

**KODIAK CITY COUNCIL**

**WORK SESSION AGENDA**

**Tuesday, April 23, 2013**

**Kodiak Island Borough Conference Room**

**7:30 p.m.**

*Work sessions are informal meetings of the City Council where Councilmembers review the upcoming regular meeting agenda packet and seek or receive information from staff. Although additional items not listed on the work session agenda are sometimes discussed when introduced by the Mayor, Council, or staff, no formal action is taken at work sessions and items that require formal Council action are placed on a regular Council meeting agenda. Public comments at work sessions are NOT considered part of the official record. Public comments intended for the "official record" should be made at a regular City Council meeting.*

**Discussion Items**

1. Public Comments (limited to 3 minutes)
2. Presentation of Visitor’s Bureau Request for FY2014 Funding .....1
3. Presentation of Baranof Museum’s FY2014 Funding Request .....5
4. Detailed Audit Presentation .....No Backup
5. Discussion With City Attorney About Ordinance No. 1303, Amending Kodiak City Code 2.36.010(B), Definition of City Records, and Kodiak City Code 2.36.060(A), Access to Public Records, to Exclude Reference Documents and Transitory Documents From the Definitions of City Records and Public Records, Respectively .....17
6. April 25, 2013, Agenda Packet Review

**To Be Scheduled**

1. Planning and Zoning Commission Seat Vacancy



MAR 2013  
Received  
State Dept.  
of...

March 12, 2013

Aimee Kniaziowski  
City Manager  
City of Kodiak  
710 Mill Bay  
Kodiak, AK 99615

Dear Manager Kniaziowski:


Through the ongoing assistance of the City of Kodiak, Discover Kodiak continues to serve as the economic development contractor for tourism marketing in Kodiak. We develop and maintain marketing programs that benefit the City of Kodiak and its businesses, and aid in the economic growth and diversity of the community. On behalf of the Discover Kodiak Board of Directors and members, we respectfully request funding at \$100,000 for FY 2014.

The Discover Kodiak Board of Directors has met multiple times and discussed the organization's role in the economic engine of the community. As we bring visitors into Kodiak, we bring new money into Kodiak. The work we do is not only important, it is a cornerstone of the economy. It makes good sense for the City to reinvest the majority of bed tax dollars back into the industry that helps generate them. Discover Kodiak has a solid track record of keeping Kodiak at the forefront of tourism destinations in Alaska; you may count on us to continue our hard work on behalf of the City of Kodiak.

Attached you will find a summary of our accomplishments over the past year along with some specific financial needs and goals for the coming year. We work very hard to keep our costs down and constantly seek ways to increase our earned income, but there are costs we simply cannot control. It is important to continue our funding at levels that keep pace with rising costs and allow us to be more aggressive in our marketing efforts, especially as it pertains to international targets. The attached document details unavoidable and planned increases within our operating budget.

Thank you for your continued faith in us our contractor for tourism marketing in Kodiak. We hope you recognize the importance of our marketing efforts and the results they are having in the community.

Sincerely,

  
Janet Buckingham  
Executive Director

Discover Kodiak

100 Marine Way, Suite 200 • Kodiak, AK 99615

(P) 907-486-4782 • (F) 907-486-6545 • visit@kodiak.org • www.kodiak.org



## **Board of Directors**

**Jim Rippey, President (Russian River Roadhouse)**  
**Bob Stanford, Vice President (Island Air Service)**  
**Susan Johnson, Treasurer (Best Western Kodiak Inn and Harbor Convention Center)**  
**Jan Chatto/Darlene Turner, Co-Secretaries (Pearson Cove B&B/Smiling Bear B&B)**  
**Chris Flala, Kodiak Island Charters**  
**Gus Gustafson, Kodiak Russian River Lodge**  
**Charles Bona, Era Alaska**  
**Marya Halvorsen, Alutliq Museum**

**Staff: Janet Buckingham, Executive Director**  
**Erin-Anne Brittain, Member Services & Payables Manager**  
**Chastity Starrett, Visitor Services**

**Historical Overview:** The Kodiak Island Convention & Visitors Bureau was incorporated as a 501 (c) 6 in 1985. The City of Kodiak allocated bed tax the same year. (COK Code 3.08.025) In 1996 the Kodiak Island Borough passed an ordinance introducing a bed tax to be used solely for the purpose of tourism development, enhancement and beautification.(KIB Code 3.55.010)

**Purpose:** The purpose of the Kodiak Island Convention & Visitors Bureau, dba Discover Kodiak, shall be to promote sustainable development of the tourism industry throughout the Kodiak Island Borough, thereby increasing economic opportunities, jobs and local tax revenues. Discover Kodiak encourages travel by the public to and through the Kodiak Island Borough and maintains a continuing interest in the well-being of visitors to the area.

## **Accomplishments in FY 2013**

- **New web site launching spring 2013**
- **Rebranding of the CVB to Discover Kodiak...Alaska Untamed**
- **New visitor guide**
- **New mini-brochure**
- **Increased traffic to [www.kodiak.org](http://www.kodiak.org)**
- **Social Media**
  - **Facebook: Continue to be the statewide leader in Facebook fans**
  - **Twitter**
  - **Pinterest and You Tube**
- **Sold out fundraiser four years; meet or exceed fundraising expectations**
- **Increased retail store revenues as a result of new product development**
- **Membership drive resulted in 14 new members within a 3-month period**
- **Provided scholarships to the KUBS Commercial Bear Viewing Course at Kodiak College**
- **Staff attended KUBS bear viewing course at Kodiak College**

- Staff attended the Alaska Travel Industry Convention In Anchorage
- Hosted and served 13, 320 passengers traveling on 15 ships
- Successful in assisting the return of Holland America to Kodiak in 2014
- Served 8,900 visitors to the visitor information center
- Partnered with Kodiak Arts Council on ebay auction & other events
- Partnered with KMXT & other nonprofits to promote events and public service announcements
- Director continues to serve on state tourism board of directors
- Director serves on KUBS committee
- Director served on Kodiak Island Borough PAC for zoning code revision
- Director serves as tourism representative on Chamber of Commerce
- Director serves as tourism representative on CEDS committee

### **Magazine advertising appeared in the following magazines in 2012-13**

Fish Alaska Magazine  
 AAA Journeys  
 AAA Home and Away  
 Alaska Magazine

Sunset Magazine  
 Vacation Country Travel Guide  
 Alaska State Travel Planner

### **Kodiak Visitor Guide Placement FY 2012-2013**

#### **Domestic**

- Adventures in Travel, Dallas (consumer)
- Adventures in Travel Expo, Chicago (consumer)
- New York Times Travel Show (consumer)
- Boston Globe Travel Show (consumer)
- LA Times Travel Show (consumer)
- Travel Leaders Franchise Group Meeting (trade)
- Pacific Marine Expo Seattle, WA (commercial fish)
- Western Hunting & Conservation Exposition, Salt Lake City
- Seattle Boat Show Seattle, WA (consumer)
- Adventures in Travel Expo Chicago (consumer)
- New York Times Travel Show (consumer)
- Wild Sheep Foundation Show & Auction, Reno, NV (consumer)
- Northwest Sportshow (consumer)
- U.S. Travel Agent mailing (3,500 domestic travel agents)

#### **International Brochure Distribution**

- JATA World Tourism Congress, Tokyo (Japanese Association of Travel Agents)
- International Tourism Exchange (ITB) Berlin (trade/consumer)

### **KICVB Shows Attended by Staff or Board**

- Alaska Media Road Show, Santa Barbara, CA
- Adventures in Travel Expo (Chicago, Illinois)
- International Sportsman's Show, Salt Lake City, Utah (consumer)
- Great Alaska Sportsman's Show, Anchorage (consumer)
- Fairbanks Outdoor Show (consumer)



## Proposed Budget Breakdown FY14

FY13

Public Funding	\$200,000	\$155,000
Earned Revenues	\$152,000	\$140,000
<b>TOTAL:</b>	<b>\$342,000</b>	<b>\$295,000</b>
Program Expenses	\$151,700	\$120,600
Operating Expenses	\$190,300	\$185,500
<b>TOTAL:</b>	<b>\$342,000</b>	<b>\$306,100</b>

### Known arbitrary increases in operating/miscellaneous expenses:

Salaries	\$2,000.00 (1.5%)
Contract fees for accounting services:	\$1,000.00 (8.3%)
Printing/shipping (VG production)	\$1,450.00 (5% estimate)
Postage	\$ 250.00 (2.57%)
Website services (search engine optimization, analytics reporting)	\$6,000.00 (previously unbudgeted/unavailable service)
<b>TOTAL nondiscretionary increases:</b>	<b>\$10,700.00</b>

### Marketing Program Increases

Discover Kodiak has have long needed to reach out in a more aggressive way to international markets. These markets are visiting Alaska and while Kodiak has seen small increases in independent international travel to Kodiak, we are largely missing out on our share of international clients. International visitors stay longer and spend more money than domestic travelers. We are proposing to target German speaking Europe as it is currently the largest market for Alaska. ITB Berlin is the largest travel trade and consumer show in the world. It would be cost prohibitive to purchase our own booth at this show, but as a community partner with ATIA, the Department of Commerce, Community and Economic Development provides the option to booth share in the state booth. This brings down our costs dramatically.

The second show proposed by the Board of Directors is a travel show coordinated through Icelandair. The airline recently began service direct to Anchorage. Reykjavik, Iceland, is a major hub for European travelers and is very invested in Alaska. They have developed an affordable venue for Alaskans to travel to Reykjavik and meet with travel agents and travel trade representatives who promote travel to Alaska throughout Europe. Again, this opportunity is only possible because of our partnership with the ATIA and the DCCED.

#### International Trade & Consumer (2)

Booth fees:	\$3,750
Travel Costs:	\$5,750
VG Shipping	\$ 800
International Advertising	
German Language (web & print)	\$ 2,000
Targeted Domestic Advertising (increased print ads in steady performers)	\$ 6,000
<b>Program TOTAL:</b>	<b>\$18,300</b>

Total nondiscretionary expense increase:	\$10,700
Total program expense increase:	\$18,300
<b>TOTAL INCREASE EXPENSES</b>	<b>\$29,000</b>

(This page left intentionally blank.)



# KODIAK HISTORICAL SOCIETY

101 MARINE WAY, KODIAK, ALASKA 99615

(907) 486-5920 • FAX (907) 486-3166

E-MAIL: [baranov@ak.net](mailto:baranov@ak.net)

WEB PAGE: <http://www.baranovmuseum.org>

April 3, 2013

Mayor Pat Branson and City Council Members  
City of Kodiak  
P.O. Box 1397  
Kodiak, AK 99615

Dear Mayor Branson and City Council Members,

With this letter, the Kodiak Historical Society respectfully requests your continuing support in the operation of the Baranov Museum. As you know, the City of Kodiak and the Society have been operating the museum in partnership since 1972. Together we have built a first class museum, combining a unique National Historic Landmark building with an outstanding collection of historic artifacts, informative exhibits, and well-attended programs that encourage the exploration and understanding of Kodiak history.

For FY2014 we are requesting \$75,500 in operating support from the City of Kodiak. This amount is equal to approximately 25% of our annual operating budget, and represents a \$5,500 increase over FY2013. The requested increase of \$5,500 would allow for the provision of 10% matching funds for a federal Institute of Museum and Library Services grant which we were awarded in July of 2012 for the amount of \$55,000.

As you know, we have devoted considerable energy and attention over the past five years to necessary preservation work on the museum facilities. With this work successfully behind us, we have turned our research and development focus to the renovation of our permanent exhibits. In addition to maintaining museum operations, high standards of collections care, and our school-age educational programming, we have:

- Received grants from the Institute of Museum and Library Services and the Alaska State Museums Grant-in-Aid to design new permanent exhibits for the museum. We are working with Exhibit AK, an exhibit design company out of Juneau, to develop our new exhibits. Since the Fall of 2012, we have held over a dozen community meetings, focus groups and presentations to present our design ideas and receive community input. Enclosed please find the preliminary design documents for our new permanent exhibits.
- Conducted a history and film course in partnership with the Kodiak Island Borough School District and funded by a grant from the Alaska Humanities Forum, resulting in nine films on the Kodiak Filipino community and a temporary exhibit to showcase those films and the history of Filipinos in Kodiak.
- Secured a ~\$6,000 grant from the Alaska State Council on the Arts to offer a history and film course to Kodiak students on the impact of the 1964 earthquake and tsunami in Kodiak to record and preserve that important history and to supplement an exhibit on the 50<sup>th</sup> anniversary of the disaster, opening in March of 2014.

Our staff works very hard to maximize operational support from the City by securing additional grant funds and donations from individuals. We have established positive and productive relationships with public agencies and private foundations on the state and national level, and will continue to seek outside funding to further our strategic goals. Unfortunately, it is nearly impossible to obtain grant money for personnel salaries or basic operational needs. We need the financial support of the City of Kodiak for these essential components. We appreciate your partnership very much and thank you for your continuing support.

Sincerely,

Nancy Kemp, President

CONCEPT DESIGN DRAFT

*The  
Baranov Museum*

REDESIGN OF THE  
PERMANENT EXHIBITIONS

EXHIBIT  
AK



# Big Idea

Kodiak is an international crossroads. The *magazin* has been at the heart of Kodiak's history for 200 years.

# Mission

The purpose of the Kodiak Historical Society is to collect, preserve, and exhibit historically significant artifacts, documents, photographs and other data relative to the Kodiak & Aleutian Islands area; to evaluate and interpret the materials in the collections for educational purposes and presentation to the public; and to develop and maintain a library of rare books about the Kodiak & Aleutian Islands area.

## Institutional Goals

The community of Kodiak will look at the Kodiak Historical Society and the *magazin* as a valued and permanent resource in the community.

The exhibits will supplement but not replicate the information or experience provided at other Kodiak museums/ visitor centers.

Position the Baranov Museum as a community history museum and archive and not the Russian museum.

Be a place enjoyed by all ages.

Include stories that reflect the demographics of Kodiak, so that individuals see themselves in the exhibits.

The exhibits will leverage the key assets of the museum, namely the building, the objects, and the photograph collections.

## Content goals for the exhibits

Visitors will get a sense of the breadth of Kodiak history.

Visitors will understand the different uses of the *magazin* over time.

Show Kodiak history from different perspectives, allowing visitors to come to their own conclusions whenever possible.



# INTERPRETIVE APPROACH

The new permanent exhibits will show that Kodiak's resources and people are deeply connected to international currents, and our community's events have significance beyond our island home.

Kodiak's resources are desired around the world and as a result the world has come to Kodiak's door. Kodiak's story is multi-national, complex, and ever-changing. Kodiak has changed drastically over time due to natural disasters and human events. Yet one place persists in Kodiak's shifting landscape -- the Russian American *Magazin*. When possible, the interpretation will highlight stories and events as experienced by the building and its residents. The *magazin* serves as a touchstone in the history of Kodiak, and its varied use demonstrates the changes Kodiak has experienced over time.

Just as people from many places came to Kodiak, there are many ways in which to view Kodiak's history. As a result, the museum strives to present the history of Kodiak through multiple voices and present multiple windows into Kodiak's past.





**Historic** Textured  
Connected **Authentic** Personal  
Colorful **Inviting** Perspectives  
Honest **Open** Intimate & Welcoming  
Comfortable



The thematic structure will incorporate both environmental structure (historic spaces) and focal structure. These two thematic structures represent the main ideas of the exhibit, namely that the *magazin* contains 200 years of Kodiak history (environmental structure) and that Kodiak is an international crossroad (focal structure).

## Exhibit Topics

- A Russian Colony in an Alutiiq Land (ca. 1780 to 1867)
- From Eastern frontier to "Out the Westward"-Kodiak Becomes American (1868-ca. 1912)
- Why they came: Local Resources in an International Market
- World War II was a watershed moment in the history of Kodiak
- Natural Disasters have changed the face of Kodiak

## Exhibit Themes

### Cultural Diversity

Kodiak is a place that many diverse people call home. Subthemes: Russians in Kodiak; Americans in Kodiak; Scandinavians in Kodiak; Asians in Kodiak; Why did they come? *Related Exhibit Elements:*

*A Russian Colony in an Alutiiq Land, Kodiak Becomes American, Commercial Fishing and Fur industries, spotlight on diverse individuals*

### Russian American Magazin

The Russian American *Magazin* is a witness to 200 years of Kodiak history. The eras of the *magazin* can be divided in the following manner: Russian (ca. 1808-1867); Alaska Commercial Company (1867-1911); Erskine Family (1912-ca 1950), Recent Past (ca 1950- present day)

Subthemes: Fur trade, RAC, ACC, Erskine family, Katmai, 1964

*Related Exhibit Elements: Environmental displays showing the magazin and its residents through the four periods of the magazin's existence.*

### Natural Resources

People came to Kodiak due to the archipelago's wealth in furs and fish. These resources attracted an international population, and the resources themselves are important to international markets.

Subthemes: Fur trade, fox farming, fish, possibly ice, possibly agriculture, possibly bear guiding, associated businesses

### Forces of Change

Natural disasters like the 1912 eruption at Katmai and the 1964 earthquake and tsunami and world-wide events like WWII have permanently altered Kodiak.



# VISITOR TAKEAWAYS

Visitors to the Baranov Museum will leave understanding these key messages:

“Kodiak is really  
diverse.”

“I’m a  
part of  
Kodiak’s  
history.”

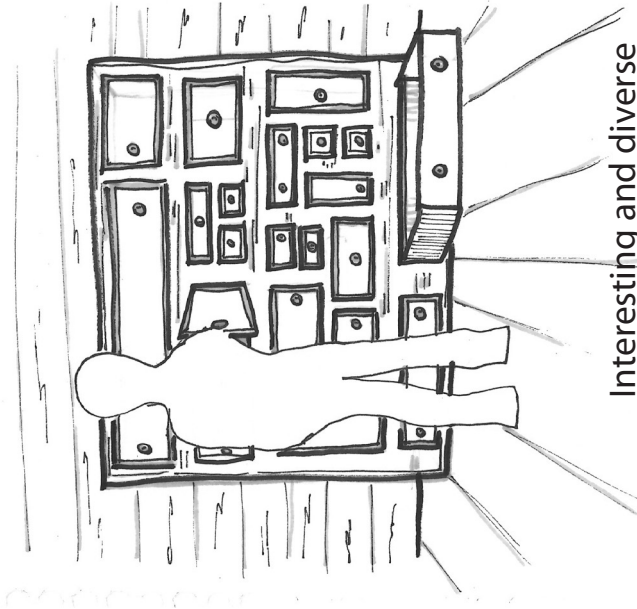
“The *magazin* has lots of history.”

“Natural disasters have really  
changed Kodiak.”

“People have come to Kodiak  
because of the natural resources.”



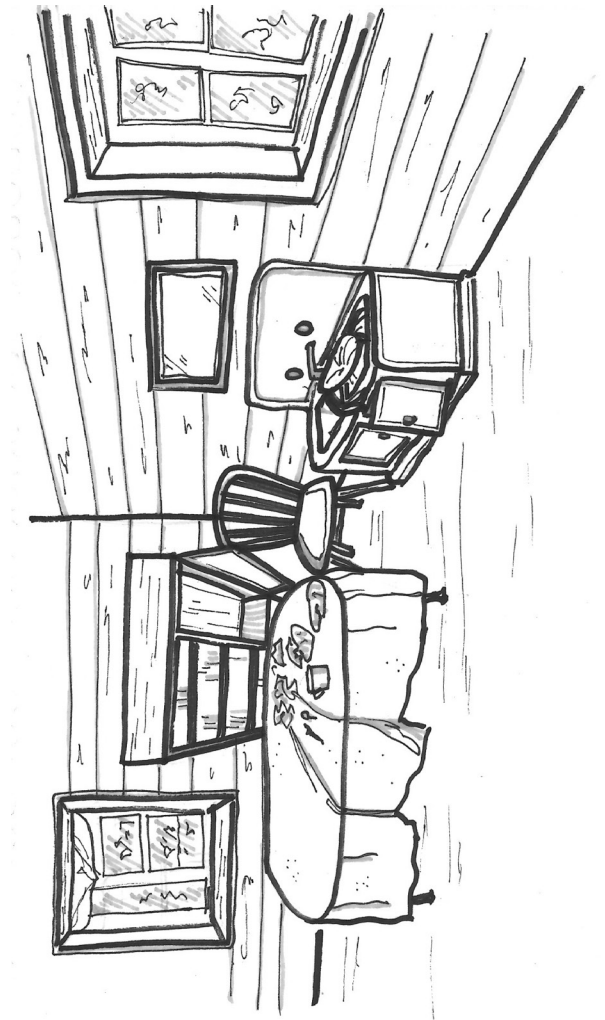
Echoes of Kodiak's Russian past still exist. Icons positioned in the corner, with a cabinet of open storage drawers featuring Father Gerasim's needle work, travelling icons, and liturgical materials.



Interesting and diverse people make up the tapestry of Kodiak. A cabinet of drawers and doors allow visitors to explore objects, photos and audio/video of unique Kodiak individuals, such as: Benny Benson, Dr. A. Holmes Johnson, Eli/ Walter Metrokin, Eunice Neseth, the Kraft family, and Mary Garoutte.



The 1964 earthquake and tsunami was a monumental event in the history of Kodiak. A vignette of the boarding house shows objects are disturbed, as if the earth has just shook. Photos projected onto the window show the destruction of Kodiak after the earthquake.



# Kodiak Historical Society Strategic Plan 2010 - 2015

**Core Purpose:** Preserve and share Kodiak history

**Core Values:** Preservation, Education, Community, Innovation, Excellence

The Kodiak Historical Society creates opportunities for the public to explore the natural, cultural and artistic heritage of Kodiak Island and neighboring communities. We believe that our collections are catalysts in the learning process and the Baranov Museum is a community gathering place where knowledge is discovered, shared and exchanged.

## Strategic Goals:

Goals for 2010 - 2015 were developed by the Kodiak Historical Society Board and staff with consideration of internal resources, external influences and with the assistance of the following assessment tools:

1. Collections Condition Assessment completed by Conservator Dana Senge of DKS Conservation Services, 2007.
2. Comprehensive Visitor's Survey using the American Association of State and Local History's Performance Management Program, 2007.
3. American Association of Museum's Museum Assessment Program , 2009.

## Collections

- Provide an optimal environment for preservation and access.

*Most critical work includes collections re-housing to create safe permanent supports for artifacts in storage, and improved exhibit cabinetry and mounts in the museum gallery. Current exhibit cabinetry do not provide a sealed environment, are susceptible to vibrations caused by visitor traffic and would likely cause significant damage to objects housed within in the event of an earthquake, feature fluorescent bulbs potentially damaging to organic materials, and generally show signs of wear due to age.*

- Improve intellectual control and access to the collections through cataloguing, digital photography and web publishing.

*The Society owns and cares for a unique and significant collection of objects, artifacts, photographs and archival material relating to the history of Kodiak Island and neighboring communities. Although the museum has successfully increased museum visitation numbers over the past five years, there remains a greater potential to share the collections with a broader audience through research, cataloguing, digital photography and web publishing. To fulfill this potential, KHS will expand the Curator of Collections position from PT to FT, with responsibilities broadened to collections-based research and publication (both traditional media and through an online database) to advance our public service mission.*

December 10, 2010

- Develop a long-range conservation plan for the collections.

*A conservation plan provides a strategy for the long-term care of collections including the management of the environment surrounding the collections (preventive conservation) and the treatment of individual objects. A conservation plan will identify the conservations needs of the collections, prioritize them and guide the allocation of resources to deal with them.*

- Explore building, acquiring or leasing additional storage space for the collections.

*2010 Comments: Collections storage re-housing work will result in more proficient use of existing space and additional available space. However, there is not adequate storage space in the historic facilities for the larger objects in the collection, specifically the furniture, much of which remains on exhibit permanently because of a lack of adequate storage facilities.*

- Pursue thoughtful and strategic deaccessioning of objects not supported by the KHS Collections policy.

## **Audience**

- Renovate the permanent exhibits to focus on storytelling and the interpretation of history narratives supported by the building and collections.

*Exhibits at the Baranov Museum are intended to increase the knowledge and understanding of the significance Kodiak Island and neighboring communities, and their development over time. Renovating the exhibits to focus on telling Kodiak stories in a complete and deliberate way, rather than simply sharing individual extraordinary artifacts, will improve visitor comprehension of Kodiak history.*

- Develop and deliver educational programming to encourage life-long learning.
- Reactivate the membership committee to develop relationships based on meaningful and personal connections. Develop a donor recognition strategy.

## **Business Planning**

- Draft a case statement for the Museum's Endowment fund to help explain to potential donors the endowment's role in the Museum's financial stability.
- Develop a service agreement with the City of Kodiak for Museum services over the long-term.
- Develop a marketing plan to effectively promote the Museum's programs and services through a variety of traditional and new media.
- Pursue accreditation through the American Association of Museum's Accreditation program.

December 10, 2010

Financial Contributions to the Baranov Museum  
from the City of Kodiak for Operations & Programs

1972-73	\$ 1,972.18
1973-74	\$ 2,106.21
1974-75	\$ 3,282.34
1975-76	\$ 4,016.86
1976-77	\$13,695.00
1977-78	\$18,000.00
1978-79	\$21,300.00
1979-80	\$22,300.00
1980-81	\$31,085.00
1981-82	\$44,870.00
1982-83	\$64,400.00
1983-84	\$71,653.00
1984-85	\$76,500.00
1985-86	\$69,863.00
1986-87	\$79,300.00
1987-88	\$70,700.00
1988-89	\$82,000.00
1989-90	\$82,000.00
1990-91	\$85,500.00
1991-92	\$88,932.00
1992-93	\$86,354.00
1993-94	\$85,589.00
1994-95	\$86,500.00
1995-96	\$86,000.00
1996-97	\$87,500.00
1997-98	\$87,500.00
1998-99	\$92,000.00
1999-0	\$92,000.00
2000-01	\$92,000.00
2001-02	\$92,000.00
2002-03	\$92,000.00
2003-04	\$92,000.00
2004-05	\$50,000.00
2005-06	\$50,000.00
2006-07	\$50,000.00
2007-08	\$57,000.00
2008-09	\$60,000.00
2009-10	\$60,000.00
2010-11	\$70,000.00
2011-12	\$70,000.00

(This page left intentionally blank.)



---

## MEMORANDUM TO COUNCIL

---

**To:** Mayor Branson and City Councilmembers  
**From:** Aimée Kniazowski, City Manager  
Debra Marlar, City Clerk  
**Date:** January 24, 2013

**Agenda Item:** IV.b. **Second Reading and Public Hearing, Ordinance No. 1303, Amending Kodiak City Code 2.36.010(B), Definition of City Records, and Kodiak City Code 2.36.060(A), Access to Public Records, to Exclude Reference Documents and Transitory Documents From the Definitions of City Records and Public Records, Respectively**

---

**SUMMARY:** State law and City Code provide access to official City records. The City Clerk's Office routinely responds to requests for public City records, and responded to 27 requests in 2012. Oftentimes, requestors ask for information that is considered to be reference material or transitory (temporary) information that is not considered to be a record. The City Attorney recommended KCC 2.36 be amended to clarify that reference and transitory documents are not included in the definition of a City record. This amendment will enable staff to more efficiently assist the public and clarify for the public the information that may be received. Staff recommends the Council adopt Ordinance No. 1303 in the second reading after the public hearing.

**PREVIOUS COUNCIL ACTION:**

- 1975, Ordinance No. 432 amended KCC 2.36 by providing for the retention, disposal, and microfilming of public records
- 1990, Ordinance No. 887 amended KCC 2.26 by the addition of a section on confidentiality of personnel records
- 2003, Ordinance No. 1160 enacted KCC 2.36.030 through 2.36.030, which clarified public access to law enforcement records
- 2006, Ordinance No. 1203 repealed KCC 2.36 Public Records and enacted KCC 2.36 Management of Records
- 2009, Ordinance No. 1254 amended KCC 2.36 to prohibit public access to City harbor and utility customer records
- 2013, Ordinance No. 1303 was passed in the first reading

**DISCUSSION:** The public has a right to inspect official public records, and some requests take many staff hours to complete. A recent request for public records required 21 staff hours to research and compile, and required our attorney's opinion to interpret. Other recent records requests have included requests for information including notes, scheduled meetings, and discussions, which are not public

records and which information was not released. The suggested amendment to KCC 2.36 will clarify that reference and transitory documents, such as preliminary notes, telephone logs, correspondence tracking logs, appointment books/calendars and similar information are not public records and will not be released.

KCC 2.36, Management of Records provides for the efficient and lawful management of City records, which are a City asset. Included within KCC 2.36 are sections that identify public records and access to public records. Due to records requests for information that is not deemed to be public records, the City Attorney suggested an amendment to KCC 2.36 to specifically identify reference and transitory documents and exclude these types of documents from public access.

**ALTERNATIVES:**

1. Adopt Ordinance No. 1303 in the second reading after the public hearing, which is staff's recommendation. This amendment clarifies items that are excluded from the definition of a City record.
2. The Council may postpone or fail Ordinance No. 1303 in the second reading. This is not recommended for the reasons stated above.

**FINANCIAL IMPLICATIONS:** There is no direct financial impact to the adoption and implementation of this ordinance. However, it should reduce the need for legal assistance in interpreting poorly worded or open-ended requests, and staff time can be spent in identifying, locating, and supplying the requested documents more timely and efficiently.

**LEGAL:** The City Attorney recommended KCC 2.36 be amended to exclude reference and transitory documents from the definition of a public record and wrote Ordinance No. 1303.

**CITY CLERK'S COMMENTS AND RECOMMENDATION:** Requests for public records have increased from an average of 13 between 2007 and 2009 to 27 in 2010, 2011, and 2012. The trend for public records requests is expected to increase. A clear definition of records and access to them is very important to ensure that public records requests are handled efficiently and quickly. The City Clerk, who has the overall responsibility of City records, supports Ordinance No. 1303 and encourages the Council to adopt it in the second reading after the public hearing.

**CITY MANAGER'S COMMENTS AND RECOMMENDATION:** I believe it's important to clarify the language in our code to describe what City work products are considered records and which constitute working or transitory documents. I support a citizen's right to ask for information of interest or concern to them. However, City staff generates information such as calendars, phone logs, and working meeting notes when we work on projects or issues over the course of time. Key outcome documents are considered records and are retained as such, but not all items generated are actually records as identified in our records retention program. I support this ordinance to clarify the code

language as to what is and isn't a record. This change will improve staff's response time to the growing number of citizen requests and reduce the need to get legal advice for those public information requests that are unclear or wide ranging.

**NOTES/ATTACHMENTS:**

Attachment A: Ordinance No. 1303

**PROPOSED MOTION:**

Move to adopt Ordinance No. 1303.

**CITY OF KODIAK  
ORDINANCE NUMBER 1303**

**AN ORDINANCE AMENDING KODIAK CITY CODE 2.36.010(b), DEFINITION OF CITY RECORDS, AND KODIAK CITY CODE 2.36.060(a), ACCESS TO PUBLIC RECORDS, TO EXCLUDE REFERENCE DOCUMENTS AND TRANSITORY DOCUMENTS FROM THE DEFINITIONS OF CITY RECORDS AND PUBLIC RECORDS, RESPECTIVELY**

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

**Section 1:** Subsection (b) of Kodiak City Code 2.36.010, Definition of City records, is hereby amended to read as follows:

(b) City records do not include, and this chapter does not apply to, library and museum material developed or acquired and preserved solely for reference, historical, or exhibition purposes, Kodiak Public Library Association materials, those items identified as reference materials by the city clerk, or stocks of publications and processed documents, reference documents or transitory documents. In this section:

(1) "Reference document" means a writing or image that is acquired or created solely for the purpose of creating or incorporation into a record, and includes without limitation, notes, calculations, and working papers.

(2) "Transitory document" means a writing or image that after its immediate use has no value as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the city, and includes without limitation transmittals, suspense copies when a reply has been received, routine requests for information, and routine appointment and scheduling requests.

**Section 2:** Subsection (a) of Kodiak City Code 2.36.060, Access to public records, is hereby amended to read as follows:

(a) Definition of Public Records. Public records include books, papers, files, accounts, writings, including drafts and memorializations of conversations, and other items, regardless of format or physical characteristics, that are developed or received by the city, or by a private contractor for the city, and that are preserved for their informational value or as evidence of the organization or operation of the city; public records do not include proprietary software programs, reference documents or transitory documents. In this section:

(1) "Reference document" means a writing or image that is acquired or created solely for the purpose of creating or incorporation into a

record, and includes without limitation, notes, calculations, and working papers.

(2) "Transitory document" means a writing or image that after its immediate use has no value as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the city, and includes without limitation transmittals, suspense copies when a reply has been received, routine requests for information, and routine appointment and scheduling requests.

**Section 3:** This ordinance shall be effective upon the date that is one month after its final passage and publication in accordance with Kodiak Charter Section 2-13.

CITY OF KODIAK

---

MAYOR

ATTEST:

---

CITY CLERK

First Reading:  
Second Reading:  
Effective Date: