sales Tax Under Kodiak City Code 3.08.120

SUMMARY: To comply with City Council's request for improved sales tax estimates based on different sales tax maximum caps, the sales tax return process should be amended to add the number of transactions in which a portion of the price or charge is exempt from sales tax under KCC 3.08.120. KCC 3.08.140(a)(6) currently says the City Council may require additional information on a sales tax return, but is not specific. Ordinance No. 1302 will improve the Code language by adding a sentence that requires reports to include the number of transactions that are exempt from sales tax based on the sales tax cap. Therefore, staff recommends Council adopt Ordinance No. 1302 in the first reading and advance to second reading and public hearing at the next regular or special Council meeting.

PREVIOUS COUNCIL ACTION: KCC 3.08.140 Sales Tax Returns was part of Ordinance No. 497, which Council adopted in 1977 that established the Sales Tax Code 3.08.

3.08.140 Sales tax returns

- (a) Each person who sells or rents property or renders services taxable under this chapter in any quarter ending March 31, June 30, September 30, and December 31 shall, on or before the last day of the month following the end of each quarter year, or April 30, July 31, October 31, and January 31, respectively, complete, sign, and file with the City a return for that quarter, upon forms furnished by the City, setting forth the following:
- (1) The amount received from all sales, rentals, and services made or rendered within the City;
 - (2) The amount received from nontaxable sales, rentals, and services, with a brief explanation of the nontaxable status;
 - (3) The amount received from taxable sales, rentals, and services;
 - (4) The amount of tax attributable to the taxable sales, rentals, and services;
 - (5) The taxes collected; and
 - (6) Such other information and supporting papers as the council may require in the reporting form.

DISCUSSION: Council and staff held many discussions since 2011 on the need to increase revenues to meet expenses. Two main options to increase revenues were considered: increase sales tax from six percent to seven percent, and increase or eliminate the sales tax cap. Council raised the sales tax to seven percent and asked staff to come up with a way to better evaluate the potential revenues if the sales tax cap was raised by a specific amount. Staff worked on a way to update the sales tax reporting form to help refine estimates of possible revenues and worked with the City Attorney on a recommended Code clarification.

Sales tax returns have required the information listed above on all returns since 1977. Currently, item 6 allows the City Council to require additional information on the returns. However, the language is vague. Staff conferred with the City Attorney, and he advised that it would be best to add a clarifying sentence to this portion of the Code. As you can see in Attachment A, it clearly states that tax returns will contain the number of transactions in which a portion of the sale is exempt from sales tax. This change defines the additional information required on the sales tax return form and allows staff to better estimate potential revenues based on different sales tax cap amounts.

ALTERNATIVES:

1. Adopt Ordinance No. 1302, which is staff's recommendation. This amendment adds clarifying language to the Code to require sales tax reports to include the number of transactions in which a portion of the price or charge is exempt from sales tax and allows for better potential revenue projections if the sales tax cap is adjusted.
2. The Council can do nothing. This alternative is not recommended, because it won't provide the information Council has requested.

FINANCIAL IMPLICATIONS: Council action is required if Council wishes add 3.08.140(a)(6), the number of transactions in which a portion of the price or charge is exempt from sales tax under KCC 3.08.120. Staff believes adoption of Ordinance No. 1302 is the best choice to ensure better estimates of sales tax revenues to determine the effects of different sales tax maximum caps. This will allow the City Council to set the sales tax maximum cap at a level that is adequate to generate revenues with the least impact to the residents of Kodiak.

LEGAL: The Kodiak City Charter and Kodiak City Code grant Council the authority to approve ordinances affecting the Sales Tax Code. The City attorney advised and assisted staff in this review and drafted Ordinance No. 1302.

STAFF RECOMMENDATION: This code amendment will help meet a stated Council goal. Therefore, staff recommends Council adopt Ordinance No. 1302 in the first reading and advance to second reading and public hearing at the next regular or special Council meeting.

CITY MANAGER'S COMMENTS: I recommend Council adopt this amendment to the Code because it improves staff's ability to better identify sales that occur outside the sales tax cap and will improve projections of possible revenue adjustments based on various sales tax cap options. Mary Munk and I presented an example of the reporting form that would help refine the estimates last spring. The form is attached (see Attachment B) as is a copy of Ordinance No. 1302.

ATTACHMENTS:

Attachment A: Ordinance No. 1302

Attachment B: Sample of revised sales tax reporting form

PROPOSED MOTION:

Move to pass Ordinance No. 1302 in the first reading and advance to second reading and public hearing at the next regular or special meeting.

**CITY OF KODIAK
ORDINANCE NUMBER 1302**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK AMENDING KODIAK CITY CODE 3.08.140(a) TO REQUIRE SALES TAX RETURNS TO REPORT THE NUMBER OF TRANSACTIONS IN WHICH A PORTION OF THE PRICE OR CHARGE IS EXEMPT FROM SALES TAX UNDER KODIAK CITY CODE 3.08.120

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

Section 1: Subsection (a) of Kodiak City Code 3.08.140 is hereby amended to read as follows:

3.08.140 Sales tax returns

(a) Each person who sells or rents property or renders services taxable under this chapter in any quarter ending March 31, June 30, September 30, and December 31 shall, on or before the last day of the month following the end of each quarter year, or April 30, July 31, October 31, and January 31, respectively, complete, sign, and file with the city a return for that quarter, upon forms furnished by the city, setting forth the following:

- (1) The amount received from all sales, rentals, and services made or rendered within the city;
- (2) The amount received from nontaxable sales, rentals, and services, with a brief explanation of the nontaxable status;
- (3) The amount received from taxable sales, rentals, and services;
- (4) The amount of tax attributable to the taxable sales, rentals, and services;
- (5) The taxes collected; ~~and~~
- (6) The number of transactions in which a portion of the price or charge is exempt from sales tax under KCC 3.08.120; and**
- ~~(7) Such other information and supporting papers as the council may require in the reporting form.~~

Section 2: This ordinance shall be effective upon the later to occur of (i) the date that is one month after its final passage and publication in accordance with Kodiak Charter Section 2-13; or (ii) the first day of the first calendar quarter after the City issues sales tax return forms that require the reporting of the number of transactions in which a portion of the price or charge is exempt from sales tax under KCC 3.08.120.

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

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

First Reading:
Second Reading:
Effective Date:

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



City of Kodiak
 710 Mill Bay Road, Room 211
 Box 1397
 Kodiak, AK 99615
 Phone: (907) 486-8655
 Fax: (907) 486-8600

**REPORT OF CONSUMERS' TAX ON SALES,
 SERVICES AND RENTALS**

SAMPLE

Business «ID» _____
Name «BusName» _____
DBA «DBA» _____
Address «MAddress» _____
Address «MAddress1» _____
City, St, Zip «MCity», «MState» «MZip» _____
Business Type «Bustype1» _____

For the period: «DateBegin» _____ to «DateEnd» _____

Form must be returned by «DateDue» _____ even when no sales tax is due.

If final return, check box Last Day of _____

Reason: _____

If sold, to whom: _____

REVENUE:

- | | | |
|---|-----|---|
| 1.) Gross revenue from retail | 1.) | <input style="width: 100%;" type="text"/> |
| 2.) Gross revenue from services rendered, including materials | 2.) | <input style="width: 100%;" type="text"/> |
| 3.) Gross revenue from rentals | 3.) | <input style="width: 100%;" type="text"/> |
| 4.) Gross revenue from other sources | 4.) | <input style="width: 100%;" type="text"/> |
| 5.) Total calculated revenues (lines 1, 2, 3 and 4) | 5.) | <input style="width: 100%;" type="text"/> |

LIST DETAIL OF DEDUCTIONS:

- | | | |
|--|------|---|
| 6.) Sales or Services to Senior Citizens with valid Senior Exemption | 6.) | <input style="width: 100%;" type="text"/> |
| 7.) Sales, Services or Rentals to Government | 7.) | <input style="width: 100%;" type="text"/> |
| 8.) Sales or Services to Wholesale/Retail Exemption Certificate | 8.) | <input style="width: 100%;" type="text"/> |
| 9.) Sales or Services to Contractors with valid Exemption | 9.) | <input style="width: 100%;" type="text"/> |
| 10.) Other Allowable Deductions, please explain _____ | 10.) | <input style="width: 100%;" type="text"/> |
| 11.) Transactions over maximum taxable amount For explanation see bottom of page. Note 1 | 11.) | <input style="width: 100%;" type="text"/> |

Number of Transactions over maximum taxable amount

- | | |
|---|---|
| Number of Transactions \$750 - \$1,500 | <input style="width: 100%;" type="text"/> |
| Number of Transaction \$1,501 - \$3,000 | <input style="width: 100%;" type="text"/> |
| Number of Transaction > \$3,000 | <input style="width: 100%;" type="text"/> |

- | | | |
|---|------|---|
| 12.) Sales tax collected if included in gross | 12.) | <input style="width: 100%;" type="text"/> |
| 13.) Total Deductions | 13.) | <input style="width: 100%;" type="text"/> |

CALCULATED TAX AND PAYMENT:

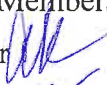

- | | | |
|---|------|---|
| 14.) Calculated Taxable revenue (line 5 minus line 13) | 14.) | <input style="width: 100%;" type="text"/> |
| 15.) Computed tax (7% of line 14) | 15.) | <input style="width: 100%;" type="text"/> |
| 16.) Discount (2% of line 15, if paid on or before due date noted above and have a 0 balance) | 16.) | <input style="width: 100%;" type="text"/> |
| 17.) Total Penalty and Interest - For explanation see bottom of page. Note 2 | 17.) | <input style="width: 100%;" type="text"/> |
| 18.) Total Sales Tax Due (line 15, less line 16, plus line 17, plus past due balance) | 18.) | <input style="width: 100%;" type="text"/> |
| Balance of account from prior returns, penalties and interest and | | <input style="width: 100%;" type="text"/> |
| 19.) Amount Remitted | | <input style="width: 100%;" type="text"/> |
| Cash _____ or Check # _____ | 19.) | <input style="width: 100%;" type="text"/> |

Date: _____ Printed Name: _____ Signature: _____

1 Sales or services which exceed seven hundred fifty dollars for a single transaction shall be exempt from sales tax (i.e. transaction is \$2000 then only the first \$750 is taxable, the remaining \$1250 shall be noted as a deduction on this line) 2 Failure to remit taxes collected on or before due date will result in a penalty of 5% per month or fraction of month during which the tax remains unpaid, until a total of 20% is accrued. In addition, the principal amount will accrue 15% interest per annum

RETURN THIS COPY TO THE CITY OF KODIAK

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Council Members
From: Aimée Kniaziowski, City Manager 
Thru: Mary Munk, Finance Director 
Date: December 13, 2012

Agenda Item: V. b. **Resolution No. No. 2012–35, Certifying the FY2013 Shared Fisheries Business Tax Program Application to Be True and Correct**

SUMMARY: Resolution No. 2012–35 certifies that the City of Kodiak’s FY2013 Shared Fisheries Business Tax Program application is true and correct. This resolution adopts the long form using the standard method application for FY2013. This is the twelfth year the City has used the long form standard method application. A copy of the resolution, application, and documentation are included as attachments. Staff recommends Council adopt Resolution No. 2012–35.

PREVIOUS COUNCIL ACTION: For the past twelve years the City Council has adopted a resolution certifying the Shared Fisheries Business Tax Program application on the long form using the standard method. The total for FY2012 of significant effects claimed was \$29,115,105.14 for calendar year 2010. The total of significant effects in FY2013 for calendar year 2011 will be \$21,192,007.09.

BACKGROUND: In the standard method, established by the Department of Commerce, Community and Economic Development, each municipality in the Fisheries Management Areas (FMA) must determine and document the cost of fisheries business impacts experienced by the community in calendar year 2011. These impacts are submitted by each municipality in their applications. The department will review the applications and determine if the impacts submitted are valid. Once the impacts have been established for each of the municipalities in the FMA, the department will calculate the allocation for each municipality using the following formula: One half of the funding available within an FM is divided up among participating municipalities on the basis of the relative dollar amount of impact in each municipality. The other half of the funding available to that area is divided equally among all eligible municipalities.

DISCUSSION: The municipalities located in Kodiak’s FMA include Akhiok, Kodiak, and Kodiak Island Borough, Larsen Bay, Old Harbor, Ouzinkie and Port Lions. The FY2012 program allocation shared within this area was estimated to be \$347,433.09. The law that created this program requires that program funding be first allocated to fisheries management areas around the state based on the level of fish processing in each area compared to the total fish processing for the whole state. Then the funding is further allocated among the municipalities located within each fisheries management area based on the relative level of impacts experienced by each municipality. In FMAs where the program allocation is greater than \$4,000 multiplied by the number of municipalities in the area, program regulations provide for a “long-form” application. In our area the threshold value equals \$28,000 (7 municipalities x \$4,000)

and we are therefore eligible to complete the long form. The long-form application provides for a standard and an alternative method of funding allocation. The standard method is used because the alternative method can only be used if all the municipalities in the area agree to use the method. The City of Kodiak feels that the standard form is a more accurate method that reflects impacts from fisheries and is the best way to determine the City's share.

ALTERNATIVES:

- 1.) Adopt Resolution No. 2012–35, which is staff's recommendation.
- 2.) Council could require the City to complete the alternative method application if all the municipalities in the area agreed to this method. This is not recommended, because it would result in a smaller share going to the City.

FINANCIAL IMPLICATIONS: By completing this application, the City of Kodiak receives funding from the Department of Commerce. In FY2012 the City received \$120,821; \$87,810 in FY2011; \$70,932 in FY2012; and \$70,855 in FY2009. This funding is recorded in the general fund. The Shared Fisheries Tax Program provides for a sharing of State Fisheries Business Tax with municipalities that can demonstrate they suffered significant effects during the program base year from fisheries business activity in their respective fisheries management area. The City of Kodiak has five significant effects: (1) the general administration provides a wide variety of services to the community, (2) the general capital projects that improve the internal infrastructure and government buildings for the community including the fishing industry, (3) the capital projects that are directly related to the harbor and port facilities, (4) the fishing ports maintained by the City, and (5) the water and sewer facilities maintained by the City.

STAFF RECOMMENDATION: Staff recommends the City Council adopt this resolution in order for the City to receive funding.

CITY MANAGER'S COMMENTS: The City has applied for funds through this program using the long form for many years, and Council approves application for the funds by resolution annually. Receipt of the shared fisheries taxes help to offset expenses that result from impacts to the City's facilities, operations, and services created by fisheries activities. I support staff's recommendation that Council adopt Resolution No. 2012–35.

ATTACHMENTS:

- Attachment A: Resolution No. 2012–35
- Attachment B: Standard Method Application
- Attachment C: Documentation for Significant Effects Claimed

PROPOSED MOTION:

Move to adopt Resolution No. 2012–35.

**CITY OF KODIAK
RESOLUTION NUMBER 2012-35**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK CERTIFY-
ING THE FY2013 SHARED FISHERIES BUSINESS TAX PROGRAM APPLICATION
TO BE TRUE AND CORRECT**

WHEREAS, AS 29.60.450 requires that, for a municipality to participate in the FY2013 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community and Economic Development that the municipality suffered significant effects during calendar year 2011 from fisheries business activities; and

WHEREAS, the Department of Commerce, Community and Economic Development has prepared specific application forms for the purpose of presenting the municipality's claims as to the significant effects suffered by the municipality during calendar year 2011; and

WHEREAS, 3 AAC 134.100 requires the governing body of the municipality to include with the municipality's FY2013 program application an approved resolution certifying the information contained in the application to be true and correct.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Kodiak, Alaska, by this resolution, certifies the information contained in the City of Kodiak FY2013 Shared Fisheries Business Tax Program Application to be true and correct to the best of its knowledge.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted:

STANDARD METHOD APPLICATION
For the
FY 13 Shared Fisheries Business
Tax Program

Name of Municipality: City of Kodiak

Address: P.O. Box 1397
710 Mill Bay Road
Kodiak, Alaska 99615

Contact Person: Mary Munk

Phone Number: 907-486-8659

Total # Significant Effects Claimed: 5

Total \$ of Significant Effects Claimed: \$21,192,007.09

Return this cover page along with
Declaration of Significant Effects forms and resolution to:

Department of Community and Economic Development
Division of Community Advocacy
Shared Fisheries Business Tax Program
P.O. Box 110809
Juneau, AK 99811-0809

FY 13 Shared Fisheries Business Tax Program DECLARATION OF SIGNIFICANT EFFECTS FORM

(One Separate Form for Each Significant Effect Claimed)

1. Description of the fisheries business activity which resulted in the significant effect:

The City of Kodiak provides a wide variety of services for the community including the fishing industry. This general administration includes the general fund, the special revenue fund and the self-insurance fund. The services include police, fire, public works, engineering, parks & recreation, library, finance, and city manager functions. This is the overall running of the city and its general administration.

2. Significant effect (municipal expenditure) made necessary during 2011 by the fisheries business activity listed in # 1 \$ 78,38,658.90

3. Municipal expenditure is: actual: determined necessary

4. Describe how the municipal expenditure figure listed under Part 2 was determined: (Every municipal expenditure marked "determined necessary" must be supported by a resolution that documents and clearly demonstrates the procedures and methods by which the needs and estimates were determined).

Total calendar year 2011 expenditures 100% fisheries related (\$120,798.64 X 1.00)	\$ 120,798.64
Total calendar year 2011 expenditures at 64% fisheries related (\$12,059,156.66 X .64)	<u>\$7,717,860.26</u>
Total effect	<u>\$7,838,658.90</u>

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?

Yes No

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

Expenditures at 100% were determined based on activities completely fisheries related. Expenditures at 64% were determined based on activities that are partially fisheries related. The 64% is from the July 2001 McDowell Group study, "An Assessment of the Socioeconomic Impacts on Kodiak of Management Alternatives in the Alaska Ground fish Fisheries Draft Programmatic Supplemental Environmental Impact Statement". This is the most current study available at this time.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

City of Kodiak's audited financial statements for Fiscal Year 2011, and expenditures reports for Fiscal Years 2010 and 2011. The City of Kodiak has a fiscal year end of June 30. Therefore, to determine expenditures for a calendar year six months of two different years were added together.

FY 13 Shared Fisheries Business Tax Program DECLARATION OF SIGNIFICANT EFFECTS FORM

(One Separate Form for Each Significant Effect Claimed)

1. Description of the fisheries business activity which resulted in the significant effect:

The City of Kodiak provided a number of capital projects in calendar year 2011 that improved the internal infrastructure and government buildings for the community including the fishing industry (i.e. buildings, streets, roads, sidewalks, water & sewer facilities, and parks & recreation). These capital projects permitted the fishing related activity workers to commute to and from work, allowed transportation companies to transport their goods and allowed the fisheries related products to be processed using the resources provided and maintained by the City of Kodiak.

2. Significant effect (municipal expenditure) made necessary during 2011 by the fisheries business activity listed in # 2 \$3,737,927.56

3. Municipal expenditure is: actual: determined necessary

4. Describe how the municipal expenditure figure listed under Part 2 was determined: (Every municipal expenditure marked "determined necessary" must be supported by a resolution that documents and clearly demonstrates the procedures and methods by which the needs and estimates were determined).

Total calendar year 2011 expenditures 100% fisheries related (\$0.00 X 1.00)	\$ 0.00
Total calendar year 2011 expenditures at 64% fisheries related (\$5,840,511.81 X .64)	<u>\$3,737,927.56</u>
Total effect	<u>\$3,737,927.56</u>

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?
 Yes No

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

Expenditures at 100% were determined based on activities completely fisheries related. Expenditures at 64% were determined based on activities that are partially fisheries related. The 64% is from the July 2001 McDowell Group study, "An Assessment of the Socioeconomic Impacts on Kodiak of Management Alternatives in the Alaska Ground fish Fisheries Draft Programmatic Supplemental Environmental Impact Statement". This is the most current study available at this time.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

City of Kodiak's audited financial statements for Fiscal Year 2011 and expenditures reports for Fiscal Years 2010 and 2011. The City of Kodiak has a fiscal year end of June 30. Therefore, to determine expenditures for a calendar year six months of two different years were added together.

FY 13 Shared Fisheries Business Tax Program DECLARATION OF SIGNIFICANT EFFECTS FORM

(One Separate Form for Each Significant Effect Claimed)

1. Description of the fisheries business activity which resulted in the significant effect:

In addition to the capital expenditures activity that are part of a larger impact on the municipality, the City of Kodiak also provided specific capital projects which were directly related to the harbor and port facilities in calendar year 2011. These projects were essential to repair or replace existing facilities or provide additional infrastructure to support fisheries activities.

2. Significant effect (municipal expenditure) made necessary during 2011 by the fisheries business activity listed in #3 \$126,247.90

3. Municipal expenditure is: actual: determined necessary

4. Describe how the municipal expenditure figure listed under Part 2 was determined: (Every municipal expenditure marked "determined necessary" must be supported by a resolution that documents and clearly demonstrates the procedures and methods by which the needs and estimates were determined).

Total calendar year 2011 expenditures 100% fisheries related (\$126,247.90 X 1.00)	\$126,247.90
Total calendar year 2011 expenditures at 64% fisheries related (\$0.00 X .64)	<u>\$0.00</u>
Total effect	\$126,247.90

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?

Yes No

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

Expenditures at 100% were determined based on activities completely fisheries related. Expenditures at 64% were determined based on activities that are partially fisheries related. The 64% is from the July 2001 McDowell Group study, "An Assessment of the Socioeconomic Impacts on Kodiak of Management Alternatives in the Alaska Ground fish Fisheries Draft Programmatic Supplemental Environmental Impact Statement". This is the most current study available at this time.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

City of Kodiak's audited financial statements for Fiscal Year 2011, and expenditures reports for Fiscal Years 2010 and 2011. The City of Kodiak has a fiscal year end of June 30. Therefore, to determine expenditures for a calendar year six months of two different years were added together.

FY 13 Shared Fisheries Business Tax Program DECLARATION OF SIGNIFICANT EFFECTS FORM

(One Separate Form for Each Significant Effect Claimed)

1. Description of the fisheries business activity which resulted in the significant effect:

The City of Kodiak maintains and operates one of the largest fishing ports in the nation in terms of value and volume. The boat harbor maintains and operates 650 slips (30,000 linear feet) at three different locations (St. Paul Harbor, St. Herman Harbor, and the Channel Transient Float Dock). In addition to the boat harbor facilities the City maintains and operates cargo facilities, (Pier I – Ferry Terminal (length 204'), Pier II – Fisherman's Terminal (length 925'), Pier III – Container Terminal (600'), Dock I (180'), Dock II – Oscar's Dock (220'), as well as two tidal grids to repair vessels. The cost to fund and support these facilities is significantly impacted by the commercial fishing and fisheries business activities.

2. Significant effect (municipal expenditure) made necessary during 2011 by the fisheries business activity listed in #4 \$6,244,269.13

3. Municipal expenditure is: actual: determined necessary

4. Describe how the municipal expenditure figure listed under Part 2 was determined: (Every municipal expenditure marked "determined necessary" must be supported by a resolution that documents and clearly demonstrates the procedures and methods by which the needs and estimates were determined).

Total calendar year 2011 expenditures 100% fisheries related ($\$6,244,269.13 \times 1.00$)	\$6,244,269.13
Total calendar year 2011 expenditures at 64% fisheries related ($\$0.00 \times .64$)	<u>\$0.00</u>
Total effect	\$6,244,269.13

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?
 Yes No

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

Expenditures at 100% were determined based on activities completely fisheries related. Expenditures at 64% were determined based on activities that are partially fisheries related. The 64% is from the July 2001 McDowell Group study, "An Assessment of the Socioeconomic Impacts on Kodiak of Management Alternatives in the Alaska Ground fish Fisheries Draft Programmatic Supplemental Environmental Impact Statement". This is the most current study available at this time.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

City of Kodiak's audited financial statements for Fiscal Year 2011 and expenditures reports for Fiscal Years 2010 and 2011. The City of Kodiak has a fiscal year end of June 30. Therefore, to determine expenditures for a calendar year six months of two different years were added together.

FY 13 Shared Fisheries Business Tax Program DECLARATION OF SIGNIFICANT EFFECTS FORM

(One Separate Form for Each Significant Effect Claimed)

1. Description of the fisheries business activity which resulted in the significant effect:

The City of Kodiak maintains and operates the City owned water and sewer utilities. These are enterprise funds of the City of Kodiak. Fish processing by local processors has a significant effect on the operational costs of our water and sewer facilities. The usage of water fluctuates depending on the fisheries activities.

2. Significant effect (municipal expenditure) made necessary during 2011 by the fisheries business activity listed in #5 \$3,244,903.60

3. Municipal expenditure is: actual: determined necessary

4. Describe how the municipal expenditure figure listed under Part 2 was determined: (Every municipal expenditure marked "determined necessary" must be supported by a resolution that documents and clearly demonstrates the procedures and methods by which the needs and estimates were determined).

Total calendar year 2011 expenditures 100% fisheries related (\$0.00X 1.00)	\$0.00
Total calendar year 2011 expenditures at 64% fisheries related (\$5,070,161.88 X .64)	<u>\$3,244,903.60</u>
Total effect	<u>\$3,244,903.60</u>

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?

Yes No

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

Expenditures at 100% were determined based on activities completely fisheries related. Expenditures at 64% were determined based on activities that are partially fisheries related. The 64% is from the July 2001 McDowell Group study, "An Assessment of the Socioeconomic Impacts on Kodiak of Management Alternatives in the Alaska Ground fish Fisheries Draft Programmatic Supplemental Environmental Impact Statement". This is the most current study available at this time.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

City of Kodiak's audited financial statements for Fiscal Year 2011 and expenditures reports for Fiscal Years 2010 and 2011. The City of Kodiak has a fiscal year end of June 30. Therefore, to determine expenditures for a calendar year six months of two different years were added together.

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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Aimée Kniazowski, City Manager 
Thru: Glenn Melvin PE, City Engineer 
Date: December 13, 2012
Agenda Item: V.c. **Resolution No. 2012-36, Appropriating Additional Funds for a Design Contract for Demolition of the Old KPD Building and Authorizing the City Manager to Sign the Contract**

SUMMARY: In early 2004, USKH prepared a feasibility study for the replacement of aging City facilities including what is now the old Kodiak police station building. The new police station and jail was completed in 2010/2011 and KPD relocated into the new facility. Since that time, the old police station building has been unoccupied, but has been kept heated due to shared utilities, electrical and electronic communication systems with adjacent City facilities. The City has spent in excess of \$40,000 in utilities and building repairs during this time. The building was not designed to be a public safety building and has not received improvements over time, leaving it unusable and unsafe for public use. The building is not needed and continues to be a burden for the City. The Manager and staff recommend moving forward with the process to have the building removed. The first step in this process is to contract for professional services to prepare the engineering drawings, specifications, and assistance with bid document preparation for demolition. Staff recommends Council adopt Resolution No. 2012-36 to authorize the transfer of additional funds to the existing project budget and to authorize the City Manager to sign the design demolition contract with USKH in the amount of \$34,720.

PREVIOUS COUNCIL ACTION:

- In early 2004, Council selected USKH to prepare a feasibility study for the replacement of aging City facilities, including the building that housed the old police station and jail.
- In September of 2005, a Hazardous Material Report for Municipal Buildings City of Kodiak was prepared by USKH. It included the fire station, the old KPD building, and the library.
- Council approved a capital project to demolish the old police and jail facility in the 2013 budget.

DISCUSSION: The building is of 1940s design and is constructed of primarily concrete and cinder blocks with steel frame and wooden deck roof. The 2004 feasibility study conducted by USKH identified existing inadequacies including unknown structural integrity, roof leaks, eroded concrete, inadequate HVAC systems, non-compliance with ADA, non-compliance with building codes, lack of adequate parking, and rodent infestation.

The 2005 Hazardous Materials Report indicated that the old KPD building contained some Asbestos Containing Material (ACM) in the roof mastic, pipe insulation, vinyl asbestos tile (VAT), sheet vinyl,

and stainless steel sink mastic. Lead-base paint was found in one door in the jail and in all lead soldered sweat joints. Mold growth in the old KPD building was not found to require abatement action. The known hazardous materials found in the old facility at the time of the study can be disposed of at the local landfill.

USKH performed the feasibility study and hazardous material report and is most familiar with the building, so staff recommends the City contract with them to prepare the demolition plans and specifications so the City can move forward with demolition.

When executed, the contract will provide the needed drawings and specifications for the City Engineering Department to plan and prepare for bidding once the material is received. The contract will be funded with the \$20,000 in the approved project budget, Project No. 4035/13-06, and the remaining \$15,000 will be funded through a transfer from the General Fund. The attached resolution will authorize the transfer of additional funds to the project and authorize the City Manager to sign the contract on behalf of the City.

ALTERNATIVES:

- 1) Adopt Resolution No. 2012–36, which is staff recommendation because appropriating the additional funds and awarding the demolition design contract to USKH will eliminate the ongoing costs of utilities and maintenance on an uninhabited city building.
- 2) Do not adopt Resolution No. 2012–36. This is not recommended because the building has exceeded its useful life and needs to be demolished and removed.

FINANCIAL IMPLICATIONS: Demolition of this building is included in the FY2013 budget as a capital project in the amount of \$20,000. The project needs an additional \$15,000 to award the contract and proceed with the first phase of demolition planning, which staff recommends come from a transfer from the Non-Departmental section of the General Fund.

LEGAL: Earlier this fall, the City Attorney advised that an action to appropriate needed or additional funds not already budgeted for a project and to allow the Manager to award a contract for a project should be done by resolution. He explained that this action is consistent with requirements of the City Charter Article 5, Section V-4. Additionally, the City is exercising due diligence in completing this contract to ensure demolition proceeds in the safest way possible.

STAFF RECOMMENDATION: Staff recommends Council adopt Resolution No. 2012–36 to appropriate additional funds for a design contract for demolition of the old KPD building and authorize the City Manager to enter into a design contract with USKH in the amount of \$34,720 to complete the necessary demolition plans and bid documents.

CITY MANAGER'S COMMENTS: This old building is a continuing liability that the City cannot afford. Last winter the boiler system failed and we had pay for repairs to keep the building functioning at a minimum level. We also pay for insurance and the cost of shared utility and electronic communication systems. These costs will disappear once the building is demolished. It will also provide much needed storage space for winter snow removal from the fire station grounds and provide needed parking and equipment storage for KFD. I strongly support staff recommendation and hope Council adopts the resolution for the reasons outlined in this memo.

ATTACHMENTS:

Attachment A: Resolution No. 2012-36

Attachment B: USKH Scope and Fee Proposal, dated November 19, 2012

PROPOSED MOTION:

Move to adopt Resolution No. 2012-36.

**CITY OF KODIAK
RESOLUTION NUMBER 2012-36**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK
APPROPRIATING ADDITIONAL FUNDS FOR A DESIGN CONTRACT FOR
DEMOLITION OF THE OLD KPD BUILDING AND AUTHOHRIZING THE
CITY MANAGER TO SIGN THE CONTRACT**

WHEREAS, it has been the City's plan to demolish the old KPD building once it was no longer needed for police-related functions; and

WHEREAS, the Kodiak Police Department (KPD) moved into its new facility during 2010 and 2011, and

WHEREAS, the old KPD building on Lower Mill Bay Road has been vacant since early 2011; and

WHEREAS, it is costly and problematic to continue to maintain the deteriorating building; and

WHEREAS, the old KPD building shares utility and communication systems with other adjacent City buildings, creating the need for engineered plans for demolition; and

WHEREAS, the City wishes to award a design demolition contract to USKH to prepare engineered drawings and specifications to ensure appropriate demolition steps are taken; and

WHEREAS, additional funds must be appropriated to this existing capital project; and

WHEREAS, Article 5 of the City of Kodiak Charter requires an appropriation of funds outside the budget process to be made by resolution; 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 the use of fund balance in the amount of \$15,000 from the City's General Fund to Project No. 4035/13-06 Demolition of Old KPD Building. The project will have a total budget of \$35,000 after this transfer.

Section 2. The City Manager is authorized to award a professional services contract for the design contract for the demolition of the old KPD building to USKH in the amount of \$34,720, 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

Adopted:

November 19, 2012



Glen Melvin
 City Engineer
 City of Kodiak
 2410 Mill Bay Road
 Kodiak AK 99615

**Subject: Old Police Station Hazardous Material Removal & Building Demolition
 Scope and Fee Proposal, Revision 2**

Dear Mr Melvin:

USKH Inc. (USKH) appreciates the opportunity to provide the City of Kodiak with this revised scope of work description and attached fee schedule for investigation and design services to support the demolition of the old police station building. The revised proposal includes electrical engineering support to address the electric service equipment located on the shared common wall for both the old police station and the existing fire station. The structural work scope has been reduced by excluding the review for maintaining in place the garage section of the police station building. The investigation and design work scope for hazardous materials remains the same as previously submitted.

The following tasks are proposed to properly support the removal of all known hazardous materials that exist at, and the subsequent demolition of, the old police station.

- Conduct a site visit to verify and record key information required for the creation of bid/construction documents, including utility locations and disconnects, outbuildings, fencing, antenna tower protection/removal, and protection of adjacent buildings. Observe structural-related conditions of the police station garage wall section that will remain to support the existing electric service equipment at its current location. Review and record existing hazardous material conditions with quantities verified. Identify and record suspect materials not previously identified that may impact the project. Sample and test suspect materials as required. Site team to include a structural P.E. and an AHERA-accredited building inspector.
- Update the Hazardous Materials Report prepared in 2005 to incorporate new investigation discoveries and tailor solely to conditions at the police station building. The updated report will provide further compliance with pre-demolition inspection requirements set forth by the EPA. The report is also intended to serve as a reference document for contractors during bid and construction phases.
- Develop drawings and technical specifications to a 95% design level addressing site management, new construction related to the fire station electric service equipment, building demolition, and hazardous material removal and disposal requirements for asbestos, lead, and other hazardous material conditions that have been documented. Submit design documents to the City of Kodiak in digital format and conduct a teleconference review with City officials.

Architecture Engineering Land Surveying **Planning** Environmental Services

t: 907.276.4245 f: 907.258.4653 1.888.706.8754 2515 A St. Anchorage, AK 99503 www.uskh.com
 Alaska: Anchorage, Fairbanks, Juneau, Wasilla Idaho: Lewiston Washington: Ferndale, Spokane, Walla Walla

Mr. Glen Melvin
City of Kodiak
November 19, 2012
Page 2 of 2


- Create 100% construction documents suitable for bidding activities, consisting of signed drawings and technical specifications. Submit construction documents in digital format to the City of Kodiak.
- Provide support during bid and construction phases at a minor level. Ten labor hours have been included in the attached fee schedule, which should cover minor bid support and one round of contractor submittal review.

The following services are excluded from this proposal:

- Cost of construction estimating
- Land surveying
- Permitting

USKH proposes to provide the services described previously for a lump sum fee of **\$34,720**. Please let us know if you have any questions or how further we may assist you.

Sincerely,
USKH Inc.



Dennis Morris, C.D.T.
Senior Construction Administrator

Attachment: as stated

c: file

DM\lms i:\1387900\proposal\1387900 police station demo scope proposal rev 2.doc

SUMMARY OF LABOR AND EXPENSES

Task Description	USKH		Total
	Labor	Expenses	
I Scope Development	\$1,160.00	\$0.00	\$1,160.00
II Site Conditions and Report Update	\$10,325.00	\$2,000.00	\$12,325.00
III Construction Documents 95%	\$13,715.00	\$10.00	\$13,725.00
IV Construction Documents 100%	\$6,425.00	\$10.00	\$6,435.00
V Bid/Construction Support	\$1,075.00	\$0.00	\$1,075.00
Total	\$32,700.00	\$2,020.00	\$34,720.00

Notes:

1. This proposal includes the following:

- a. Site survey to confirm and record site conditions related to structural and hazardous materials.
- b. An updated hazardous materials report incorporating previous data and new data collected from the site visit. The report is intended as a reference document during bidding and construction.
- c. Drawings and Specifications to support removal of all known haz mat.
- d. Drawings and Specifications to support demo and removal of structure limited to Division 2 and Division 16.

2. This proposal excludes the following:

- a. Permitting.
- b. Investigation, testing and reporting for contaminated soils.
- c. General and Supplemental Conditions, Division 1 Specs
- d. Site visits for progress, substantial completion and final inspections.

SUMMARY OF LABOR AND EXPENSES

Item	Description	Sr Elect II	Struc Eng	Haz Mat Tech	PM	Designer /	Staff Clerical	TOTAL COST	TOTAL HOURS
		Eng				Tech			
		\$175.00	\$145.00	\$145.00	\$145.00	\$110.00	\$80.00		
Task Description									
I Scope Development									
	Fee & Scope Development			3.0	5.0			\$1,160.00	8.0
	Totals for Task I	0.0	0.0	3.0	5.0	0.0	0.0	\$1,160.00	8.0
II Site Conditions & Report Update									
	MOB Preparation			8.0				\$1,160.00	8.0
	MOB To Site		3.0	3.0				\$870.00	6.0
	Site Work & Coordination		8.0	24.0				\$4,640.00	32.0
	MOB From Site		3.0	3.0				\$870.00	6.0
	Sample Prep, Field Notes & Photos			8.0				\$1,160.00	8.0
	Update Report			8.0			4.0	\$1,480.00	12.0
	Quality Control				1.0			\$145.00	1.0
	Totals for Task II	0.0	14.0	54.0	1.0	0.0	4.0	\$10,325.00	73.0
III Design Documents 95%									
	Drawings	8.0	8.0	16.0		30.0		\$8,180.00	62.0
	Specs Div 2 (5 Sections)			12.0			1.0	\$1,820.00	13.0
	Owner Coordination	2.0		10.0				\$1,800.00	12.0
	Quality Control							\$0.00	0.0
	Review Conference with Owner	1.0		2.0				\$465.00	3.0
	Project Management and Team Coord				10.0			\$1,450.00	10.0
	Totals for Task III	11.0	8.0	40.0	10.0	30.0	1.0	\$13,715.00	100.0
IV Construction Documents 100%									
	Drawings	2.0	2.0	8.0		10.0		\$2,900.00	22.0
	Specs Div 2			8.0			2.0	\$1,320.00	10.0
	Owner Coordination			8.0				\$1,160.00	8.0
	Quality Control	1.0						\$175.00	1.0
	Review Conference with Owner			2.0				\$290.00	2.0
	Project Management and Team Coord				4.0			\$580.00	4.0
	Totals for Task IV	3.0	2.0	26.0	4.0	10.0	2.0	\$6,425.00	47.0
V Bid/Construction Support									
	Support to COK	2.0		5.0				\$1,075.00	7.0
	Totals for Task V	2.0	0.0	5.0	0.0	0.0	0.0	\$1,075.00	7.0
Labor Totals		16.0	24.0	128.0	20.0	40.0	7.0	\$32,700.00	235.0



EXPENSES BREAKDOWN

	Item Description	Quantity	Units	Rate	Total	Remarks
I	Scope Development					
	Totals for Task I				\$0.00	
II	Site Conditions and Report Update					
	Airfare RT Anch to Kodiak	2	allow	\$500.00	\$1,000.00	
	ACM Sample Analysis	10	each	\$25.00	\$250.00	
	Lodging, Meals, Ground Trans, Supplies	1	allow	\$750.00	\$750.00	
	Totals for Task II				\$2,000.00	
III	Construction Documents 95%					
	95% Construction Docs on CD	1	Discs	\$10.00	\$10.00	
	Totals for Task III				\$10.00	
IV	Construction Documents 100%					
	Burn CD of AutoCAD and Word Files	1	Discs	\$10.00	\$10.00	
	Totals for Task IV				\$10.00	
	Total Expenses				\$2,020.00	

Notes:

1. Differences in plot size affect cost per sheet. Check the 2008 Billing Rates for plotter charges. Consult reprographics company for charge per sheet when repro

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Aimée Kniaziowski, City Manager 
Thru: Mark Kozak, Public Works Director 
Date: December 13, 2012

Agenda Item: V. d. **Resolution No. 2012-37, Accepting a Construction Grant From the Alaska Department of Environmental Conservation for the Design of the Monashka Pumphouse Upgrade Project Number 11-05/7029**

SUMMARY: Monashka reservoir and pumphouse are the primary sources of water for the City of Kodiak's public water system. Records show that construction of the pumphouse began sometime in 1972. Since the initial start up of operations, only minor changes have been made, such as adding additional pumps and the replacement of the original motor start systems. In October 2010, Council authorized CH2MHill to do a feasibility study of an upgrade to the Monashka pumphouse. Staff also applied for Alaska Municipal Matching Grants for the design and upgrade to the pumphouse, but the applications were not successful. Staff continued to be concerned about the condition of the pumphouse and requested the state Department of Environmental Conservation's (DEC) approval to use some of the remaining grant funds from the City's UV water treatment project for the Monashka pumphouse upgrade design. DEC and the state's office of Management and Budget (OMB) approved the use of these funds. Staff recommends Council adopt Resolution No. 2012-37, which formally accepts the DEC Grant No. 50339 in the amount of \$420,000 to be used for the pumphouse design improvements.

PREVIOUS COUNCIL ACTION: Council approved the Monashka Pumphouse Upgrade Feasibility study in October 2010 in the amount of \$175,000 with CH2MHill.

BACKGROUND: The Alaska Municipal Matching Grant (AMMG) program is managed by the Alaska DEC. The grant program is competitive, and communities across Alaska submit water, sewer, and solid waste projects using a questionnaire process. Each project is scored and ranked by DEC, and when the Governor establishes the annual program budget, the ranked list of projects that score high enough to meet the funding level is published in December of each year. Communities then receive their notifications and enter into the standard grant agreements. The grant program provides up to a 70% reimbursement of eligible costs for a community the size of Kodiak.

DISCUSSION: Staff submitted questionnaires for this project in 2011 and 2012, but the project scored too low to qualify for funding. Because the UV project was so successful in pursuing AMMG funding and the project came in on the low end of the construction cost estimate, there were grant funds remaining. After discussion with DEC, the City submitted a request to use some of the remaining grant funds for design of the upgrades at Monashka. In August 2012, DEC got authorization to transfer

\$420,000 of remaining grant funds to the Monashka project on behalf of the City. CH2MHill's design cost estimate, based on the 10% level feasibility study, was estimated at roughly \$600,000. The City's request for the \$420,000 in AMMG funds is based on that estimate.

CH2MHill recommended additional investigation into the quality of concrete and verification of structural connections between walls and the floor and ceiling before they submit a final design proposal. This is due to the prominent separation of ceiling and wall panels at the pumphouse. This extra work is anticipated to take place in the near future. At this time, staff believes adequate funds exist in the current upgrade study contract to cover this additional work.

Once the investigation is complete and the results are evaluated, staff expects to be able to bring a design proposal forward to Council for approval. In the meantime, these grant funds will help offset much of the cost of design.

ALTERNATIVES:

1. Adopt Resolution No. 2012-37, which allows the City Manager to sign the AMMG grant offer and accept the \$420,000 grant. Staff recommends this alternative to allow the design of the project to begin while reducing the use of local capital funds to complete this phase of the project.
2. Do not adopt the resolution. This is not recommended since the City benefits from the use of these funds, which keep user rates lower while continuing steps to upgrade the City's aging and vulnerable water infrastructure.

FINANCIAL IMPLICATIONS: This capital project is budgeted in the FY2013 Water Capital Improvement Fund. The current total project budget is \$650,000. This project amount needs to be increased to cover the original feasibility study budget of \$225,000 and the estimated \$600,000 design. The funds will be available to make the necessary increases with the addition of the AMMG funds and will still reduce the use of the City's capital funds.

STAFF RECOMMENDATION: Staff recommends Council adopt Resolution No. 2012-37, accepting the AMMG No. 50339 in the amount of \$420,000 for the design of the Monashka pumphouse upgrade, Project No. 11-05/7029.

CITY MANAGER'S COMMENTS: This is a great opportunity to get access to design funds for this important project. I appreciate DEC's willingness to reassign some of the remaining grant money from the UV project to the Monashka pumphouse and support staffs recommendation that Council adopt Resolution No. 2012-37 to accept the funds and authorize me to finalize the grant documents.

ATTACHMENTS:

Attachment A: Resolution No. 2012–37

Attachment B: AMMG grant offer No. 50339

PROPOSED MOTION:

Move to adopt Resolution No. 2012–37.

**CITY OF KODIAK
RESOLUTION NUMBER 2012-37**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK ACCEPTING
A CONSTRUCTION GRANT FROM THE ALASKA DEAPRTMENT OF ENVIRON-
MENTAL CONSERVATION FOR THE DESIGN OF THE MONASHKA PUMPHOUSE
UPGRADE, PROJECT NO. 11-05/7029**

WHEREAS, the State of Alaska, Department of Environmental Conservation has appropriated Municipal Matching Grant No. 50339 in the amount of \$420,000 to the City of Kodiak to be applied toward the design of the Monashka pumphouse upgrade project; and

WHEREAS, the City of Kodiak formally requested the grant and thereby agrees to the terms and conditions of the grant and to adhere to any governing State regulations; and

WHEREAS, the City of Kodiak agrees to utilize the grant funds fund the design phase of this project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska that the City of Kodiak formally accepts the State of Alaska, Department of Environmental Conservation Grant No. 50339 in the amount of \$420,000, accepts the conditions of the grant agreement, and authorizes the City Manager to execute the necessary grant documents on behalf of the City.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted:



October 29, 2012

Ms. Aimee Kniazowski
City Manager
City of Kodiak
P.O. Box 1397
Kodiak, AK 99615

Grant Offer: Kodiak – Monashka Pumphouse Upgrade Design (MMG#50339)

Dear Ms. Kniazowski:

In accordance with AS 46.03.030, the Department of Environmental Conservation (Department) is pleased to offer the City of Kodiak (Grantee) a grant of funds not to exceed \$420,000. This grant will include the necessary planning and design needed to construct upgrades addressing serious deficiencies at the Monashka Pumphouse which is the City of Kodiak's main water source.

The estimated cost for this project, as provided by the Grantee, is \$600,000. However, pursuant to AS 46.03.030(e), the grant amount is limited to the available appropriation of \$420,000, and 70 percent of eligible project costs. To receive the full amount of grant funding available, eligible project costs must total at least \$600,000 (70% percent of this amount is equal to the funding available in this grant.)

This grant will be administered by the Department using funds which were included in the State fiscal year 2012 capital budget bill (SB221) allocation for this project.

This offer is expressly conditioned upon the Grantee accepting the offer and agreeing to comply with the terms and limitations contained herein, in 2 AAC 45.010 (enclosed), in 18 AAC 73 (enclosed), and is based upon estimated eligible project costs as itemized below:

	Total Estimated Eligible Project Costs
1. Administrative	\$10,000
2. Engineering Design	\$570,000

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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Aimée Kniaziowski, City Manager 

Date: December 13, 2012

Agenda Item: V.e. **Authorization of Contract Extension With Gillespie and Associates for State Lobbying Services**

SUMMARY: The City Council selected Ray Gillespie of Gillespie & Associates to be the City's state lobbyist in 2011. The contract is set to expire on December 31, 2012. However, it allows for a two-year extension if agreed to by both parties. Ray Gillespie requested to be retained by the City, and the Manager recommends Council authorize the two-year contract extension. Other than the effective dates of the contract, all terms remain the same.

PREVIOUS COUNCIL ACTION:

- June 21, 2011, Council reviewed and approved a draft RFP for state lobbying services.
- August 17, 2011, Council issued an RFP for state lobbying services.
- September 9, 2011, RFP closed.
- September 30, 2011, Council members met with Manager and made a recommendation to the full Council to interview both candidates
- November 18, 2011, Council did telephonic interviews with candidates and selected Gillespie & Associates

DISCUSSION: Council first expressed an interest in issuing an RFP for state lobbying services in the spring of 2011, and the Manager prepared an RFP and presented it to Council for review and comments on June 21, 2011. Once finalized, the RFP was issued on August 17, 2011. Two proposals were received by the deadline on September 9th. Council interviewed the candidates and selected Ray Gillespie of Gillespie & Associates to represent the City's interests at the state level. A contract was approved in November of 2011. The contract was signed with effective dates from December 1, 2011, through December 31, 2012.

Section 1 of the contract allows for a two-year extension of the contract if both parties agree. Mr. Gillespie expressed his interest in extending the contract to the Mayor and Manager by e-mail (Attachment A). The intent of this action is for Council to approve the requested and recommended extension of the existing contract for two years from January 1, 2013, through December 31, 2015. The rest of the terms and scope of work remain the same.

ALTERNATIVES:

- 1.) Council may authorize the contract extension, which is staff's recommendation because it's important for the City to have an advocate and spokesperson working at the state level to ensure the City's interests are managed.
- 2.) Do not authorize the contract extension, which is not recommended as it would severely limit the City's ability to make its needs known in an effective and timely way.

FINANCIAL IMPLICATIONS: The funds to continue this contract are in the City's FY2013 budget. The fees are proposed to remain the same at \$45,000 annually, plus authorized expenses.

CITY MANAGER'S RECOMMENDATION AND COMMENTS: I believe it's critical for the City to have a good lobbyist to protect our interests and further our agenda at the state level. Over the past year working with Ray, I've found him to be effective at representing Kodiak's interests. He works diligently with the Mayor and myself and is always available to answer questions, research issues, and offer advice. His work played a key role in the level of funding the City received during the recent legislative session. He also assisted the City and Borough lobbyist with the legislative reception in Juneau in March. Though I work closely with the lobbyist, he works for the Mayor and Council. However, based on my work with Ray this past year, I recommend that Council authorize the two-year extension to his contract under the same terms and with the same scope as identified in the contract.

ATTACHMENTS:

- Attachment A: E-mailed statement of interest from Ray Gillespie, dated November 10, 2012
- Attachment B: Professional Services Agreement with Gillespie & Associates
- Attachment C: Two-year contract extension

PROPOSED MOTION:

Move to authorize a two-year extension to the professional services contract with Gillespie and Associates for state lobbying services based on the same terms as identified in the 2011-2012 contract and authorize the City Manager to sign the extension for the City.

From: Ray Gillespie [raygillespie@ak.net]
Sent: Saturday, November 10, 2012 7:05 AM
To: Kniaziowski, Aimee; Pat Branson
Subject: Letter of interest

Pat and Aimee:

Please treat this as my letter of interest in renewing my contract with the City of Kodiak for the next calendar year. I really appreciate the opportunity to work with you and the council and look forward to our 2013 legislative efforts.

I am prepared to sign the contract on the same terms as 2012.

Thanks,

Ray

Professional Services Agreement No. 199822
Between
The City of Kodiak
and
Ray Gillespie, d.b.a. Gillespie & Associates



THIS CONTRACT is between the City of Kodiak, hereinafter referred to as "City," an incorporated municipality in the State of Alaska, and Ray Gillespie, d.b.a. Gillespie and Associates, hereinafter referred to as "Consultant," a private consulting firm with its principal place of business in Anchorage, Alaska.

1. TERM AND PAYMENT

- 1.01 This contract shall be effective on December 1, 2011, and continue through December 31, 2012, with an additional two year extension upon agreement of both parties.
- 1.02 The City shall pay the Consultant the sum of forty-five thousand dollars (\$45,000) annually in equal monthly installments of three thousand seven hundred fifty dollars (\$3,750), plus authorized expenses for the services outlined in this agreement. Payment shall be rendered monthly in arrears upon receipt of billing and report. Authorized expenses shall include the APOC registration fee of \$250 for 2012 and beyond; travel, food, and lodging associated with City required travel; and copying and duplication services performed by out of office suppliers. These expenses will be invoiced monthly and documented to the City's satisfaction. Consultant will pay the 2011 APOC registration fee out of pocket.

2. CONTRACT SERVICES

- 2.01 The Consultant shall perform those professional services described in Appendix A, Scope of Work, which is attached and incorporated by reference.
- 2.02 The Consultant will be in Juneau for an appropriate amount of time to effectively represent the City in the Legislative session.

3. TERMINATION

Either party may terminate this contract, for cause or convenience, upon thirty (30) days written notice to the other. Notice shall be deemed to have been fully given or made or sent when made in writing and delivered in person or deposited in the United States mail, certified and postage prepaid, and addressed to the respective addresses set forth above the signatures of this agreement. The address to which any notice, demand, or other writing may be given or made or sent to any party may be changed by written notice given by such party as above provided.

4. RELATIONSHIP OF THE PARTIES

It is understood the Consultant will lobby on issues of identified concern to the City.

5. PERMITS, LAWS, AND TAXES

5.01. The Consultant shall acquire and maintain in good standing all permits, licenses, and other entitlements necessary to the performance of his duties under this contract. All actions taken by the Consultant under this contract shall comply with all applicable statutes, ordinances, rules, and regulations imposed by the governmental authority.

5.02 The Consultant shall pay all taxes pertaining to performance of this agreement. The Consultant expressly agrees to comply with all requirements of AS 24.45.011 through 24.45.181 and any administrative regulations issued by the State of Alaska to implement those provisions of law.

6. INSURANCE

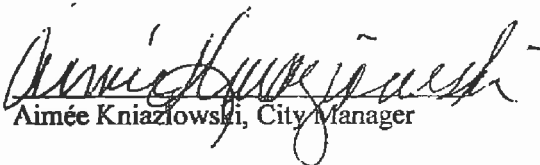
During the term of this contract, the Consultant shall provide and maintain, at the Consultant's own expense, automobile liability insurance for any vehicle owned and operated by the Consultant in connection with performance of this contract.

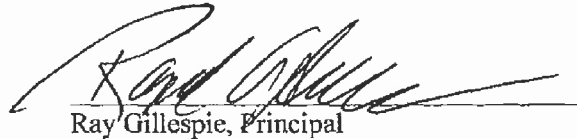
7. ASSIGNMENTS

The Consultant may not assign his interest in this contract to another person or delegate any duties under this contract without prior written approval of the City. Any attempt by the Consultant to assign any part of his interest or delegate duties under this agreement shall give the City the right to terminate this contract.

City of Kodiak
710 Mill Bay Road
Kodiak, AK 99615

Gillespie & Associates
1231 W. Northern Lights Blvd., #819
Anchorage, AK 99503


Aimée Kniazlowski, City Manager


Ray Gillespie, Principal

ATTEST:



Debra L. Marlar, City Clerk
Matt Gandel, Deputy Clerk

EXHIBIT "A"
SCOPE OF WORK

The Consultant shall communicate directly or through Consultant's agents with any appropriate public official for the purpose of influencing Legislative or Administrative action as directed or requested by the City, and in the best interests of the City.

In this regard the Consultant shall:

- A. Receive guidelines for lobbying efforts from the City Council through the Mayor and City Manager and work within such guidelines to promote, advocate, support, modify, oppose, or delay any appropriate Legislative or Administrative action. Modifications to these guidelines may be made from time to time by the City.
- B. Communicate with the Mayor and City Manager for the purpose of acquiring information, statistics, studies, and analyses to use as back-up and support material in support of Consultant's lobbying activities.

The Consultant will be called upon to arrange meetings and/or conferences, provide information and/or research, and provide such other services as required or convenient to enhance communication between the City and all branches of the State Government.

The Consultant shall provide reports and professional advice to the City regarding Consultant's lobbying efforts on behalf of the City. In this regard the Consultant shall:

- A. Maintain regular contact with the City through the Mayor and Manager on the status of pending legislation or capital projects and regularly promote the City's interests with appropriate legislators, agencies, and staff throughout the year, but especially during the legislative sessions. .
- B. Provide written monthly reports to the City during the session and as requested or needed during the interim, and such reports shall include, but shall not be limited to, contacts and progress made on behalf of the City, changes in the status of capital project funding requests, legislation of interest to the City, and any anticipated problem areas of which the Consultant becomes aware.
- C. Travel to Kodiak to meet with the Mayor, Council, and City staff once each year.
- D. Work in conjunction with the Kodiak Island Borough's state lobbyist on matters of interest or concern to both governments when directed by the City.
- E. Exercise best professional judgment in all matters relating to work for the City and immediately report any position or action taken which involves an area of uncertainty or controversy.

**EXTENSION TO CONTRACT WITH GILLESPIE AND ASSOCIATES FOR
PROFESSIONAL LEGISLATIVE LOBBYING SERVICES**

CONTRACT EXTENSION: It is the intent of this document to formalize an agreed-upon two year extension to the Contract for Professional Legislative Lobbying Services (the "Contract") between the CITY OF KODIAK (the "City") and GILLESPIE & ASSOCIATES, dated December 1, 2011.

WHEREAS, the Contract provides for the Contractor to provide legislative lobbying services to the City for a term expiring on December 31, 2012; and

WHEREAS, the Contract provides for an option to extend services for two additional years upon agreement from both parties; and

WHEREAS, the City Council of the City desires to extend the term of the Contract for an additional year from the date hereof, and the Contractor has agreed to such an extension.

NOW, THEREFORE, the parties agree as follows:

Section 4, Term of the Contract is extended as follows:

4. Term. This Contract shall be extended for two years, from January 1, 2013 through December 31, 2014, per Section 1.01, Term and Payment of the Contract, based on mutual consent.

All other terms and provisions of the Contract, as previously amended, shall remain unchanged.

DATED as of the date set forth above.

CITY OF KODIAK


GILLESPIE & ASSOCIATES

Aimée Kniazowski, City Manager

Ray Gillespie, Principal

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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Aimée Kniaziowski, City Manager 
Date: December 13, 2012
Agenda Item: V.f. **Authorization of a Professional Services Contract for Pier III Project Management, Project No. 8013**

SUMMARY: Full funding for the Pier III project is now available with the \$18.1 million reimbursable legislative grant the City received and the \$15 million as part of the statewide transportation bond voters approved in November. The replacement of Pier III, with a preliminary cost estimate of \$25-\$33 million, is the most complex and expensive capital project the City will build. The City must now move the project to the next phases, including geotechnical survey work, final design selection, permitting, and construction. Given the complexity, scope and timing of the project, the Manager requested and received a proposal for professional project management services from Roe Sturgulewski with RISE Alaska. The Manager recommends Council authorize the professional services contract for project management services with Roe Sturgulewski of RISE Alaska in a not-to-exceed amount of \$164,660.

PREVIOUS COUNCIL ACTION:

- FY2009 Council approved a capital project budget of \$250,000 for inspection and design of Pier III.
- FY2012 Council approved an additional \$462,000 to the project.
- Council has also approved a feasibility study and wave motion study in preparation for replacement of the pier.
- July 12, 2012, Council adopted Resolution 2012-18 accepting the legislative grant for \$18.1 million and accepting the additional \$15 million if the bond package passed, which it did.
- November 6, 2012, Council reviewed the proposal for project management services for Pier III and agreed that these services were important to successfully manage and execute the project.

DISCUSSION: The Pier III replacement project is now fully funded and can proceed to the design and construction phases. Given a project of this magnitude, it is staff beliefs that a professional project management firm is needed to help oversee the project. The Manager requested and received a proposal from Roe Sturgulewski with RISE Alaska for project management services for this project (Attachment A) to be delivered from November 2012 through mid-October 2013, from initiation through the end of the bidding phase of the project, including the first key decision, facilitation in the selection of the design solution. He indicates he can perform the professional services for the City on a time and expense (T&E) basis with services not-to-exceed \$164,660. He also identified, but did not include, costs for proposed

services for managing the project through the end of construction, for providing stakeholder communications and public involvement, and to assist with activation and start-up, if requested. The Manager feels that these services can be supplied at a reasonable cost, are flexible, will definitely benefit the project, and will provide critical project support to City staff.

Roe Sturgulewski is an engineer and professional project manager who has served as an owner's representative on large and small projects throughout the state (see Attachment C). The projects include a dock project in Unalaska very similar in size and scope to our Pier III replacement project. Roe and RISE currently provide project management services to the City for the new Kodiak library project. His experience in managing projects, his attention to detail, and his ability to work on multiple issues and with many groups is important to note. City staff has limited resources, and without his professional help, would have had difficulty in bringing the library project along in a timely and cost effective way.

There is another issue that makes the use of a professional project manager important, which is the potential for conflict of interest when dealing with Horizon Lines, the current tenant of Pier III and employer of the Manager's spouse. This issue has been discussed with Council over the years and is important to be aware of and take action when necessary as the Pier III project proceeds. She recently consulted the City Attorney on what conflicts will likely arise as the City begins this project. He advised that she may be disqualified by conflict of interest in some aspects of the project. In those instances, the Manager would recuse herself from participation in those actions and transfer the authority to take actions on the City's behalf to another executive employee of the City or to the project management contractor for the Pier III project, when required. Executive employees of the City, with the exception of the City Clerk, all work for and report to the Manager, and she believes no executive level City employee has the time or experience to periodically intervene and manage the complexities of a project like this, even with the involvement of PND Engineers who will perform engineering services for the City under contract. However, a project manager can represent the City's interests as the conflicts arise.

The need for a professional project manager is key to the success of this project, and the Manager recommends Council authorize the professional services contract with Roe Sturgulewski and the other RISE staff.

ALTERNATIVES:

- 1.) Council may authorize the professional services contract with Roe Sturgulewski and RISE Alaska, which is staff's recommendation and is consistent with the consensus expressed at the November 6, 2012 work session.
- 2.) Delay or do not authorize the contract. This is not recommended as it will limit staff's ability to meet the complex needs of a project this size.

FINANCIAL IMPLICATIONS: The funds to complete this project have been secured now that the state has approved the total of \$33.1 million in grants and bonds. The FY2013 budget also has

approximately \$404,100 remaining in the initial project capital budget for a total of \$33.4 million. This is more than adequate funding to award this contract.

LEGAL: The City Attorney explained that potential conflicts of interest may occur at various stages of the project. A summary of the legal issue is discussed in the preceding Discussion section of the memo. It is the attorney's recommendation that, when such instances occur, the Manager will recuse herself and transfer the authority to make decisions for the City to either executive staff or the contracted project manager.

CITY MANAGER'S RECOMMENDATION AND COMMENTS: The City has been unbelievably fortunate to have received \$33.1 million in state funding for this project during FY2013. Now that we have the money, we must proceed to the next phases of the project. As mentioned above, this project is complex and costly. City employees do not have the time or experience to manage the complexities of a project like this, even with the involvement of PND Engineers who will perform engineering services for the City under contract. A professional project management firm is needed to ensure the project is completed successfully. Our experience with Roe Sturgulewski, as the City's project manager on the new library project, has shown the services he provides are very valuable. Therefore, I recommend that Council authorize this professional services contract with Roe Sturgulewski and RISE Alaska in an amount not to exceed \$164,660 for project management services through the bidding phase of the project.

ATTACHMENTS:

- Attachment A: RISE Pier III proposal, dated October 12, 2012
- Attachment B: RISE project staff resumes
- Attachment C: RISE project experience

PROPOSED MOTION:

Move to authorize a professional services contract with RISE Alaska for project management services for the Pier III project through the end of the bidding phase on a time and expense basis in an amount not to exceed \$164,660, with funds coming from the Cargo Development Fund, Pier III project, Project No. 8013, and authorizing the City Manager to execute the agreement on behalf of the City.



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October 12, 2012

Aimee Kniazowski
 City of Kodiak
 710 Mill Bay Road
 Kodiak, AK 99615

**Subject: City of Kodiak - Pier 3 Upgrade Project Management
 Proposal for Services Through Design Management and Bidding**

Dear Ms. Kniazowski:

RISE Alaska/ARCADIS is pleased to present this proposal to support the City of Kodiak and manage the Pier 3 Upgrade project. We enjoyed speaking with you about this critical infrastructure upgrade project for Kodiak. Attached are our team member resumes and relevant project management experience.

RISE/ARCADIS has the Alaska-based expertise, experience and resources to successfully deliver Owner's Representative services for this Pier 3 Upgrade Project. Project and construction management has been our core business in Alaska for the past 18 years. RISE/ARCADIS has managed and delivered a number of large scale, technically complex, public and private infrastructure projects including the: \$40M Kodiak Launch Complex, \$240M Goose Creek Correctional Center, \$330M Ted Stevens Anchorage International Airport, \$107M Anchorage Museum, \$99M Fairbanks International Airport and our current work on the Kodiak Public Library. In addition, as Public Works and Utilities Director for the City of Unalaska, I managed the **\$25M Unalaska Marine Center**, which was very similar in scope to this Kodiak Pier 3 project.

SERVICES

Preliminary project scoping is for a 420 LF extension to Pier 3 with new crane rails, dolphins and catwalks. Total project costs are estimated at \$25-35M with design completed and construction contract awarded around September 2013. Based on our discussions, we propose to provide the following services for the Pier 3 Upgrade project.

- Help facilitate pier design solution (pile vs. sheet pile)
- Develop RFP and/or contract documents to get Engineer under contract
- Procure and administer other professional service contracts as required
- Coordinate/negotiate with tenants on behalf of the City

880 H Street, Suite 101 Anchorage, AK 99501 USA 907.276.8095 Tel / 907.276.8609 Fax www.risealaska.com



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- Work with Engineer on permitting and coordinate with the Borough and the City
- Develop master budget and coordinate with City on delivery of budget updates
- Create alternate plan of finance or project re-scoping if required
- Develop and maintain master schedule
- Develop a contracting procurement strategy and assist with implementation
- Provide constructability review of engineer drawings
- Provide a monthly project status report for stakeholders
- Manage project through the end of bidding phase

While the below services are not included in our fee proposal, additionally, RISE/ARCADIS can:

- Manage project through the end of construction
- Provide stakeholder communications, public involvement, special project event planning
- Activation/Transition and project start-up consulting and management

PROJECT TEAM

Roe Sturgulewski, Lead Project Manager

I will be the lead project manager, managing all aspects of this project. I will work closely with the City of Kodiak to manage all critical task activities for the pier including confirming the pier type, setting up master project budget and schedule, selecting the best project delivery method, managing the Engineer procurement/contract process, providing design management and developing the Plan of Finance and scope alignment should the November Bond not pass.

I have over 30 years of Alaska-based construction, public works/utilities and program management experience. In addition to managing the \$25M Unalaska Marine Center which was nearly identical in scope to this Pier Upgrade, I recently led the project management team for the \$240M Goose Creek Correctional Center project and \$22M Goose Creek Correctional Center Water & Wastewater Facility. I was Project Executive on \$330M Ted Stevens Anchorage International Airport, \$106M Dena'ina Civic and Convention Center, \$99M Fairbanks International Airport. I was the on-site project manager for the \$40M Kodiak Launch Complex and \$67M Alaska SeaLife Center.

Ron Rozak, PE, Senior Project Manager

Ron Rozak, PE will provide technical support as required to cost effectively perform the work. Ron is a registered senior civil engineer with 37 years of civil engineering and project management experience in Alaska. Ron will provide technical support, civil engineering peer review, constructability review, permitting support and other services. Ron is experienced with both sheet



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City of Kodiak – Pier 3 Upgrade Project
October 12, 2012

and pipe pile installation and other heavy civil construction. He has extensive experience working in rural communities throughout Southcentral, Southeast and Western Alaska.

Joyce Andersen, Project Administration

Joyce Andersen will provide administrative support, manage document controls, assist with scheduling/budget updates, provide meeting minutes, maintain project calendar and manage electronic file requirements. Joyce has extensive experience in construction administration, office administration and financial management. She is highly skilled at preparing contract documents, preparing and executing construction documents, managing submittals, RFIs, RFPs and change order work flow, maintaining project files and correspondence, and managing document control. She was project assistant on the \$240M Goose Creek Correctional Center project and \$22M Goose Creek Correctional Center Water & Wastewater Facility and is currently assisting on the Kodiak Library Project.

Please see attached resumes for more details on relevant project experience.

PROPOSED FEE

We have included an initial fee estimate for services November 2012 through mid-October 2013. RISE/ARCADIS proposes a Time and Expenses (T&E) allowance for services with a not-to-exceed (NTE) value of \$164,660. With this approach, the project will be billed only for services rendered and expenses incurred. A T&E contract also allows the City of Kodiak the flexibility to adjust or request optional services within the contract value to meet needs as they are identified.

The Kodiak Pier 3 upgrade is an important infrastructure project for the City of Kodiak. If there is additional information I can provide about our firm or services, please contact me at 907.276.8095 or rsturgulewski@risealaska.com.

Sincerely,

Roe Sturgulewski
President
RISE Alaska, LLC

Attachments: Fee Proposal, Project Experience, Resumes



an AECOM COMPANY

Fee Estimate (Design Management through Contractor Bidding/Award)

Project Team Members	Rate	2012												Total Hours	Total Cost		
		Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct				
Roe Sturgulewski, Lead Project Manager	\$175.00	50	50	50	50	50	50	50	50	50	50	50	50	50	50	575	\$100,625
Ron Rozak, PE, Senior Project Manager/Civil Engineer	\$140.00	16	16	16	16	16	16	16	16	16	16	16	16	16	16	184	\$25,760
Joyce Andersen, Administration/Technical Support	\$80.00	16	16	16	16	16	16	16	16	16	16	16	16	16	16	184	\$14,720
Cynthia Oistad, Graphic/Communication Support	\$95.00	6	6	6	6	6	6	6	6	6	6	6	6	6	6	69	\$6,555
TOTAL LABOR		88	88	88	88	88	88	88	88	88	88	88	88	88	88	1012	\$147,660

Expenses	Rate	QTY												Total Expenses			
Travel (airfare, lodging, meals, etc)	\$1,000	1	1	1	1	1	1	1	1	1	1	1	1	1	1	12	\$12,000
Miscellaneous Expenses (printing, office supplies)																	\$5,000
TOTAL EXPENSES																	\$17,000

TOTAL FEE ESTIMATE \$164,660

Assumptions:
 Estimated total project costs between \$25M and \$33M
 \$15M Bond approved November, 2012
 Construction Completion estimated at Dec. 31, 2014



Roe Sturgulewski Lead Project Manager

Roe Sturgulewski has 30 years of Alaskan construction, public works/utilities and capital improvement program management experience. His work as a contractor, engineer, project manager and owner provides a well-rounded and practical problem-solving perspective. Roe's experience, coordination skills, and attention to detail have successfully delivered a number of complex and high profile construction programs, including a wide range of vertical and horizontal construction projects.

Relevant Projects

Unalaska Marine Center, Unalaska, AK: As Public Works and Utility Director for the City of Unalaska, Roe managed the Unalaska Marine Center, a \$25M public/private partnership with multiple project agreements and creative financing. This project has many similarities to the Kodiak Pier 3 project. An addition was made to a pile supported pier dock including a reorientation of the dock face because of bathymetric considerations. The project included the addition of new catwalks, breasting and mooring dolphins. The dockface extension included crane rails for a tenant-supplied lift-on/lift-off crane. New upland storage was also created. Front-end efforts also included assistance in developing the Plan of Finance and negotiating finance and leasehold agreements.

Carl Moses Small Boat Harbor, Unalaska, AK: Roe led the initial technical planning efforts for the little South America Harbor development which was later constructed and dedicated as the Carl Moses Small Boat Harbor. The project included a wave barrier pile supported docks and uplands development.

City of Unalaska, Public Works and Utility Director, Unalaska, AK: As Public Works and Utility Director for the City of Unalaska (Dutch Harbor), Roe was the city's primary technical staff charged with delivering more than 100 separate capital projects including a number of marine infrastructure projects. In addition to the Unalaska Marine Center, and Small Boat Harbor, Roe worked on numerous renovation projects at the UMC, spit and Ballyhoo docks. Other projects involved meeting the community's water and sewer needs where peak water demands exceeded 8 MGD. He installed more than \$30M in water system construction including pipelines, storage tanks, PRVs, SCADA, water wells and raw water reservoir storage. He led extensive improvements to the sewer system including multiple mainline extensions, lift stations, force main installations and improvements to sewage treatment plant. He also delivered about a dozen new community facilities.

Kodiak Public Library, Kodiak, AK: Roe is providing comprehensive project management services to the City of Kodiak for their new \$12.4M public library project. At the onset of the project, he developed a preliminary project schedule, preliminary funding plan, and internal look-ahead schedule for KPLA/ City of Kodiak actions and milestones. He wrote the CM/GC Contractor RFP and managed the solicitation/selection/contract process. RISE is managing all aspects of the design development and construction to deliver the library within budget and schedule.

Kodiak Launch Complex, Kodiak, AK: Roe was on-site Project Manager for the AAC's \$40M Kodiak Launch Complex. This multi-phased project had multiple State and Federal fund sources, logistical challenges, aggressive scheduling requirements to facilitate launches during construction, elements with extreme construction tolerances and complex electrical and mechanical systems. Roe provided design and construction management for four miles of roads, associated water, sewer, electrical and fiber infrastructure and five facilities over a 3,900 acre site. Near the completion of the Kodiak Launch Complex,

Education

MA in Business Administration,
Gonzaga University / BS in Civil
Engineering, Gonzaga University /
Arctic Engineering Studies, University of
Alaska Anchorage

References

Harold Heinze, Matanuska Electric
Association, 907.761.9261

Russ Krafft, Procurement, Matanuska
Susitna Borough, 907.745.9639

John Parrott, Ted Stevens Anchorage
International Airport Manager 907.266.2629

Former Mayor Frank Kelty, City of
Unalaska, 907.581.1251



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Roe provided preliminary logistical planning on the road spot improvements needed for the 50-mile access road. Roe was Principal-in-Charge for the follow-on 19,000 SF, \$5M maintenance and storage facility project. RISE has provided on-call support services for AAC since 2000.

Goose Creek Correctional Center, Pt. MacKenzie, AK: Roe was Project Manager for the \$240M Goose Creek Correctional Center project, a 435,000 SF, 1,536 bed medium-security correctional center with an associated \$21M water and waste water facility located in Point MacKenzie, Alaska. The project included clearing and developing a 95-acre portion of a 330-acre parcel and five separate buildings. There were miles of utility installations including a 12.47 KV medium voltage electrical distribution system. Roe provided extensive coordination with MEA, the local electrical utility, on the 25 KV main line distribution system, which required upgrades to accommodate the 3.2 MW complex. The facility included an extensive fiber and copper backbone network and subsequent LAN/WAN and radio system installations. Due to its geographic isolation (68 road miles from Anchorage), GCCC functions a small city. Substantial Completion was achieved on September 1, 2011.

Ted Stevens Anchorage International Airport, Anchorage, AK: Roe provided project and construction management services for the Ted Stevens Anchorage International Airport's \$1B Capital Improvement Program including the \$330M Terminal Redevelopment project, a \$207M Concourse A & B renovation. He served as Project Advisor for over 150 other vertical and horizontal projects.

Fairbanks International Airport Terminal Area Development Program, Anchorage, AK Roe served as Project Executive for the \$99M Fairbanks International Airport Terminal Area Redevelopment project. RISE was responsible for overall execution and delivery of a new 150,000 SF airport passenger terminal building and upgrades to the existing terminal. RISE fostered a collaborative team relationship with the Owner, design team and contractor throughout this project. RISE provided schedule and budget management, on-site design and construction management, quality assurance inspections, special inspection coordination, construction progress reporting, contract document maintenance, stakeholder and tenant coordination and activation activities. The new terminal was successfully delivered a year early and \$2M under budget, which enabled ADOT&PF and the airport to add multiple additional elements to the project.

Municipality of Anchorage Capital Projects, Anchorage, AK: Roe served as Project Executive to the Municipality of Anchorage for the \$107M new Dena'ina Convention Center, Project Manager for the \$59M Anchorage Jail and the Project Executive to the Municipality of Anchorage (MOA) on a number of capital projects through a term contract agreement. MOA projects included multiple Fire Stations, Public Safety Building demolition, and the Ben Boeke Ice Arena upgrades. Roe also worked as an MOA employee and consultant on the Project 80's Capital Build-out Program.

Alaska SeaLife Center, Seward, AK: Roe was on-site Project Manager for this \$67M, 96,000 SF marine research facility. RISE helped create the Plan of Finance, secure public agency funding, private debt financing, philanthropy, and structure the long-term development and operations agreements between stakeholders. RISE coordinated environmental approval of the NEPA Record of Decision and managed the public involvement and stakeholder processes. Roe managed the architectural contract, assisted the public construction bidding process and managed the Special Inspection contract. RISE helped develop the business model, governance, and operations structures and identified Executive Director candidates for the SAAMS Board approval. Roe provided assistance with FF&E procurement, activation, operational start-up, management support services. The RISE Team served as an external affairs liaison to the Board of Directors and Board of Governors throughout the first year of operations.



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Ron Rozak, P.E. Senior Project Manager/Civil Engineer

Education

Bachelors of Science in Civil Engineering,
Colorado State University / Masters Degree
in Engineering (Construction Management)
Texas A&M University

Professional Registrations

Registered Professional Engineer, CE #5649,
Alaska

References

Tom Moll, P.E., Senior Civil Engineer,
Hansen Alaska, 907.279.1282

Cliff Allen, Public Works Director, City of
Ketchikan, 907.228.4738

Jim Beckham, P.E., Vice President
Operations, Harbor Enterprises,
907.224.3190

Ron Rozak, P.E. has 37 years of professional design and construction management experience with many small and large civil, environmental, and facilities projects. Ron has managed many public and private projects under study, design, construction, or decommission. He has expertise in technical writing, planning, budgeting, scheduling, utilities, right-of-way and easements, construction administration, and inspections. His background includes establishing procedures, developing project manuals, preparing Request for Proposals, and negotiating contracts with A/E firms and contractors. His professional experience includes the design and construction management of environmental, civil, and facilities projects in Southcentral and Western Alaska.

Ron has experience managing and providing quality control on highway, bridge, heavy civil and industrial projects including multiple piling types. He has provided project and construction management for site work projects with large quantities of earthwork and underground utilities.

Relevant Experience

Goose Creek Correctional Center Water/Wastewater Facilities, Pt. MacKenzie: Ron was Project Manager for the \$ 21 million Matanuska-Susitna Borough Goose Creek Correctional Center Water/Wastewater Facilities project. Ron monitored construction progress and activities, prepared meeting records, managed and reviewed the budget, schedule, pay applications, and change order proposals. Prior to construction, he helped lead the prison site selection and public process, and assisted with the coordination of permitting for water well drilling and water/wastewater utilities. The water/wastewater facilities provide utility services for 1,800 people at the prison project. This project includes a well field, Wastewater Treatment Building, Water Treatment and Storage Building and a Well House.

Municipality of Anchorage Capital Roads Improvement Program, Anchorage: As Project Manager, Ron managed eight projects for the PM&E department, serving as the primary point of contact for all project activities from design to project close-out phases. Ron was responsible for project management, implementing PM&E procedures, contract administration, maintenance of project documentation, public involvement oversight, project schedule, budget and quality assurance management.

Tikahtnu Commons Retail Center, Anchorage: For Cook Inlet Region, Inc. (CIRI), Ron provided project management services for Tikahtnu Commons civil work, the largest Anchorage retail and entertainment center in northeast Anchorage. Ron delivered weekly construction phase monitoring and periodic reporting services on cost, quality, environmental oversight, and project schedule. This project included substantial dirt work, underground mechanical and electrical utilities and other civil related work.

Kenai River Bridge Crossing, Kenai, AK: Ron was Field Engineer for the Alaska DOT&PF on construction of this 980 foot bridge across the Kenai River. He provided control and quantity surveys, inspection and documentation for the driving of sheet and H-piles and reinforced concrete work associated with construction of cofferdams, abutments and piers.



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City of Ketchikan Fire Station and Public Library, Ketchikan: Ron provided daily on-site construction administration services on behalf of the City of Ketchikan for the \$12M Ketchikan Fire Station and the new \$12M Ketchikan Public Library. For both projects, he oversaw construction progress; coordinated with the architect, contractor team and community; managed the RFI, RFP process and provided stakeholder communications. Both projects were delivered under budget using a Construction Manager at Risk methodology. The Fire Station is complete and the Library is in the closeout phase.

Additional Relevant Experience

Prior to RISE, Ron was the Principal Engineer and Project Manager for his own engineering firm. His role included defining project scope, preparing bid documents, providing contract management, schedule, and budget. Ron provided design, construction, and project management services for a wide range of horizontal and vertical projects. He performed engineering services around the state, interacted with utilities and government agencies, prepared periodic progress reports, provided technical recommendations, and detailed final reports.

As the owner operator of a construction services firm, Ron installed on-site sewer and water systems, prepared building sites, constructed roads and drainage systems, land clearing and general excavation. While with Alaska International Construction, he was the Survey Party Chief and Field Engineer for the extension of the Wrangell Airport into tidelands and reconstruction of thirteen miles of the Alaska Highway at the Canada border. These projects included extensive drilling and shooting to remove bedrock and produce aggregate and riprap. While with the Alaska DOT&PF, Ron performed office and field engineering duties, provided control and quantity surveys, and inspected pile driving and concrete work for multiple construction projects.





Joyce Andersen

Project Administration/Document Controls

Joyce Andersen has extensive experience in construction administration, office administration and financial management. She is highly skilled at preparing contract documents, preparing and executing construction documents, managing submittals, RFIs, RFPs and change order work flow, maintaining project files and correspondence, and managing document control. Joyce has worked as a project assistant for both architectural and construction firms and has a detailed understanding of the construction process.

Relevant Projects

Kodiak Public Library, Kodiak, AK: Joyce is serving as Project Assistant for the \$12 million Kodiak Public Library currently under construction. She prepares Owner Meeting Agendas and Minutes, Construction Meeting Agendas, and budget/schedule spreadsheets.

Dena'ina Wellness Center, Kenai, AK: Joyce is serving as Project Assistant for the \$24M Dena'ina Wellness Center for the Kenaitze Indian Tribe. She prepares Construction Meeting Agendas and Minutes, budget/schedule spreadsheets, assists with the monthly report, provides document controls.

Ketchikan Public Library, Ketchikan, AK: Joyce served as Project Assistant for the \$12 million Ketchikan Public Library. She prepares Owner Meeting Agendas and Minutes, Construction Meeting Agendas, and budget/schedule spreadsheets.

Goose Creek Correctional Center, Pt. MacKenzie, AK: Joyce was Project Assistant for the \$240 million Goose Creek Correctional Center. She prepared budget updates from multiple funding sources, facilitated and distributed the weekly and monthly construction progress reports, tracked and logged government approvals, managed the processing and preparation of RFPs, Pay Estimates, Change Orders and design changes. Joyce managed document control, assisted with preparation of RFIs, invoices, change orders, owner directives, and other documents. She coordinated project close-out documentation and deliverables.

Goose Creek Correctional Center Water/Wastewater Facilities, Pt. MacKenzie, AK: Joyce provided administrative support for the Goose Creek Correctional Center Water/Wastewater facilities during the RFP process and throughout. She also performed budget reporting, facilitation of weekly and monthly reports and document control.

Municipality of Anchorage Capital Projects, Anchorage AK: Prior to RISE, Joyce was engaged as Contract Administrator for the Municipality of Anchorage Capital Improvements. She worked under the Division Manager coordinating and developing the project databases and served as the liaison between numerous municipal and outside agencies.

Cook Inlet Housing Authority, Anchorage, AK: Joyce also was Development Administrator for Cook Inlet Housing Authority. She had a wide range of responsibilities including multiple project development and document control duties on numerous projects. Duties involved extensive management, communication and funding related services.

References

Don Simmons, Former Vice President
Construction and Capital Projects, Cook
Inlet Housing Authority, 907.229.9835

Martha Schoenthal, Project Manager, The
Foraker Group 907.301.8887

Russ Krafft, Procurement, Matanuska
Susitna Borough, 907.745.9639



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City of Kodiak – Pier 3 Upgrade Project
Project Experience
October 12, 2012

RELEVANT EXPERIENCE

Unalaska Marine Center, Unalaska/Dutch Harbor

Prior to joining RISE/ARCADIS, Roe was Public Works and Utilities Director for the City of Unalaska where he managed the \$25M Unalaska Marine Center, a public/private partnership with multiple project agreements and financing sources. *This project has many similarities to the Kodiak Pier 3 project.* A 731' addition was made to a pile supported pier dock including a reorientation of the dock face because of bathymetric considerations.



The project included the addition of new catwalks, breasting and mooring dolphins. The dockface extension included crane rails and other infrastructure with a tenant-supplied lift-on/lift-off crane. New upland storage was created. Front-end efforts also included assistance in developing the Plan of Finance and negotiating finance and leasehold agreements.

Kodiak Public Library, Kodiak

RISE/ARCADIS is providing comprehensive project management to the City of Kodiak for the new \$12.4M library project. We are managing all aspects of design, CM/GC



construction, and other consultants to deliver the library within budget and schedule. We have worked effectively and cooperatively with both the City and KIB to advance the project. RISE/ARCADIS was heavily involved in strategic planning, project organization, plan of finance, community support services, project communication and project funding advocacy. We crafted the CM/GC RFP, administered contractor selection, developed and negotiated the CM/GC contract, established and negotiated phased bid packages in anticipation of the 100% Guaranteed Maximum Price (GMP). The project is on budget and schedule with no change orders to date. RISE/ARCADIS published the Kodiak Library Development Plan in April 2011 in conjunction with The Foraker Group Pre-Development Program, the City and KPLA. Over 40 stakeholder meetings were held in the design phase.



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Municipality of Anchorage Capital Roads Improvement Project, Anchorage

Under a two-year project management contract with MOA, RISE/ARCADIS provided full-time, comprehensive project management, project administration and construction inspection services to support various PM&E road, drainage, and safety improvement projects. These projects ranged in value from \$400K to \$7M. RISE/ARCADIS provided aggressive financial management to ensure these projects are delivered within budget.



Ted Stevens Anchorage International Airport, Anchorage

Construction Engineering & Inspection Services — RISE/ARCADIS, with Parsons Brinckerhoff Construction Services and Alaska Testlab, provided inspection and construction management, contract administration, materials testing, and pre-construction setup services on three ANC runway projects valued at \$30M. All of the projects required grading, paving (surface and subsurface), excavation, drainage, and upgrading or new taxiway lighting systems.



Ted Stevens Anchorage International Airport C Concourse Terminal Redevelopment — RISE/ARCADIS provided project management

for the \$330M C Concourse demolition and renovation project. RISE/ARCADIS was involved in all stages of the ANC's Terminal Redevelopment Project (TRP) from inspection to close-out, and included comprehensive activation management. Improvements to surrounding roadways, including expanding and reconfiguring the approach roadways using FHWA funding, upgrading parking, airfield improvements, and cargo and aircraft parking, were part of the C Concourse Redevelopment project that was completed in 2004.

Ted Stevens Anchorage International Airport Capital Improvement Projects — RISE/ARCADIS served as project advisor to the airport, providing project financial and grant management for the \$1B Airport Capital Improvement Projects program, which consisted of over 150 vertical and horizontal projects.

Ted Stevens Anchorage International Airport A/B Terminal Retrofit — This \$207M project provided major seismic and security upgrades to the A and B concourse terminals. RISE/ARCADIS provided contract administration, accounting, schedule management, program controls, cost controls, stakeholder communication, and activation services. In addition to terminal improvements, this project also included an increase in curbside space for improved access and pedestrian flow for passengers arriving and departing the South Terminal. This project was completed in November 2009.



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Fairbanks International Airport Terminal Area Development Program, Fairbanks

RISE/ARCADIS provided comprehensive on-site project and construction management services for the \$99M Fairbanks International Airport Terminal Area Development Program. RISE was responsible for overall execution and delivery of the 150,000 SF new airport passenger terminal building and upgrades to the existing terminal. This project included: state-of-the-art passenger ticketing and check-in lobby, customs processing areas, baggage handling systems, access control and security systems, passenger and bag screening devices, new mechanical and electrical systems, and building automation. Major site and civil improvements included upgrades to utilities, a newly developed airport road system, and airside installation of jet bridges, hardstand and aircraft staging areas.



Alaska SeaLife Center, Seward

RISE/ARCADIS provided project and on-site construction management services for this \$67M Alaska SeaLife Center. RISE/ARCADIS oversaw the public bidding process for construction, and provided management to meet schedule, budget and quality objectives. RISE/ARCADIS helped create a Plan of Finance, secured public agency funding, private debt financing, and philanthropy, and structured the long-term development and operations agreements between stakeholders. RISE/ARCADIS coordinated environmental approval of the NEPA Record of Decision and managed the public involvement and stakeholder processes. RISE/ARCADIS managed the architectural contract, met schedule, budget, and quality objectives. RISE/ARCADIS assisted the public construction bidding process and managed the Special Inspection contract. RISE/ARCADIS provided assistance with FF&E procurement, activation, operational start-up, management support services and served as an external affairs liaison to the Board of Directors and Board of Governors throughout the first year of operations.





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City of Kodiak – Pier 3 Upgrade Project
Project Experience
October 12, 2012

Kodiak Launch Complex, Kodiak

Roe was on-site Construction Manager for the Kodiak Launch Complex. This multi-phased project had numerous State and Federal fund sources, logistical challenges, aggressive scheduling requirements to facilitate launches during construction, elements with extreme construction tolerances and complex electrical and mechanical systems. Construction of a rocket launch involves executing standards and close tolerances to meet specialized requirements. The complex has performed well over its 12-year history both in terms of launch success and O&M requirements. The project met the scheduling requirements driven by operating programs with budgets in the 10's of millions of dollars. The project was completed within budget.



MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Aimée Kniazowski, City Manager 

Date: December 13, 2012

Agenda Item: V.g. Authorization of a Professional Services Contract for Geotechnical Work Associated With Pier III Replacement, Project No. 8013

SUMMARY: Full funding for the Pier III replacement project has been secured. The next step in the design process is to conduct geotechnical surveys to finalize the type of design and begin the design and permitting process. PND Engineers submitted a proposal to conduct the geotechnical work as attached. The Manager recommends Council authorize the professional services contract for geotechnical work associated with Pier III replacement to PND Engineers in the amount of \$247,262.

PREVIOUS COUNCIL ACTION:

- FY2009 Council approved a capital project budget of \$250,000 for inspection and design of Pier III.
- September 2011, Council accepted the Pier III Design Study Report from PND.
- November 2011, Council authorized funding to PND to conduct field measurements of wave, currents and water levels.
- FY2012 Council approved an additional \$462,000 to the project to cover additional pre-design work.
- February 2012, Council approved a contract with PND to conduct wave modeling study to determine best design.
- July 12, 2012, Council adopted Resolution 2012-18 accepting the legislative grant for \$18.1 million and accepting the additional \$15 million in bond funding.
- September 2012, Council received the presentation of the wave modeling study results. Results showed neither design outperformed the other in the wave modeling tests.

DISCUSSION: Pier III, a vital port infrastructure component, is reaching the end of its useful life. The pier provides a crucial link for cargo shipments to and from the island. It plays an essential role in commerce and is an economic and physical lifeline.

Preliminary work to assess the condition of the pier and the timeline for replacement was begun in 2009. A project was developed and initial funding was appropriated to begin preliminary work to develop the replacement plan. PND Engineers assisted the City with several options and analyses as listed above.

The City lobbied for funds to replace Pier III and was successful in receiving a full \$33.1 million in state grant funds this year.

DECEMBER 13, 2012
Agenda Item V. g. Memo Page 1 of 3

PND recommended a wave modeling study be conducted to help determine whether a pile supported or sheet pile dock design would be best suited for the new pier. Council authorized the wave modeling study and the results, which were not definitive, were presented to Council in September.

The next step in the pre-design process is to conduct geotechnical work at the site of the new pier to determine the design and to allow the permitting process to begin. Staff requested a proposal from PND, and they submitted an updated proposal for the work on December 6th (Attachments A & B). The Manager recommends Council authorize this professional services contract to ensure this expensive and complex project stays on track.

ALTERNATIVES:

- 1.) Authorize the professional services contract with PND, which is staff's recommendation and is necessary to determine design and to proceed with permitting.
- 2.) Do not authorize the contract. This is not recommended as it will prevent the project from moving into the design phase.

FINANCIAL IMPLICATIONS: The funds to complete this project have been secured now that the state has approved the total of \$33.1 million in grants and bonds. The FY2013 budget also has approximately \$404,100 remaining in the initial project capital budget for a total of \$33.4 million. This is more than adequate funding to award this contract.

CITY MANAGER'S RECOMMENDATION AND COMMENTS: The City has received \$33.1 million in state funding during this fiscal year. That funding allows us to move forward with the pre-design, design, and permitting phase of the project. The next phase of the project is to conduct geotechnical work for the new pier. This work will also provide information to help determine the best dock design to use given that the wave modeling study results were not as definitive as we all expected. PND and Kenton Braun have provided excellent work on the City's port and harbor infrastructure. They have worked closely with staff throughout this preliminary process and helped me complete state grant request and backup documents during the legislative session. Therefore, I recommend that Council authorize this professional services contract with PND in the amount of \$247,262 to perform geotechnical work needed for the Pier III project.

ATTACHMENTS:

- Attachment A: PND proposal letter, dated December 6, 2012
- Attachment B: PND Breakdown of costs for geotechnical work

PROPOSED MOTION:

Move to authorize a professional services contract with PND Engineers for geotechnical work associated with Pier III replacement in the amount of \$247,262, with funds coming from the Cargo Development Fund, Pier III project, Project No. 8013, and authorize the City Manager to execute the agreement on behalf of the City.



ENGINEERS, INC.

December 6, 2012

111012

Ms. Airnee Kniazowski
 City Manager
 City of Kodiak
 710 Mill Bay Road
 Kodiak, Alaska 99615

Subject: Pier 3 Replacement – Geotechnical Investigation Proposal

Dear Ms. Kniazowski:

PND Engineers, Inc. (PND) is pleased to provide this proposal to conduct a geotechnical investigation for final design of the Pier 3 dock replacement. A thorough geotechnical investigation is necessary prior to final design to:

- determine pile design parameters and inputs,
- obtain the most efficient design,
- reduce pile-driving risk and complications during construction, and
- verify foundation cost estimates.

While we have a good understanding of general geotechnical conditions at the site, this investigation is essential to determine accurate bedrock elevations and overburden (soil and sediment) thicknesses across the site, and verify soil and rock characteristics where piles will be driven. Please see the attached geotechnical review of available existing information and discussion of further investigation requirements.

PND is proposing to drill nine geotechnical boreholes at the site; five offshore boreholes and four onshore boreholes. Boreholes will be sampled at 5-ft intervals, and samples will be analyzed for moisture content, soil classification and grain size distribution, shear strength properties and consolidation parameters. Bedrock coring will be performed to a depth of 30 feet in at least two of the boreholes to verify that bedrock has been encountered (not a large boulder), and to characterize the bedrock quality and parameters in case piles must be installed in rock sockets or anchored. Geotechnical drilling services will be provided by Geotek Alaska, Inc., under subcontract to PND. Drilling would be directed and overseen by an engineer from PND.

We anticipate completing the investigation during early 2013. Calm seas are needed for offshore drilling, so the work will be scheduled depending on weather forecasts in hope of obtaining the best weather. As a contingency for adverse weather, we have budgeted three days of standby time for weather delays. Soils lab testing and a final report would be completed eight weeks after the field investigation is done.

All work will be performed on a time and materials basis in accordance with the attached standard rate schedule and not to exceed the attached cost estimate for \$247,300. The majority of the program cost is for actual site investigation work.

We look forward to assisting the City through successful completion of this project. Please call if you have any questions regarding this proposal.

Sincerely,

PND Engineers, Inc.



Kenton W. Braun, P.E.
Vice President

Attachments: Detailed Budget Estimate
Geotechnical Investigation Plan (Figure 1)
PND Standard Rate Schedule
Pier 3 Geotechnical Review Summary

Table 1. Budget Estimate

	Task Description	Quantity	Unit	Unit Price	Budget
1	Project Management, Reporting, Communications	10	hour	\$ 165	\$ 1,650
2	Conduct Geotechnical Investigation	124	hour	\$ 120	\$ 14,880
	mobe/demobe (travel, equipment shipping)	4	hour		
	drill, sample and backfill holes	120	hour		
3	Travel & Equipment Expenses				\$ 3,827
	air travel Anchorage-Kodiak RT	1	RT	\$ 500	\$ 500
	room & board	11	day	\$ 200	\$ 2,200
	vehicle	8	day	\$ 94	\$ 752
	geotechnical supplies (liners, sample containers, etc)	1	LS	\$ 75	\$ 75
	shipping & freight expenses of samples for testing	6	item	\$ 50	\$ 300
4	Lab Testing				\$ 8,580
	1. Triaxial Compression; Consolidated Undrained w/PP measurement (TX-ICU-bar)				
	cont'd - 3 points @ \$555/point (\$460+\$95 for backpressure)	2	test	\$ 1,665	\$ 3,330
	2. Consolidation	2	test	\$ 465	\$ 930
	3. Moisture Content & Visual Manual Classification	128	test	\$ 20	\$ 2,560
	4. Limited Mechanical Assesment (R4, P4-R200, P200)	6	test	\$ 80	\$ 480
	5. Atterberg Limits	8	test	\$ 160	\$ 1,280
5	Results Analysis & Report Development - 2013 Geotech Report (draft & final)	80	hour	\$ 120	\$ 9,600

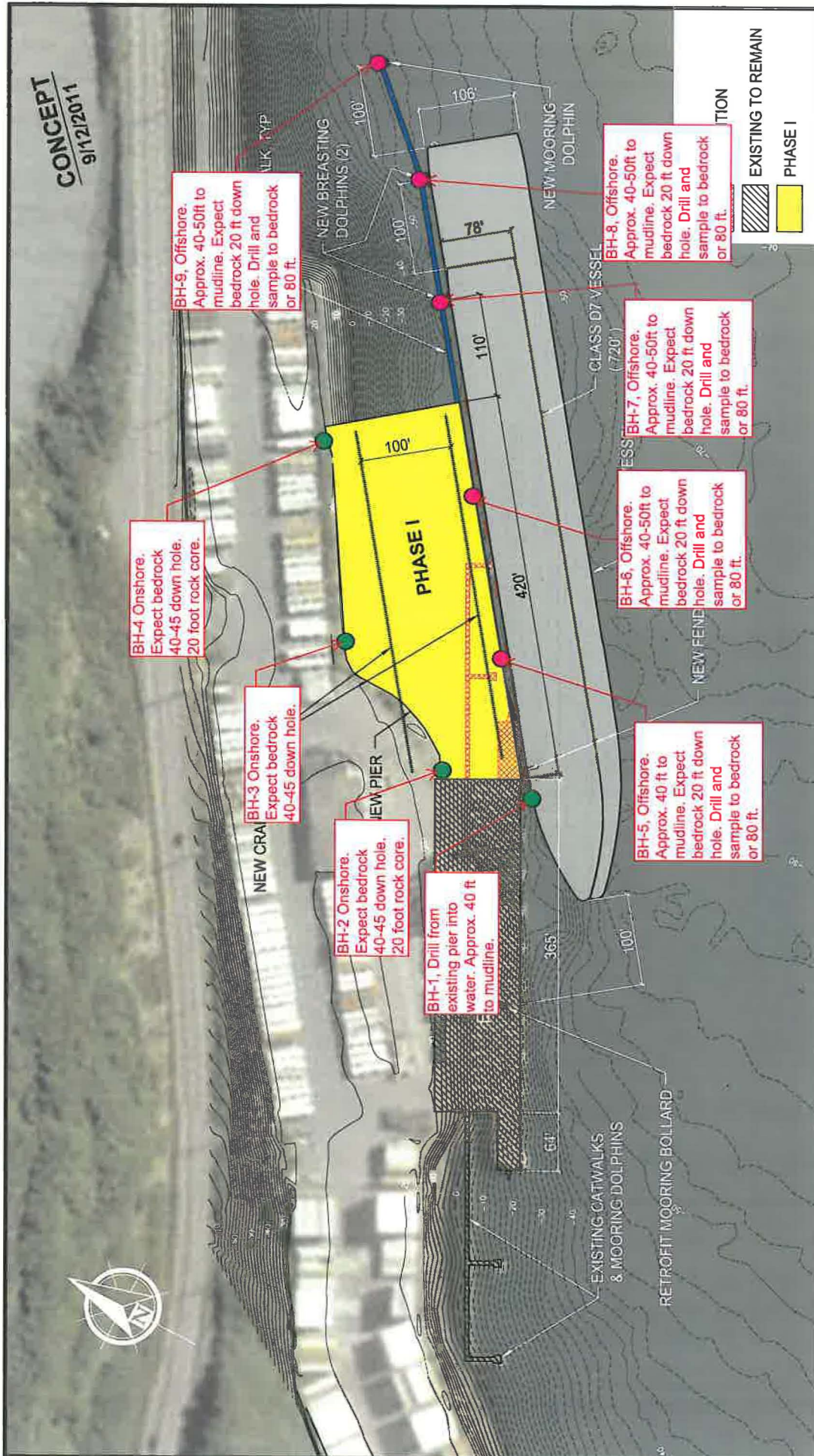
	Quantity	Unit	-	Budget
PND Engineers, Inc.				
PND Subtotal Manhours and Labor Cost	214	hours		\$ 26,130
PND Subtotal Travel, Equipment & Expenses				\$ 3,827
Lab Testing Cost	146	tests		\$ 8,580
PND Total Estimated Cost				\$ 38,537

	Quantity	Unit	-	Budget
Geotek Alaska Geotechnical Drilling Subcontractor				
***Mobilization/Demobilization	1	LS	\$ 15,000	\$ 15,000
Geotek Alaska drilling services	10	day	\$ 3,900	\$ 39,000
Weather Standby	3	day	\$ 2,500	\$ 7,500
Meals and Lodging	10	day	\$ 525	\$ 5,250
Geotek Alaska Subtotal				\$ 66,750

	Quantity	Unit	-	Budget
Alaskan Coastal Freight, LLC Marine Drilling Vessel Subcontractor				
Mobilization/Demobilization - Homer/Kodiak/Homer	1	LS		\$ 24,000
All-in Daily Service Rate -\$16,500/day	6	day	\$ 16,500	\$ 99,000
ACF Total Estimated Cost				\$ 123,000

Estimated Total Geotechnical Program Cost	\$ 247,262
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CONCEPT
9/12/2011



NOTE: METERS, TRANSFORMING, AND SHORLINE DATA USED IN THIS DRAWING ARE OBTAINED FROM VARIOUS SOURCES, INCLUDING NOAA, THE U.S. NATIONAL OCEANIC SERVICE (NOS), THE U.S. GEOLOGICAL SURVEY (USGS), THE U.S. DEPARTMENT OF COMMERCE (DOC), THE U.S. ENVIRONMENTAL MANAGEMENT AGENCY (EMA), AND OTHER FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES, ACADEMIC INSTITUTIONS, AND PRIVATE COMPANIES. IDEAS ARE REFERENCED TO A VERTICAL TIDAL DATUM OF 1988 (NAVD 88) OR MEAN HIGH WATER (MHW) AND HORIZONTAL DATUM OF WORLD GEODETIC SYSTEM OF 1984 (WGS 84). CELL SIZE RANGES FROM 1/3 ARC-SECOND (-10 METERS) TO 36 ARC-SECONDS (-1 KM). THE DATA USED IN THE PND DRAWING ADJUSTED TO MLLW. BATHYMETRIC DATA IS AT LEAST 10 YEARS OLD. SOURCE FOR THE UPLANDS DATA WAS NOT SHOWN. ALL DATA SHOULD BE FIELD VERIFIED.

SCALE IN FEET
0 50 100 150

PHASE I
EXISTING TO REMAIN

KODIAK PIER 3 REPLACEMENT
OPTION 1

1506 West 36th Avenue
Anchorage, Alaska 99503
Phone: 907.561.1011
Fax: 907.561.4200
www.pndengineers.com

P N D ENGINEERS, INC.

REV	DATE	DESCRIPTION

DESIGNED BY: _____ DATE: 8/25/11
CHECKED BY: _____ PROJECT NO: 110102
SHEET NO: **2** OF 5



**PND ENGINEERS, INC.
STANDARD RATE SCHEDULE
EFFECTIVE MAY 2012**

		<i>Regular Rate</i>
<u>Professional:</u>	Senior Engineer VII	\$180.00
	Senior Engineer VI	\$165.00
	Senior Engineer V	\$150.00
	Senior Engineer IV	\$140.00
	Senior Engineer III	\$130.00
	Senior Engineer II	\$120.00
	Senior Engineer I	\$110.00
	Staff Engineer V	\$100.00
	Staff Engineer IV	\$95.00
	Staff Engineer III	\$90.00
	Staff Engineer II	\$85.00
	Staff Engineer I	\$80.00
	Senior Environmental Scientist	\$100.00
	Environmental Scientist	\$90.00
	GIS Specialist	\$90.00
<u>Surveyors:</u>	Senior Land Surveyor	\$105.00
	Land Surveyor I	\$95.00
<u>Technicians:</u>	Technician VI	\$125.00
	Technician V	\$105.00
	Technician IV	\$90.00
	Technician III	\$80.00
	Technician II	\$70.00
	Technician I	\$45.00
	CAD Designer V	\$95.00
	CAD Designer IV	\$85.00
	CAD Designer III	\$70.00

KODIAK PIER 3 REPLACEMENT – GEOTECHNICAL REVIEW

1. Introduction

The following is a review of existing geotechnical information and recommendations for additional investigation needed to design and construct the Kodiak Pier 3 Replacement. A list of references is provided at the end of this summary.

2. Literature Review

2.1 Subsurface Profile

The approximate overburden thickness and depth to bedrock at the site can be estimated based on available site topography/bathymetry mapping, borehole logs from CWDD (1978), limited pile driving records (PND 2004) and other discussions of geology in the vicinity of Pier 3 (PND 2005, R&M 1981, USGS 1978 & 1982). From these references, it appears that bedrock is present at elevations ranging from approximately -40 to -130 feet MLLW below the proposed Pier 3 replacement area at the east end of the existing Pier 3. Overburden thickness appears to be approximately 60 to 90 feet near the dock face, and generally forms a wedge, becoming thinner moving shoreward until bedrock is exposed at the original shoreline.

2.2 Soil and Bedrock Characteristics

Soil materials consist of imported rock fill material at the existing bulkhead, overlying native fine sand and silty sands (CWDD 1978). The rock fill material is approximately 50 to 80 feet thick near the north-east corner of the existing Pier 3, and generally consists of 12-inch minus material, but also includes some boulders. Native soils consist of fine sand and silty sand and sandy silt. Sands beneath thick rock fills are medium dense, but have probably been consolidated somewhat by the overburden.

SPT blow counts, triaxial CD and CU tests with pore pressures were measured by CWDD. These tests provide data for estimating in situ soil densities and shear strength properties at CWDD borehole locations. Second-hand accounts of native sediments (R&M 1981, referencing the 1971 Dames and Moore report) indicate that soft sandy silts and silts predominate.

Bedrock beneath the site consists of slate, shale and argillite interbedded with greywacke (USGS 1978, CWDD 1978). The top 10 to 20 feet is reported (CWDD 1978, R&M 1981, PND 2005) to be quite weathered and fractured and improves in soundness with depth.

2.3 Pile Driving Records

No records are available for the original (1971) piles installation at Pier 3. However, four new SPIN FIN® piles, designed by PND, were installed in 2004 at the west and east ends of the existing Pier 3. The piles were 24" diameter x 0.5" wall thickness pipes with 8 each 6-ft x 8-inch fins at each pile tip. The piles were driven with a D30 impact hammer to depths of approximately 60 to 80 feet below mudline, with typical driving rates of 15 to 45 blows per foot. All four piles probably bear on bedrock.

2.4 Pillar Mountain Landslide

A study of the Pillar Mountain landslide was completed by several parties for the City of Kodiak (R&M, USGS and others). These reports provide useful background information regarding site geology, seismicity, and slope stability. Among other data are results of an extensive offshore geophysical survey (USGS 1982) encompassing Pier 3.

3. Recommendations

General subsurface conditions at the site are well-understood based on existing available information. If the missing original geotechnical report (Dames and Moore, 1971) can be found, we will have an even better understanding. However, deficiencies exist that should be filled prior to final design of the Pier 3 dock replacement to (i) better define pile design parameters and inputs, (ii) reduce pile-driving risk and complications during construction, and (iii) verify foundation cost estimates.

In particular, an investigation is essential to determine (1) accurate bedrock elevations and overburden (soil and sediment) thicknesses beneath the new structure for design and construction, and (2) verify soil and rock characteristics where piles will be driven. We recommend the following scope of work:

- Perform 10 to 20 probes beneath the proposed Pier 3 replacement to determine soil thickness, bedrock depth/elevation, and approximate penetration resistance or soil densities. These probes could be performed using either a conventional geotechnical drilling rig, driving rods and counting penetration rates vs. blow counts, or using an H-pile or pipe-pile probe, driven (and pulled) using a conventional vibratory pile hammer. In either case, the equipment would have to work off a barge to reach the necessary locations.
- Perform 3 or 4 geotechnical soil borings, using conventional drilling and sampling techniques to measure soil densities (SPT test, vane shear, sample density measurements), identify soil strata, collect samples for laboratory analysis (soil classification, grain-size distribution, density, moisture content, shear strength parameters, consolidation parameters) and obtain rock core samples. Two of the boreholes could be performed onshore, near the shoreline, to reduce drilling costs (onshore vs. offshore drilling and vessel costs). Rock coring would be performed at only one location, at one of the onshore boreholes. It is estimated that the borings would range from 75 to 90 feet through soil, plus up to 30 feet of bedrock coring. Offshore boreholes would be performed in water depths up to 60 feet at MLLW.

References

- Converse Ward Davis Dixon, 1978. "Report of Geotechnical Studies, Container Wharf Bulkhead, Kodiak, Alaska". Prepared for the City of Kodiak, August 25, 1978.
- Dames and Moore, 1971. "Report of Foundation Investigation Proposed Container Shipping Facility, Kodiak, Alaska". Prepared by J. Lamont (Dames and Moore) for the City of Kodiak. 43 pages. (Note: PND does NOT have a copy of this report).
- PND Engineers, Inc., 2004. "Geotechnical Investigation, Pier 2 Reconstruction". Prepared for the City of Kodiak. January 2004.
- PND Engineers, Inc., 2005. Kodiak Pier II and III Repairs, pile installation records.
- R&M Consultants, Inc., 1981. "Pillar Mountain Slope Stability Study Analyses and Conceptual Remedial Measures". A draft interim report prepared for the City of Kodiak. September 1981.
- USGS, 1978 (by R.Kachadoorian and W.H.Slater). "Pillar Mountain Landslide, Kodiak, Alaska". USGS Open-File Report 78-217.
- USGS, 1982 (by G.W.Moore). "Offshore Survey of the Pillar Mountain Landslide, Kodiak, Alaska". USGS Open-File Report 82-960. Prepared in cooperation with the City of Kodiak.

Kodiak Pier 3

	Task Description	Quantity	Unit	Unit Price	Budget
1	Project Management, Reporting, Communications	10	hour	\$ 165	\$ 1,650
2	Conduct Geotechnical Investigation	124	hour	\$ 120	\$ 14,880
	mobe/demobe (travel, equipment shipping)	4	hour		
	drill, sample and backfill holes	120	hour		
3	Travel & Equipment Expenses				\$ 3,827
	air travel Anchorage-Kodiak RT	1	RT	\$ 500	\$ 500
	room & board	11	day	\$ 200	\$ 2,200
	vehicle	8	day	\$ 94	\$ 752
	geotechnical supplies (liners, sample containers, etc)	1	LS	\$ 75	\$ 75
	shipping & freight expenses of samples for testing	6	item	\$ 50	\$ 300
4	Lab Testing				\$ 8,580
	1. Triaxial Compression; Consolidated Undrained w/PP measurement (TX-ICU-bar)				
	cont'd - 3 points @ \$555/point (\$460+\$95 for backpressure)	2	test	\$ 1,665	\$ 3,330
	2. Consolidation	2	test	\$ 465	\$ 930
	3. Moisture Content & Visual Manual Classification	128	test	\$ 20	\$ 2,560
	4. Limited Mechanical Assesment (R4, P4-R200, P200)	6	test	\$ 80	\$ 480
	5. Atterberg Limits	8	test	\$ 160	\$ 1,280
5	Results Analysis & Report Development - 2013 Geotech Report (draft & final)	80	hour	\$ 120	\$ 9,600

	PND Engineers, Inc.	Quantity	Unit	-	Budget
	PND Subtotal Manhours and Labor Cost	214	hours		\$ 26,130
	PND Subtotal Travel, Equipment & Expenses				\$ 3,827
	Lab Testing Cost	146	tests		\$ 8,580
	PND Total Estimated Cost				\$ 38,537

	Geotek Alaska Geotechnical Drilling Subcontractor	Quantity	Unit	-	Budget
	***Mobilization/Demobilization	1	LS	\$ 15,000	\$ 15,000
	Geotek Alaska drilling services	10	day	\$ 3,900	\$ 39,000
	Weather Standby	3	day	\$ 2,500	\$ 7,500
	Meals and Lodging	10	day	\$ 525	\$ 5,250
	Geotek Alaska Subtotal				\$ 66,750
	+ 10% surcharge				\$ 73,425

	Alaskan Coastal Freight , LLC Marine Drilling Vessel Subcontractor	Quantity	Unit	-	Budget
	Mobilization/Demobilization - Homer/Kodiak/Homer	1	LS		\$ 24,000
	All-in Daily Service Rate -\$16,500/day	6	day	\$ 16,500	\$ 99,000
	ACF Total Estimated Cost				\$ 123,000
	+ 10% surcharge				\$ 135,300

	Estimated Total Geotechnical Program Cost				\$ 247,262
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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Aimée Kniazowski, City Manager *AK*
Thru: Mark Kozak, Public Works Director & Glen Melvin PE, City Engineer *MK* *GM*
Date: December 13, 2012

Agenda Item: **V.h. Authorization of a Professional Services Contract for Biosolids Consultation, Project No. 7517**

SUMMARY: The City has been working on a solution for both temporary and long-term disposal of biosolids for multiple years. A sludge disposal study was conducted in 2008 to evaluate potential options and later a pilot composting project was conducted in 2010 to verify the feasibility of composting the community's biosolids. The City has contracted with CH2MHill for professional engineering support throughout the process. Given the public concern of the process and the location of the composting facility, as well as the substantial misinformation circulating by opponents, the City needs professional expertise to address multiple claims, complaints, and any other disposal options that may become available. City staff needs the expertise of CH2MHill during this process. Therefore, staff recommends Council authorize a professional services contract with CH2MHill for these services in an amount not to exceed \$30,000 and authorize the City Manager to sign the contract on behalf of the City.

PREVIOUS COUNCIL ACTION:

- January 2008, Council authorized a feasibility study to identify solutions for biosolids disposal.
- August 26, 2008, CH2MHill engineers presented a project update of the sludge disposal study to Council at a work session. A major part of the presentation centered on composting as the most cost effective disposal solution.
- October 23, 2008, Council approved a pilot composting test program.
- April 2010, the composting pilot project was finalized. Results showed the pilot project exceeded Class A composting standards set by the EPA.
- Summer 2010, follow up presentations were made to Council on the program results, disposal options, and progress toward a solution.
- January 2012, Quayanna Corp, Executive Director Peter Olson presented a proposal to contract with the City to compost biosolids to the Council
- February 2012, Council approved an MOU with Quayanna to work together toward a final composting agreement.
- July 2012, Council authorized the City Manager to begin working on a contract with Quayanna for disposal of our biosolids.
- October 25, 2012, Council approved a five-year composting agreement with Quayanna.

DISCUSSION: The City and the Kodiak Island Borough staff met in 2007 to discuss the operational problems the Borough was having as the landfill neared capacity. At that time, the Borough estimated that by May of 2008 they would only be able to accept roughly one half of the weekly biosolid quantity produced by the wastewater treatment plant. At the City's request, CH2MHill worked with the Borough to modify their fill plan, which provided both parties with an estimated three-year timeline in which to find a permanent solution to the disposal of biosolids. Between 2007 and the present, the City and Borough held multiple meetings, and the City continued to work to find a realistic and affordable solution to this problem.

In 2008 the City contracted with CH2MHill to evaluate viable options for disposal of biosolids in some manner other than at the landfill due to their capacity and expansion issues. The City looked into disposal options that included incineration, cannibalism, and composting. Staff and Council came to the conclusion that composting was the most cost effective method for the City to dispose of biosolids. Initial cost estimates in 2007-2008 put a composting facility at \$2 million plus, cannibalism at \$3.5 to \$4 million, and incineration at over \$5 million. At the completion of the composting pilot project, the final report estimated a composting facility for the City at over \$4 million, plus operational cost on an annual basis of roughly \$200,000.

In the fall of 2008, Council approved a composting pilot project. In June 2009 the City started a small composting pilot project that used roughly 30 cubic yards of biosolids (roughly ½ week of production) mixed with wood chips. The results of the composting project produced high quality compost defined as exceeding EPA regulatory requirements for a Class A biosolid product. Throughout this process CH2MHill has provided City staff with professional expertise, guidance, and technical support while working on various phases of the project.

Once DEC opened the public comment period on the Quayanna Development Corporation's permit application to compost at their leased site in Middle Bay, DEC, City staff, and others received a substantial amount of negative comments about everything from the cost increase to rate payers, to integrity of the process used by the City, the location, and the hazardous nature of the biosolids. These comments required the City to bring in additional expertise to address the misinformation that has been publicly presented, as well as to help with DEC approval for alternative short-and long-term disposal options to meet the Borough's December 15 deadline.

It is important that the City responses are accurate and timely when responding to public concern or questions. CH2MHill has been a part of the effort to manage and dispose of biosolids prior to the WWTP being upgraded in 2000. They are familiar with the various phases of work completed in this effort, as well as having overseen the pilot composting project. It is important that the City have professional support during this public discussion in order to be responsive to public questions and to work toward an acceptable solution in a short period of time.

ALTERNATIVES:

- 1.) Approve this professional services contract with CH2MHill as outlined, which is staff's recommendation. The City needs professional support to address engineering and public concerns and ensure that issues are responded to in a timely and accurate manner. There is a lot of information being used that is not correct about the project, and this level of experience and expertise is important.
- 2.) Do not authorize this agreement, which is not recommended. Staff and the community need access to this important support.

FINANCIAL IMPLICATIONS: This professional service agreement is based on a time and material agreement. Staff expects to need this continuing support until the appropriate solution is identified. There are adequate funds in the project budget, Biosolid Management Project No. 7517, to enter this agreement.

STAFF RECOMMENDATION: Staff recommends Council approve this professional service agreement with CH2MHill in a not-to-exceed amount of \$30,000, with funds coming from the Sewer Capital Improvement Fund, Biosolids Management Project No. 7517.

CITY MANAGER'S COMMENTS: Given the number of issues we are dealing with related to composting, biosolids, permits, and interaction with media and DEC, we definitely need the expertise of CH2MHill to respond to issues correctly. I support staff's recommendation that Council approve this agreement and authorize me to sign it on behalf of the City.

ATTACHMENT:

Attachment A: CH2MHill proposal and agreement

PROPOSED MOTION:

Move to approve a professional services contract with CH2MHill to provide support to staff on biosolid-related issues in an amount not to exceed \$30,000, with funds coming from the Sewer Capital Improvement Fund, Biosolids Management Project, Project No. 7517, and authorize the City Manager to execute the agreement.



STANDARD AGREEMENT FOR PROFESSIONAL SERVICES

CH2M HILL'S OFFICE ADDRESS: 949 E 36th Ave, Suite 500 Anchorage, AK 99508

CH2M HILL'S PROJECT NO.: _____

PROJECT NAME: Various Engineering Services and Biosolids Facility Permitting On-Call Support

CLIENT: City of Kodiak

CLIENT'S ADDRESS: 2410 Mill Bay Road Kodiak, AK 99615

CLIENT requests and authorizes CH2M HILL Engineers, INC. (hereinafter "CH2M HILL") to perform the following Services:

Scope of Services

Follow-on services to the Standard Agreement for Professional Services for Biosolids Facility Permitting Support between the City of Kodiak and CH2M HILL signed by the City on September 15, 2012. Services will be provided on an On-Call/Task Order basis. This Agreement is to not be limited to Professional Services only for Biosolids Facility Permitting Support. The City of Kodiak can and may issue task orders as needed for various projects.

Compensation

Compensation by CLIENT to CH2M HILL may be on a time and materials or lump sum basis, to be determined per Task Order, not to exceed a total of \$30,000.

Schedule

Period of performance completion is December 31, 2013.

Other Terms

None

Services covered by this AGREEMENT will be performed in accordance with the Provisions and any attachments or schedules. This AGREEMENT supersedes all prior agreements and understandings and may only be changed by written amendment executed by both parties.

CLIENT:


Signature _____

Name (printed) _____

Title _____

Date _____

CH2M HILL Engineers, INC.:

Signature 

Name (printed) FLOYD J. DAMAN, P.E.

Title VP & Senior Project Manager

Date 11/29/12

PROVISIONS

1. Authorization to Proceed

Execution of this AGREEMENT by CLIENT will be authorization for CH2M HILL to proceed with the Services, unless otherwise provided for in this AGREEMENT.

2. Cost Opinions

Any cost opinions or Project economic evaluations provided by CH2M HILL will be on a basis of experience and judgment, but, since CH2M HILL has no control over market conditions or bidding procedures, CH2M HILL cannot warrant that bids, ultimate construction cost, or Project economics will not vary from these opinions.

3. Standard of Care

The standard of care applicable to CH2M HILL's services will be the degree of skill and diligence normally employed by professional engineers or consultants performing the same or similar services at the time CH2M HILL's services are performed. CH2M HILL will re-perform any services not meeting this standard without additional compensation.

4. Termination

This AGREEMENT may be terminated for convenience on 30 days written notice or if either party fails substantially to perform through no fault of the other and does not commence correction of such nonperformance within 5 days of written notice and diligently complete the correction thereafter. On termination, CH2M HILL will be paid for all authorized work performed up to the termination date plus termination expenses, such as, but not limited to, reassignment of personnel, subcontract termination costs, and related closeout costs.

5. Payment to CH2M HILL

Monthly invoices will be issued by CH2M HILL for all Services performed under this AGREEMENT. CLIENT shall pay each invoice within 30 days. Interest at a rate of 1-1/2 percent per month will be charged on all past-due amounts.

In the event of a disputed billing, only that disputed portion will be withheld from payment, and the undisputed portion will be paid. CLIENT will exercise reasonableness in disputing any bill or portion thereof. No interest will accrue on any disputed portion of the billing until mutually resolved.

6. Limitation of Liability

CH2M HILL's liability for CLIENT's damages will, in the aggregate, not exceed \$100,000. This Provision takes precedence over any conflicting Provision of this AGREEMENT or any document incorporated into it or referenced by it. In no event shall CH2M HILL, its affiliated corporations, officers, employees, or any of its subcontractors be liable for any incidental, indirect, special, punitive, economic or consequential damages, including but not limited to loss of revenue or profits, suffered or incurred by CLIENT or any of its agents, including other contractors engaged at the project site, as a result of this Agreement or CH2M HILL's performance or non-performance of services pursuant to this Agreement.

Limitations of liability provided herein will apply whether CH2M HILL's liability arises under breach of contract or warranty; tort, including negligence; strict liability; statutory liability; or any other cause of action, and shall include CH2M HILL's officers, affiliated corporations, employees, and subcontractors.

7. Severability and Survival

If any of the provisions contained in this AGREEMENT are held illegal, invalid or unenforceable, the other provisions shall remain in full effect. Limitations of liability shall survive termination of this AGREEMENT for any cause.

8. No Third Party Beneficiaries

This AGREEMENT gives no rights or benefits to anyone other than CLIENT and CH2M HILL and has no third party beneficiaries except as provided in Provision 10.

9. Materials and Samples

Any items, substances, materials, or samples removed from the Project site for testing, analysis, or other evaluation will be returned to the Project site unless agreed to otherwise. CLIENT recognizes and agrees that CH2M HILL is acting as a bailee and at no time assumes title to said items, substances, materials, or samples. CLIENT recognizes that CH2M HILL assumes no risk and/or liability for a waste or hazardous waste site originated by other than CH2M HILL.

10. Assignments

Neither party shall have the power to or will assign any of the duties or rights or any claim arising out of or related to this AGREEMENT, whether arising in tort, contract or otherwise, without the written consent of the other party. Any unauthorized assignment is void and unenforceable.

11. Integration

This AGREEMENT incorporates all previous communications and negotiations and constitutes the entire agreement of the parties. If CLIENT issues a Purchase Order in conjunction with performance of the Services, general or standard terms and conditions on the Purchase Order do not apply to this AGREEMENT.

12. Force Majeure

If performance of the Services is affected by causes beyond CH2M HILL's reasonable control, project schedule and compensation shall be equitably adjusted.

13. Dispute Resolution

The parties will use their best efforts to resolve amicably any dispute, including use of alternative dispute resolution options.

14. Changes

CLIENT may make or approve changes within the general Scope of Services in this AGREEMENT. If such changes affect CH2M HILL's cost of or time required for performance of the services, an equitable adjustment will be made through an amendment to this AGREEMENT.

TASK ORDER NO. 1

This attachment is to the AGREEMENT between CH2M HILL ENGINEERS, INC., ("CH2M HILL"), and the City of Kodiak ("CLIENT"), for a PROJECT generally described as Various Engineering Services and Biosolids Facility Permitting On-Call Support.

The purpose of this **Task Order No. 1** is as follows:

SCOPE OF SERVICES

Permitting support to the City of Kodiak for the proposed compost facility, which may include email and/or phone communication, technical memorandums in support of the permitting process, or in-person support.

Project Schedule

It is assumed that services began November 1, 2012 and will be completed by December 31, 2013.

COMPENSATION

Cost of Services

CH2M HILL proposes to perform services under this Task Order No. 1 up to a total not-to-exceed Task Order budget of \$15,000 on a time and materials basis at the following rates:

<u>Labor Classification</u>	<u>2012</u>	<u>2013</u>
Engineer 7	\$225	\$232
Engineer 6	\$212	\$218
Engineer 5	\$200	\$206
Engineer 4	\$182	\$187
Engineer 3	\$160	\$165
Engineer 2	\$144	\$148
Engineer 1	\$124	\$128
Technician 5	\$149	\$153
Technician 4	\$139	\$143
Technician 3	\$129	\$133
Technician 2	\$113	\$116
Technician 1	\$93	\$96
Office	\$93	\$96

All expenses will be billed at 1.10 times actual cost.

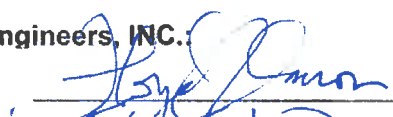
This Task Order No. 1 will become a part of the referenced AGREEMENT when executed by both parties.

IN WITNESS WHEREOF, the parties execute below:

CLIENT:

Signature _____
 Name _____
 Title _____
 Date _____

CH2M HILL Engineers, INC.

Signature 
 Name Floyd J. Demron P.E.
 Title VP & Senior Project Manager
 Date 11/29/12

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Debra Marlar, City Clerk *DM*
Date: December 13, 2012

Agenda Item: V.i. City Advisory Board Appointments

SUMMARY: Several seats expire on various City advisory boards at the end of December. Except for the Personnel Board, whose members are appointed by the Council, and the Employee Advisory Board, whose members are elected by City employees, members of advisory boards are appointed by the Mayor and confirmed by the Council.

At Tuesday's work session, Mayor Branson and Councilmembers interviewed applicants and considered applications.

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

{Mayor Branson will make her appointments to the Building Code Board of Appeals, Parks and Recreation Advisory Board, and Port and Harbors Advisory Board.}

Building Code Board of Appeals *The building code board of appeals shall consist of five members, four of whom shall be qualified by experience and training to pass upon matters pertaining to building construction. One member shall be selected from the community at large. Each of the five members shall be appointed by the mayor and ratified by the council.*

3 seats ending December 31, 2015 (three-year terms)

Applicant:

John Butler (incumbent)

Parks and Recreation Advisory Board

3 regular seats ending December 31, 2015 (three-year terms)

2 alternate seats ending December 31, 2013 (one-year terms)

1 ex-officio student seat

Applicants:

John Butler (incumbent, City seat)

Jim Willis (incumbent, City seat)

Port and Harbors Advisory Board

2 regular seats ending December 31, 2015 (three-year terms)

2 alternate seats ending December 31, 2013 (one-year terms)

1 ex-officio student seat

Applicants:

Tim Albena

Oliver Holm (incumbent)

David Jentry (incumbent alternate)

Norman Lenon

John Lyman

Joe Stevens

The Council will appoint the Personnel Board member by motion.}

Personnel Board

1 regular seat with term ending December 31, 2014 (two-year term)

Applicant:

Pat Szabo

Two members were appointed to the Personnel Board in December 2011 for seats ending December 2014. The City Code stipulates that Personnel Board appointments are for two-year terms. The suggested motion will correct the terms for Curtis Law and Patricia Olsen to end December 2013.

ATTACHMENTS:

Attachment A: Building Code Board of Appeals Current Member List and Application

Attachment B: Parks and Recreation Advisory Board Current Member List and Applications

Attachment C: Port and Harbors Advisory Board Current Member List and Applications

Attachment D: Personnel Board Current Member List and Application

PROPOSED MOTION:

Move to appoint Pat Szabo to the Personnel Board for a term ending December 31, 2014, correct the terms for Curtis Law and Patricia Olsen to end December 31, 2013, and confirm the Mayoral advisory board appointments to the Building Code Board of Appeals, Parks and Recreation, and Port and Harbors Advisory Boards as stated.



Office of the City Clerk

710 Mill Bay Road, Room 216, Kodiak, Alaska 99615

BUILDING CODE BOARD OF APPEALS

Five seats

TERM	BOARDMEMBER	HOME	WORK	FAX	MAILING ADDRESS
2012	John Butler JBHJS@PTIALASKA.NET	486-4604	486-3706	486-2497	P.O. Box 2610
2012	Scott Arndt SLA3745@yahoo.com	481-3745	414 791-3745 (c)	481-3333	P.O. Box 76
2012	Ed Mahoney Builders@ptialaska.net	486-5759	486-5759		P.O. Box 2281
2013	Norman Clentimack	486-4611			P.O. Box 2190
2013	Larry Taylor plumb@gci.net	487-2677	539-1110	486-4328	Box 4148

Legislation	Appointments
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Kodiak City Code Chapter 14.40

10/25/84	01/23/86	02/12/87
01/08/87	12/14/87	12/12/88
01/26/89	01/11/90	12/14/90
01/09/92	01/14/93	01/27/94
12/22/94	12/14/95	12/12/96
03/27/97	12/11/97	12/10/98
02/10/00	05/24/01	12/13/01
01/23/03	01/13/05	12/15/05
12/13/07	02/28/08	12/11/09
12/9/10	2/23/12	



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



Advisory Board Application Form

John Butler

NAME

486-4604 486-3706 486-2497 jbjhs@pti.alaska.net
 HOME TELEPHONE WORK TELEPHONE FAX EMAIL

212 Murphy way
 RESIDENCE (STREET) ADDRESS

P.O. Box 2610 **KODIAK, AK 99615**
 MAILING ADDRESS

42 yrs 42 yrs
 LENGTH OF RESIDENCE IN KODIAK LENGTH OF RESIDENCE IN ALASKA

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

On which boards are you interested in serving? Please list your areas of expertise and education that would benefit the boards for which you are applying.
 (Please list in order of preference)

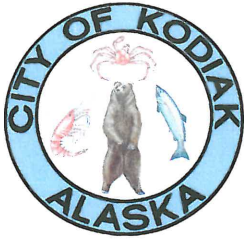
Parks + Rec Advisory Bd Part 3 yrs on board
Build Code Board of Appeals Johns Heating 30 yrs and
Building Code Board

Community Activities: Rotary Professional Activities: Johns Heating Ser

John Butler 11-29-12
 SIGNATURE DATE

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

Revised: June 2009



Office of the City Clerk

710 Mill Bay Road, Room 216, Kodiak, Alaska 99615

PARKS AND RECREATION ADVISORY BOARD

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

TERM	BOARDMEMBER	HOME	WORK	FAX	MAILING ADDRESS	City/KIB
2013	Charlie Powers cpowers@koniag.com	512-0998	481-4130		Box 2291	B
2013	Marcus Dunbar mdunbar01@kibsd.org	486-0809	481-2214		1477 Selief Lane	C
2013	Natasha Hayden nhayden@dowlhkm.com	486-5922	512-0519		305 Neva Way	B
2013	Derrik Magnuson dmagnuson72@hotmail.com derrik.j.magnuson@uscg.mil	486-5771	487-5615		217 Murphy Way	C
2012	Amy Fogle philfogle@hotmail.com	486-3525		486-3250	1136 Wolkoff Ln.	C
2012	Jim Willis jawdawg@gci.net James.B.Willis@uscg.mil	486-3678	487-5391	487-5275	1516 Ismailov St.	C
2012	John Butler jbjhs@ptialaska.net	486-4604	486-3706	486-2497	PO Box 2610	C
2012 Alternate 1	Mary Kay Bunker mbunker@pcl.com	748-2817	512-2023	512-2024	1533 Sawmill Circle	N/A
2012 Alternate 2	Shanna Torgerson storgerson@gci.net	942-1180	486-3215	486-4889	1527 Mission Rd.	N/A
2013 USCG	Andrew Brown andrew.s.brown@uscg.mil	520-2012	487-5320 x. 202	487-5334	606 Lookout Dr.	N/A
Student	VACANT					

Regular terms expire December 31 (three-year terms)

Alternate terms expire December 31 (one-year terms)

USCG term set at appointment

Student term set at appointment

Legislation

Resolution Number 03–84
Resolution Number 44–86
Resolution Number 2000–4, 01/27/00
Resolution Number 01–7, 02/22/01
Resolution Number 04–25, 07/08/04
Resolution Number 2011–23, 08/25/2011

Appointments

01/12/84	02/26/84	12/13/84
01/10/85	06/13/85	12/19/85
01/23/86	01/08/87	02/12/87
11/03/87	12/14/87	10/27/88
12/12/88	10/12/89	01/11/90
12/14/90	01/09/92	03/12/92
05/14/92	07/09/92	01/14/93
01/27/94	02/10/94	03/10/94
09/22/94	12/22/94	10/05/95
12/14/95	10/24/96	12/12/96
12/11/97	12/10/98	01/26/99
02/25/99	02/10/00	02/22/01
05/24/01	12/13/01	02/28/02
05/09/02	07/24/03	02/26/04
01/13/05	08/24/06	12/14/06
12/13/07	02/28/08	02/12/09
06/24/10	08/26/10	12/9/10
01/13/11	09/22/11	2/23/12
08/09/12	8/23/12	



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

Advisory Board Application Form

John Butler

NAME

486-4604 486-3706 486-2497 jbjhs@pt.alaska.net
 HOME TELEPHONE WORK TELEPHONE FAX EMAIL

212 Murphy way
 RESIDENCE (STREET) ADDRESS

P.O. Box 2610 **KODIAK, AK 99615**
 MAILING ADDRESS

42 yrs
 LENGTH OF RESIDENCE IN KODIAK

42 yrs
 LENGTH OF RESIDENCE IN ALASKA

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

Yes No
 Yes No

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

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

Parks + Rec Advisory Bd
Build Code Board of Appeals

Part 3 yrs on board
Johns Heating 30 yrs and
Building Code Board

Community Activities:

Rotary

Professional Activities:

Johns Heating Ser

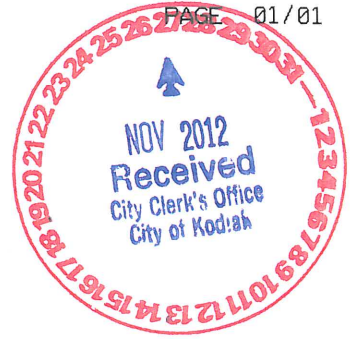
John Butler
 SIGNATURE

11-29-12
 DATE

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



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



Advisory Board Application Form

JIM WILLIS
NAME

486-3648 942-5270 JAMES R. WILLIS
HOME TELEPHONE CELL WORK TELEPHONE FAX

1516 ISMAILOV ST.
RESIDENCE (STREET) ADDRESS

SAME KODIAK, AK 99615
MAILING ADDRESS

23 YEARS 27 YEARS
LENGTH OF RESIDENCE IN KODIAK LENGTH OF RESIDENCE IN ALASKA

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

On which boards are you interested in serving? (Please list in order of preference)
Please list your areas of expertise and education that would benefit the boards for which you are applying.

P+R 15 YEARS P+R EXP.
CERTIFIED POOL OPERATOR

Community Activities:
ROUNDTREE NUMEROUS
GROUPS / ACTIVITIES

Professional Activities:
RED CROSS INSTRUCTOR
H.S. VOLLEYBALL REFEREE

J. Willis
SIGNATURE

11/26/12
DATE

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

Revised: June 2009



Office of the City Clerk

710 Mill Bay Road, Room 216, Kodiak, Alaska 99615

PORT AND HARBORS ADVISORY BOARD

Seven regular seats, two alternates, and one student seat

Effective January 1, 2012

TERM	BOARDMEMBER	HOME	WORK	FAX	MAILING ADDRESS
2012	Rick Kniaziowski rkniaziowski@horizonlines.com	486-5929	481-4210	N/A	421 Mill Bay Rd.
2012	Oliver Holm chicken@gci.net	486-6957	486-6957	N/A	P.O. Box 8749
2013	Stosh Anderson stosh_a@hotmail.com	486-3673	654-3674	N/A	P.O. Box 310
2013	Ralph (Skip) Bolton skip2@gci.net	486-4099	317-8660	486-2030	P.O. Box 2852
2014	Anne Kalcic boatlift@alaska.com	486-5824	486-5824	486-5824	P.O. Box 2085
2014	Stormy Stutes stutes@gci.net	486-8757	942-2121	486-8709	2230 Monashka Way
2014	Nick Szabo herschel@gci.net	486-3853	486-3853	486-3853	P.O. Box 1633
2012 Alternate 1	David Jentry dwjentry@gci.net	486-5205	486-5205	486-5243	P.O. Box 3128
2012 Alternate 2	Denby Lloyd denby.lloyd@gmail.com	321-1490	N/A	N/A	P.O. Box 1521
Student (ex-officio)	VACANT				

Regular terms expire December 31 (three-year terms)
Alternate terms expire December 31 (one-year terms)
Student term expires May 31 (one-year term)

Legislation

Resolution Number 49–81
Resolution Number 44–86
Resolution Number 54–87
Resolution Number 05–94
Resolution Number 98–32

Appointments

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



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



Advisory Board Application Form

Tim Abena

NAME

486-3290 360-957-3200 486-3290 timabena@aol.com
 HOME TELEPHONE WORK TELEPHONE FAX EMAIL

3103 MILL BAY RD
 RESIDENCE (STREET) ADDRESS

SAME KODIAK, AK 99615
 MAILING ADDRESS

20 YRS
 LENGTH OF RESIDENCE IN KODIAK

20 YRS
 LENGTH OF RESIDENCE IN ALASKA

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

Yes No
 Yes No > BOROUGH

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

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

Ports + Harbors

COMMERCIAL + SPORT fishing

Community Activities: _____

Professional Activities: _____

[Signature]

SIGNATURE

11/10/12

DATE

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

Revised: June 2009



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



Advisory Board Application Form

Oliver Holm
 NAME

907-486-6957 654-7005
 HOME TELEPHONE WORK TELEPHONE FAX

chickn@get.net
 EMAIL

3338 Tona Lane, Kodiak AK
 RESIDENCE (STREET) ADDRESS

PO Box 8749 Kodiak, AK 99615 KODIAK, AK 99615
 MAILING ADDRESS

Dec. 1962 - until 1969 1989 - to present 5 1/2 + 5 years
 LENGTH OF RESIDENCE IN KODIAK LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak? Yes No
 Do you own property in the City of Kodiak? Yes No Vessel Sulma home ported in Kodiak

On which boards are you interested in serving? Please list your areas of expertise and education that would benefit the boards for which you are applying.
 (Please list in order of preference)

Ports + Harbor Advisory Board 48 yrs. operating boats around Kodiak
boat building experience

Community Activities:
Chair - Kodiak Fish + Game
Advisory Committee
-also member of City-Boro
fisheries group
current member PHAB

Professional Activities:
Board President - Kodiak Regional
Aquaculture Association

Oliver Holm
 SIGNATURE

November 14, 2012
 DATE

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



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



Advisory Board Application Form

NAME DAVID JENTRY

HOME TELEPHONE 907-486-5205 WORK TELEPHONE 907-486-5205 FAX 907-486-5243 EMAIL DWJENTRY@CCI.NET

RESIDENCE (STREET) ADDRESS 3622 OTMELOI WAY

MAILING ADDRESS P.O. BOX 3128 **KODIAK, AK 99615**

LENGTH OF RESIDENCE IN KODIAK 32 yrs

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

LENGTH OF RESIDENCE IN ALASKA 32 yrs
 Yes No *Clerk's Note: Registered to vote in Borough, not city.*

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

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

PORTS & HARBOR ADV. BOARD

41 yrs COMMERCIAL FISHING
OWN 100' BERING SEA CRAB BOAT
HAVE TRAWL, LONGLINE, & POT
EXPERIENCE.

Community Activities:

Professional Activities:

~~None~~
SERVED ON P&H ADVISORY BOARD FOR 2 TERMS

NONE

SIGNATURE David S. Jentry

DATE 11-14-2012

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

Revised: June 2009



City Clerk's Office
 710 Mill Bay Road, Rm 220
 Kodiak, AK 99615
 (907) 486-8636 * (907) 486-8600 (fax)



Advisory Board Application Form

Norman Lenon
 NAME

cell 942-3593
 HOME TELEPHONE

Same
 WORK TELEPHONE

FAX

norman@gc.net
 EMAIL

522 Sgt Larsen Way
 RESIDENCE (STREET) ADDRESS

KODIAK, AK 99615

MAILING ADDRESS

30+ years
 LENGTH OF RESIDENCE IN KODIAK

30+ Years
 LENGTH OF RESIDENCE IN ALASKA

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

Yes NO *clerk's note: Registered to vote in Borough, not city*
 Yes No

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

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

Ports & Harbors

Vessel Owner and lifelong fishermen & resident of Kodiak

Community Activities: none

Professional Activities: none

[Signature]
 SIGNATURE

11/17/2012
 DATE

Return application to City Clerk, 710 Mill Bay Road, Room 220, Kodiak, AK 99615
 Fax: 486-8600



City Clerk's Office
 710 Mill Bay Road, Rm 220
 Kodiak, AK 99615
 (907) 486-8636 * (907) 486-8600 (fax)



Advisory Board Application Form

John Lyman

NAME

486-8217

HOME TELEPHONE

942-2532

WORK TELEPHONE

FAX

Northern welding@yahoo.com

EMAIL

1510 mission Kodiak AK 99615

RESIDENCE (STREET) ADDRESS

Same

MAILING ADDRESS

KODIAK, AK 99615

20 years

LENGTH OF RESIDENCE IN KODIAK

20 years

LENGTH OF RESIDENCE IN ALASKA

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

Yes NO
 Yes No

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

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

Ports + Harbor Board

20 years comm. fishing
marine const. / esk corp
Boat Repair, welding
Sandblasting, painting, containment

Community Activities:

Boy Scouts
Assembly of God church

Professional Activities:

Boat Repair

John P Lyman

SIGNATURE

Oct/11/2012

DATE

Return application to City Clerk, 710 Mill Bay Road, Room 220, Kodiak, AK 99615
 Fax: 486-8600



City Clerk's Office
 710 Mill Bay Road, Rm 220
 Kodiak, AK 99615
 (907) 486-8636 * (907) 486-8600 (fax)



Advisory Board Application Form

Joe Stevens

NAME
 486-5047 486-3800 942-3737 jbs@KADIAK.ORG
 HOME TELEPHONE WORK TELEPHONE ~~CELL~~ EMAIL

4260 CLIFFSIDE

RESIDENCE (STREET) ADDRESS
PO BOX 628 KODIAK, AK 99615

MAILING ADDRESS
32 TRS 32 TRS

LENGTH OF RESIDENCE IN KODIAK LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak? Yes NO
 Do you own property in the City of Kodiak? Yes No KIB

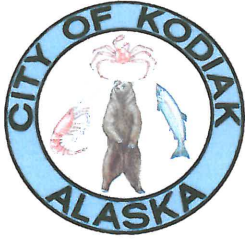
On which boards are you interested in serving? Please list your areas of expertise and education that
 (Please list in order of preference) would benefit the boards for which you are applying.

PORT-HARBOR WORK FOR AMHS

Community Activities: Professional Activities:
BAYSIDE VFD ELECTRONICS
KMXT FERRY TERMINAL ASSISTANT
KODIAK MILITARY HISTORY MUSEUM

Joe Stevens 4 DEC 2012
 SIGNATURE DATE

Return application to City Clerk, 710 Mill Bay Road, Room 220, Kodiak, AK 99615
 Fax: 486-8600



Office of the City Clerk

710 Mill Bay Road, Room 216, Kodiak, Alaska 99615

PERSONNEL BOARD

Three seats

TERM	BOARDMEMBER	HOME	WORK	FAX	MAILING ADDRESS
2012	Pat Szabo pszabo@gci.net	486-3853			PO Box 1949
2013	Curtis Law curt@kodiak.org	486-7636	486-4700	486-5541	P.O. Box 42
2013	Patricia Olsen olsen99615@hotmail.com	486-6752	481-2200		P.O. Box 1014

Regular terms expire December 31 (two-year terms)

Legislation

Established by City Charter
Duties listed in City Code 2.08.180

Appointments

12/13/84	12/27/84	12/19/85
01/08/87	02/12/87	02/26/87
10/08/87	12/14/87	04/14/88
07/14/88	12/12/88	01/11/90
02/22/90	12/14/90	01/14/93
12/22/94	12/14/95	12/12/96
09/30/97	12/11/97	12/10/98
02/10/00	12/13/01	12/13/07
12/11/08	09/24/09	12/9/10
12/8/11		



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



Advisory Board Application Form

Pat Szabo

NAME

486-3853

HOME TELEPHONE

WORK TELEPHONE

FAX

pszabo@gci.net

EMAIL

1819 Selief Lane

RESIDENCE (STREET) ADDRESS

PO Box 1949

MAILING ADDRESS

KODIAK, AK 99615

41 years

LENGTH OF RESIDENCE IN KODIAK

41 years

LENGTH OF RESIDENCE IN ALASKA

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

Yes No
 Yes No

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

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

Personnel Board

Personnel Management Specialist,

U.S. Government, 1965-1969

Civilian Personnel Officer, USCG

Support Center Kodiak, 1972-1975

Community Activities: _____

Professional Activities: _____

City Personnel Board

Retired

Kodiak Historical Society,
 Board Member

Fairwind Players, Treasurer

SIGNATURE

December 5, 2012

DATE

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

Revised: June 2009

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Debra Marlar, City Clerk DM

Date: December 13, 2012

Agenda Item: V.j. Election of Deputy Mayor

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

ATTACHMENTS:

Attachment A: City Charter Article II, Section 2

Attachment B: List of previous Deputy Mayors

PROPOSED MOTION:

Move to elect _____ as Deputy Mayor.

OR

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

Kodiak City Charter

II-2 Mayor and Deputy Mayor

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

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

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

Deputy Mayor Elections

Date Elected

01/16/1993	Bernie Ballao
11/10/1994	Gary Gilbert
11/09/1995	Tom Walters
11/14/1996	Kathy Colwell
11/20/1997	Steven Hobgood
02/12/1998	Tom Walters
11/12/1998	Charles Davidson
11/10/1999	Jesse Vizcocho
11/16/2000	Barbara Stevens
11/15/2001	Tom Walters
12/12/2002	Lydia Olsen
01/08/2004	David Woodruff
12/14/2004	Charles Davidson
12/15/2005	David Woodruff
12/14/2006	Josie Rosales
11/29/2007	Gabriel Saravia
12/11/2008	Jack Maker (resigned 6/9/09)
07/24/2009	Paul Smith
12/10/2009	Terry Haines
12/9/2010	Gabriel Saravia
12/8/2011	John Whiddon

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