

KODIAK CITY COUNCIL

WORK SESSION AGENDA

Tuesday, March 11, 2014

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. Request to Install a Memorial Plaque on City Property to Commemorate Victims of the Good Friday Earthquake1
3. Parks and Recreation Advisory Board Presentation on Urban Community Plan
4. Review of Advisory Board Resolutions4
5. March 13, 2014, Agenda Packet Review



**KODIAK
LIONS CLUB
ALASKA**

P.O. BOX 1735
KODIAK, ALASKA 99615



Kodiak City Council,

Dear City Mayor, City Manager and Council Members,

The Kodiak Lions would like permission to install a bronze monument plaque, near the gazebo, on the spit, in downtown Kodiak.

We would like to do this on April 5th, 2014, to commemorate the loss of lives from the 1964 earthquake and the Lions Club helping to move Afognak Village to Port Lions. We are planning this ceremony in conjunction with the earthquake and the Lions Club 50th anniversary.

Thank you for your time and consideration.

Kodiak Lions Club

Jayne K. Gregory
Treasurer

COLOR: Dark Oxide
MOUNTING: Brass & Steel
ROSETTES: None
STONE: Polished
ARTWORK: None

— 'monument in Respect' —

06mm

\$2940-

ART DESC:
COMMENTS: Would like to put it on a large granite boulder outdoors

Request was made by:
NAME: Jeremiah Muern
PHONE: (907)539-2010
STATE: AK
COUNTRY:

Bronze casting -

Graphics Resumes
@ theplaxxcompanies.com

30"

GOOD FRIDAY QUAKE

March 27, 1964 at 5:36 PM Kodiak experienced the largest earthquake ever recorded in North America. The corrected magnitude was 9.2 lasting over four minutes. The 500 MPH tsunami was measured 30 feet high on Kodiak Island.

The following Kodiak Island residents perished during the time of this tragedy:

- | | | |
|--------------------|----------------------|------------------------|
| SIMME ALEXANDEROFF | MABEL FENNER | ALBERT EUGENE SCHULTZ |
| EDDIE ANDERSON | WILLIAM JONES | ROSE MARIE SHULTZ |
| MARY ANDERSON | JOHN "SUT" LARSEN | RICHARD VOGGIEN |
| RUDY ANDERSON | JAMES "JAY" MANSON | ARLENE WALLACE |
| CLARENCE BLEDSOE | THEODORE PANAMARIOFF | ELI WASELI |
| JACK BUSHOR, JR | ALBERT REFT, SR | DONALD WYATT |
| MAURICE CURRY, JR | | ANAKENTY "NICK" ZEEDAR |

Schultz

ZAEDAR

In the months following the Kodiak Lions Club was chartered, and Lions International moved Afognak Village to what is now Port Lions.

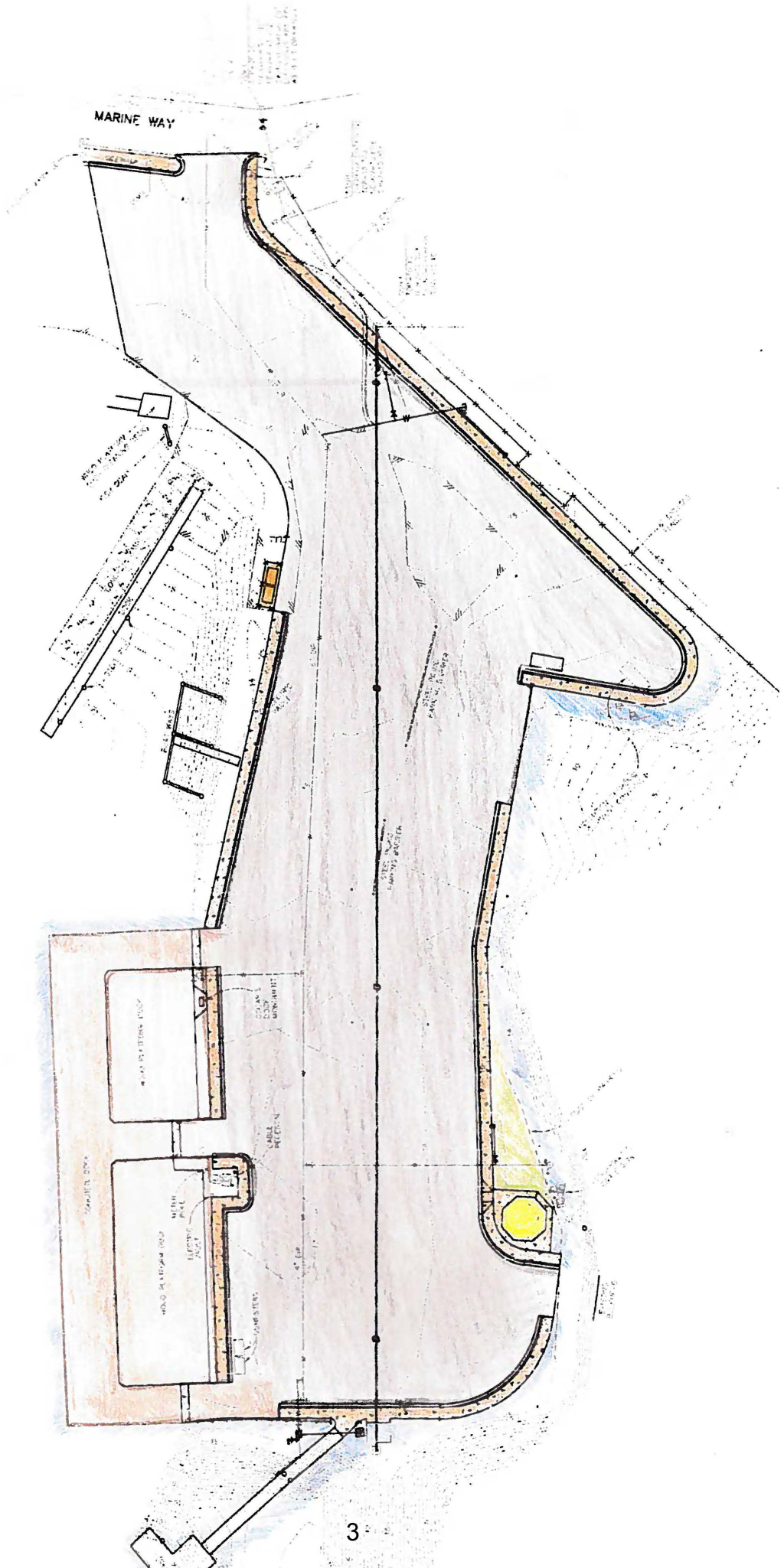
WE SERVE 1964-2014

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Larson

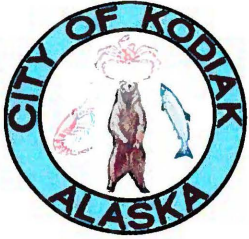
Harry Nielsen

Vosgien



- SIDEWALKS
- PAVEMENT
- GAZEBO

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Office of the City Clerk

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

MEMORANDUM

To: Mayor Branson and Councilmembers
From: Debra Marljar, MMC *DM*
City Clerk

Date: March 11, 2014
Subject: Review of City Advisory
Boards

In preparation of developing a training session/reception for the City's various advisory boards, it would be helpful for the Council to review the resolutions or ordinances that developed the existing boards to determine if any changes are needed.

Parks & Recreation and Port and Harbors Advisory Boards

Resolution Nos. 2011-23 and 2011-24, which re-established the Parks & Recreation and Port and Harbors Advisory Boards were reviewed and updated in 2011 and contain a clear reporting structure by which information is provided to the Council through the City Manager.

Employee Advisory Board

Resolution No. 03-20 re-created the Employee Advisory Board. Periodically, questions have come up regarding the reporting structure from the Employee Advisory Board to the City Council. In reviewing Section 8 of this resolution, it would be helpful for the Council to review City Charter, Article II, Section 5, Council not to interfere in appointments and removals, etc., which stipulates, "Neither the council, any councilmember, nor the mayor, may participate in any manner, except as provided in this charter, in the appointment or removal of officers and employees of the City. Except for the purpose of inquiry, the council and the mayor shall deal with the administrative service solely through the city manager." This Charter provision provides the Council with the authority to question employees, but not the authority to direct employees. Members of the Employee Advisory Board have expressed they are unclear about their purpose and the method in which information is provided to the Council. The Board's meeting notes are included in your Council information packet.

Public Safety Advisory Board

Resolution No. 01-8 re-created a Public Safety Advisory Board. This Board has not met since 2003. The Board has not been officially dissolved. It might be helpful to discuss if there is still a need for this Board. If not, the correct way to dissolve the Board is by resolution.

Building Code Board of Appeals

This is a quasi-judicial board established by ordinance. The Board's duties are clearly stated in Kodiak City Code Chapter 14.40

Personnel Board

The Personnel Board was created by the City Charter and the Board's duties are established by ordinance. I have included the sections of the Charter, Code, and Personnel Rules and Regulations pertaining to this Board. Nearly all grievances are resolved administratively, and the Council is not notified or involved.

Once the Council has reviewed the structure of its advisory boards, staff will work with Mayor Branson to develop a training agenda and provide a reception.

**CITY OF KODIAK
RESOLUTION NUMBER 2011-23**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK RESCINDING
RESOLUTION 04-25 AND RE-ESTABLISHING A PARKS AND RECREATION
ADVISORY BOARD**

WHEREAS, the City of Kodiak re-established a Parks and Recreation Advisory Board by Resolution 04-25; and

WHEREAS, it is the Council's desire to encourage membership on the Board that represents the ethnic and cultural diversity of residents both inside and outside the Kodiak city limits.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that Resolution 04-25, is hereby rescinded.

BE IT FURTHER RESOLVED as follows:

- Section 1.** A board is hereby re-established which shall be known as the Parks and Recreation Advisory Board.
- Section 2.** The board shall meet with the Council by invitation, the City Manager, representatives of the Parks and Recreation Department, and/or members of the community as necessary to discuss recreation-related issues. The board shall meet not less than four times in any one calendar year.
- Section 3.** Appointment to the board shall be made by the Mayor and confirmed by the Council.
- Section 4.** Membership reflecting cultural and ethnic diversity shall be as follows:
- a. Four regular members from residents within the Kodiak City limits
 - b. Three regular members from residents inside or outside the Kodiak City limits
 - c. Two alternate members
 - d. One United States Coast Guard representative (ex-officio)
 - e. One student representative (ex-officio)

Appointments other than ex-officio members shall be staggered three-year terms and shall end December 31 at the expiration of the term. Four regular members who reside within the Kodiak City limits and three regular members who reside outside the Kodiak City limits, but within the Kodiak Island Borough, shall be appointed. If a City member ceases to reside within the City, that member shall thereupon cease to hold a position on the Parks and Recreation Advisory Board and may reapply for a non-City resident seat when available. The alternate members shall be designated as Alternate No. 1 and Alternate No. 2 and shall not be subject to City residency requirements. In the absence of a regular member, Alternate No. 1 shall have the right to vote on issues before the board. In like manner, the absence of a second regular member confers the same right to Alternate No. 2. The US Coast Guard representative

appointment shall be based on the recommendation of the Commanding Officer of the USCG Integrated Support Command Kodiak. The student representative appointment shall be based on the recommendation of the Kodiak High School Student Council. The terms for the USCG representative and student representative shall be set at the time of appointment. The board's initial composition shall consist of the membership of the board in effect on January 1, 2011, who shall serve for their appointed terms.

Section 5. The Mayor, Council, City Manager, and any Parks and Recreation Department staff members designated shall serve as consulting members of the board, in addition to those appointed, and may attend all meetings, but shall not vote.

Section 6. A Chairperson, Vice Chairperson, and Secretary shall be selected annually by and from the regular members.

Section 7. Proceedings of the board shall be open to the public and permanent minutes shall be kept of the proceedings. The minutes shall record the vote of each member upon every question and the original of such minutes shall be immediately filed in the office of the City Clerk and shall be a public record open to inspection. Every decision or finding shall be directed to the City Council, via the City Clerk, at the earliest possible date.

Section 8. The board shall establish by-laws to govern the conduct of its proceedings, a copy of which shall be filed with the City Clerk. The current edition of *Robert's Rules of Order, Newly Revised* shall be the board's parliamentary authority.

Section 9. The board shall not have direct power to affect policy determinations, but shall be able to make recommendations to the City Council through the City Manager. Said recommendations may evolve into policy decisions of the City Council affecting matters relating to Parks and Recreation. The board shall consider any specific proposal, problem, or project as directed by the City Council through the City Manager.

Section 10. The board shall be in effect until terminated by the City Council.



ATTEST:

Delora M...
CITY CLERK

CITY OF KODIAK

Carolyn Floyd
MAYOR

Amended and Adopted: August 25, 2011

**CITY OF KODIAK
RESOLUTION NUMBER 2011-24**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK RESCINDING
RESOLUTION NO. 05-94 AND RESOLUTION NO. 98-32 AND RE-ESTABLISHING A
PORT AND HARBORS ADVISORY BOARD**

WHEREAS, the City of Kodiak established a Port and Harbors Advisory Board by Resolution No. 49-81, which was subsequently amended by Resolution No. 54-87, Resolution No. 05-94, and Resolution No. 98-32; and

WHEREAS, it is the Council's desire to respond to all members of the community and be receptive to constructive dialogue from said members who are interested in the port and harbor needs of all citizens.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that Resolution No. 05-94 and Resolution No. 98-32 are hereby rescinded.

BE IT FURTHER RESOLVED as follows:

- Section 1.** A board is hereby re-established which shall be known as the Port and Harbors Advisory Board.
- Section 2.** The board shall meet with the Council by invitation, the City Manager, representatives of the Port and Harbors Department, and/or members of the community as necessary to discuss port and harbors-related issues. The board shall meet not less than four times in any one calendar year.
- Section 3.** Appointment to the board shall be made by the Mayor and confirmed by the Council.
- Section 4.** This board shall reflect ethnic and cultural diversity as well as fishing and marine-related interests and consist of seven members appointed for staggered three-year terms. In addition, there shall be two alternate members appointed for one-year terms. All appointments shall end on December 31 at expiration of the terms. In the absence of a regular member, Alternate No. 1 shall have the right to vote on issues before the board. In like manner, the absence of a second regular member confers the same right to Alternate No. 2. The student representative appointment shall be based on the recommendation of the Kodiak High School Student Council. The term for the student representative shall be set at the time of appointment. The board's initial composition shall consist of the membership of the board in effect on January 1, 2011, who shall serve for their appointed terms.
- Section 5.** The Mayor, Council, City Manager, Harbormaster, and any Port and Harbors Department staff members designated shall serve as consulting members of the

board, in addition to those appointed, and may attend all meetings, but shall not vote.

Section 6. A Chairperson, Vice Chairperson, and Secretary shall be selected annually by and from the regular members.

Section 7. Proceedings of the board shall be open to the public and permanent minutes shall be kept of the proceedings. The minutes shall record the vote of each member upon every question and the original of such minutes shall be immediately filed in the office of the City Clerk and shall be a public record open to inspection. Every decision or finding shall be directed to the City Council, via the City Clerk, at the earliest possible date.

Section 8. The board shall establish by-laws to govern the conduct of its proceedings, a copy of which shall be filed with the City Clerk. The current edition of *Robert's Rules of Order, Newly Revised* shall be the board's parliamentary authority.

Section 9. The board shall not have direct power to affect policy determinations, but shall be able to make recommendations to the City Council through the City Manager. Said recommendations may evolve into policy decisions of the City Council affecting matters relating to Port and Harbors. The board shall consider any specific proposal, problem, or project as directed by the City Council through the City Manager.

Section 10. The board shall be in effect until terminated by the City Council.

CITY OF KODIAK



MAYOR

ATTEST:



CITY CLERK

Adopted: August 25, 2011



**CITY OF KODIAK
RESOLUTION NUMBER 03-20**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK RESCINDING
RESOLUTION NO. 95-03 AND RE-CREATING AN EIGHT-MEMBER EMPLOYEE
ADVISORY BOARD**

WHEREAS, the City Council established an Employee Advisory Board on February 9, 1995;
and

WHEREAS, Resolution No. 95-03 provided that all permanent employees, except the City Manager, City Clerk, and supervisory personnel classified at pay range 18.5 or higher shall be eligible to serve on the Board; and

WHEREAS, the salary structure has changed, thereby rendering the reference to pay range 18.5 obsolete; and

WHEREAS, the Employee Advisory Board has recommended that all staff except the City Manager, City Clerk, and Department Heads be eligible to serve on the Employee Advisory Board; and

WHEREAS, it is the City Council's desire to provide a process for employees' input on safety concerns and other employee issues via an Employee Advisory Board;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that Resolution No. 95-03 is hereby rescinded.

BE IT FURTHER RESOLVED as follows:

Section 1. A board is hereby re-created which shall be known as the Employee Advisory Board.

Section 2. This board shall meet as necessary to discuss safety concerns and other employee issues; however, the board shall meet not less than four times in any one calendar year. The board is not a part of, nor a substitute for, the formal grievance procedure set forth in the Personnel Rules and Regulations.

Section 3. All permanent employees, except the City Manager, City Clerk, and supervisory personnel classified at pay range 18.5 or higher, [Department Heads] shall be eligible to serve on the Board. All permanent employees, except those listed above, shall elect by secret ballot the boardmember to represent that department(s). Boardmembers represent all permanent and temporary employees.

Section 4. Membership shall be as follows:

- a. One member representing the Executive, City Clerk, and Finance departments;
- b. One member from each of the remaining seven City departments.

Appointments are for staggered one year terms, four conforming to the calendar year and four to the fiscal year.

Section 5. A Chair, Vice-Chair, and Secretary shall be selected semi-annually.

Section 6. Proceedings of the board shall be open to all employees and permanent records or minutes shall be kept of the proceedings. Such minutes shall record the vote of each member upon every question and the original of such minutes shall be immediately filed in the office of the City Clerk and shall be a public record open to inspection by any person. At the earliest possible date, every recommendation or finding shall be directed to the City Council if it is a policy issue, or the City Manager if it is a safety or administrative issue.

Section 7. The board shall establish bylaws to govern the conduct of its proceedings, a copy of which shall be filed with the City Clerk. [The current edition of *Robert's Rules of Order, Newly Revised* shall be the board's parliamentary authority.]

Section 8. The board shall not have direct power to affect policy determinations, but shall be able to make recommendations to the City Council. Said recommendations may evolve into policy decisions of the Council. The board may also make recommendations to the City Manager on safety issues and other employee concerns of an administrative nature.

Section 9. Serving on the board is voluntary. Elected departmental representatives will pledge to attend Board meetings. This may result in a commitment of personal time.

Section 10. This board shall be in effect until terminated by the City Council.

Section 11. Nothing in this resolution shall be construed as a waiver of the City's exemption from the Public Employment Relations Act.



CITY OF KODIAK


MAYOR

ATTEST:


CITY CLERK

Adopted: August 28, 2003

**CITY OF KODIAK
RESOLUTION NUMBER 01-8**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK RESCINDING RESOLUTIONS
09-82, 07-84, 44-86, 36-89, 02-90, 35-96, AND 2000-4 AND RE-CREATING A NINE-MEMBER
PUBLIC SAFETY ADVISORY BOARD**

WHEREAS, the City of Kodiak created a Police Advisory Board with Resolution 9-82, which was renamed the Public Safety Advisory Board with Resolution 36-89; and

WHEREAS, several amendments have been made to Resolutions 9-82 and 36-89; and

WHEREAS, it is the Council's desire to change the composition of the Board and its meeting requirements; and

WHEREAS, the United States Coast Guard has requested that the USCG representative position be eliminated;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that Resolutions 09-82, 07-84, 44-86, 36-89, 02-90, 35-96, and 2000-4 are hereby rescinded.

BE IT FURTHER RESOLVED as follows:

- Section 1.** A board is hereby created which shall be known as the Public Safety Advisory Board.
- Section 2.** The board shall meet with the Council, City Manager, representatives of the Police and Fire Departments, and/or members of the community as necessary to discuss public safety issues.
- Section 3.** Appointment to the board shall be made by the Mayor and confirmed by the Council.
- Section 4.** Membership shall be as follows:
- a. Seven members from the community chosen to reflect cultural and ethnic diversity
 - b. Two alternate members
 - c. One student representative (ex-officio)

Appointments other than the student representative position shall be staggered three-year terms and shall end December 31 at the expiration of the term. Only persons who reside within the City of Kodiak shall be appointed. If any member ceases to reside within the City, that member shall thereupon cease to hold a position on the Public Safety Advisory Board. The alternate members shall be designated as Alternate No. 1 and Alternate No. 2. In the absence of a regular member, Alternate No. 1 shall have the right to vote on issues before the board. In like manner, the absence of a second regular member confers the same right to Alternate No. 2. The student representative appointment shall be based on the

recommendation of the Kodiak High School Student Council. The term for the student representative shall be set at the time of appointment.

Section 5. The Mayor, Council, City Manager, and any Police and/or Fire Department staff members designated shall serve as consulting members of the board, in addition to those appointed, and may attend all meetings, but shall not vote.

Section 6. A Chairperson, Vice Chairperson, and Secretary shall be selected annually by and from the regular members.

Section 7. Proceedings of the board shall be open to the public and permanent minutes shall be kept of the proceedings. The minutes shall record the vote of each member upon every question and the original of such minutes shall be immediately filed in the office of the City Clerk and shall be a public record open to inspection. Every decision or finding shall be directed to the City Council at the earliest possible date.

Section 8. The board shall establish by-laws to govern the conduct of its proceedings, a copy of which shall be filed with the City Clerk. The current edition of *Robert's Rules of Order, Newly Revised* shall be the board's parliamentary authority.

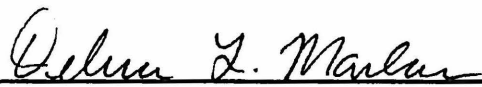
Section 9. The board shall not have direct power to affect policy determinations, but shall be able to make recommendations to the City Council. Said recommendations may evolve into policy decisions of the City Council affecting matters relating to public safety. The board is not empowered to distribute its findings to any individual or group other than the City Council.

Section 10. The board shall be in effect until terminated by the City Council.

CITY OF KODIAK


MAYOR

ATTEST:


CITY CLERK

Adopted: February 22, 2001



Kodiak City Code
Chapter 14.40
BUILDING CODE BOARD OF APPEALS

Sections

[14.40.010](#) Composition

[14.40.020](#) Administrative jurisdiction

14.40.010 Composition

(a) 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.

(b) The building official shall be an ex officio member of the board.

(c) All appointees shall serve at the pleasure of the appointing authority.

(d) The members of the board shall be appointed for staggered three-year terms.

(e) Three members of the board of appeals shall constitute a quorum for the transaction of any business. For any affirmative action on quasi-judicial matters by the board of appeals, there must be a concurring vote of three members. [Ord. 650, 1982]

14.40.020 Administrative jurisdiction

(a) The duties of the board shall be as stated in the adopted building codes including the building, fire, mechanical, electrical, and plumbing codes.

(b) The building code board of appeals by resolution may adopt rules consistent with this title to implement, interpret, or make specific its provisions. Copies of all rules adopted under this subsection shall be available to the public in the offices of the building official and the city clerk.

(c) The board shall hear and decide appeals from the actions of administrative officials relating to building regulations under this title. The board may determine the suitability of alternate materials and methods of construction and provide for reasonable interpretation of the provisions of this title.

(d) The board shall also recommend such amendments to this title as may be deemed necessary.

(e) The board of appeals is the final appellate board of the city for matters heard by it. [Ord. 1195a §14, 2005; Ord. 740, 1984; Ord. 650, 1982]

PERSONNEL BOARD

CITY OF KODIAK CHARTER, ARTICLE IV

Officers and Employees

IV-2 Personnel board created

The city council shall appoint a personnel board. A member of the personnel board may not hold any other office or position in the city government. The city council shall by ordinance establish the composition of the personnel board and set forth its duties. [Ord. 929, March 28, 1992; election held October 6, 1992; amendment ratified October 13, 1992; Ord. 449, August 14, 1975; election held October 7, 1975; passage ratified October 13, 1975]

IV-3 Duties of personnel board

Repealed by Ord. 929, effective March 28, 1992; election held October 6, 1992; repeal ratified October 13, 1992.

Kodiak City Code Chapter 2.08

Officers and Employees

2.08.170 Composition of personnel board

The city council shall appoint a personnel board consisting of three members serving for overlapping two-year terms, with terms commencing on January 1. Only persons who reside within the city shall be appointed. If any member ceases to reside within the city, that member shall thereupon cease to hold a position on the personnel board. The council shall fill vacancies in unexpired terms. [Ord. 1009 §1, 2000; Ord. 929 §5, 1992]

2.08.180 Duties of personnel board

(a) At the time prescribed for the beginning of the term of a newly appointed member, the board shall elect a chairman.

(b) The personnel board shall meet as often as necessary to hear grievances filed by city employees.

(c) Following the hearing of a grievance, the personnel board shall render an advisory opinion based on its findings to the city manager with a copy to the aggrieved employee. [Ord. 929 §5, 1992]

Kodiak Personnel Rules and Regulations

Chapter 9, Grievance Procedure

{Clerk's Note: Selected portions of the grievance procedure are included below to summarize the Personnel Board's role in the grievance procedure.}

Personnel Board Duties Continued

Section 904.1 Steps of the Grievance Procedure

(a) ...If a grievance is not settled administratively, Step 4 of the process requires the Clerk to provide copies of the grievance to the Personnel Board, arrange for legal representation, advertise meetings, etc. within defined timeframes.

(b) The Personnel Board will convene and will determine whether the premise of the grievance is valid. If the grievance is accepted, the grievant(s) and City Manager will be notified in writing. The board shall conduct a hearing involving all parties involved (Section 906).

(c) After conducting a hearing (Section 906) and reviewing the written evidence, the Personnel Board shall submit its recommendation in writing to the City Manager with a copy to the grievant(s) within five (5) working days of receiving the grievance...

Step 5. Within five (5) working days after receiving the Personnel Board's recommendation, the City Manager will respond to the Personnel Board's recommendation, with a copy to the grievant(s).

If the Personnel Board determines through a majority vote that the Manager's final determination violates the letter or intent of the City of Kodiak Personnel Rules and Regulations, other City Department regulations, or a point of law, the Board shall submit a report to the City Council identifying the nature of its concern. The Personnel Board's report shall be composed so as to preserve the separation of the Council from participation in personnel matters, as provided in the City Charter, Article II, and no other material relating to the grievant(s) or the grieved action shall accompany the report.