

City of Kodiak Regular Council Meeting Agenda for June 25, 2015
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 June 11, 2015, Regular Council Meeting.....1

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

- IV. Unfinished Business**
 - a. Second Reading and Public Hearing, Ordinance No. 1336, Amending Chapter 18.28 of the Kodiak City Code, “Port and Harbor Facilities,” to Incorporate Protections Against Derelict and Abandoned Vessels Provided Under Alaska State Law.....8

- V. New Business**
 - a. Resolution No. 2015–18, Authorizing the Issuance of a Permit to the American Legion Post 17 for Use of Public Property in Conjunction With Fourth of July Celebrations.....18
 - b. Resolution No. 2015–19, Supporting “The Subsistence Access Management Act of 2015”22
 - c. Resolution No. 2015–20, Supporting the 2015 Kodiak Coordinated Public Transit-Human Services Transportation Plan.....30
 - d. Authorization of FY2016 Special Services Contract with Alaska Department of Public Safety50
 - e. Authorization of Amendment No. 7 to the Professional Services Contract for Construction Administration Services for Pier III Replacement, Project No. 11-07/8024.....54
 - f. Authorization of FY2016 Pavement Repairs Project No. 16-02/502560
 - g. Authorization of FY2016 Marketing and Tourism Development Agreement With Discover Kodiak78
 - h. Authorization to Extend the Alaska Public Entity Insurance Agreement.....90

- 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, JUNE 11, 2015
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, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. Councilmember Terry J. Haines was absent. City Manager Aimée Kniazowski, City Clerk Debra Marlar, and Assistant Clerk Catherine Perkins were also present.

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

II. PREVIOUS MINUTES

Councilmember Whiddon MOVED to approve the minutes of the May 28, 2015, regular meeting as presented.

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

III. PERSONS TO BE HEARD

a. Proclamation: Declaring Filipino American Heritage Month

Councilmember Bishop read the proclamation, which recognizes Filipino Americans for their vital contributions to our community and urges citizens to participate in festivities celebrating the rich heritage and traditions of the Philippine Islands. Mary Guilas-Hawver, President of the Filipino-American Association of Kodiak, accepted the proclamation and thanked the City Council for its continued support.

b. Public Comments

Chastity McCarthy, Director of Discover Kodiak, thanked the City Council for their proposed amendment to the FY2016 budget to provide additional funding to Discover Kodiak.

Jack Mann voiced concerns about the homeless and inebriated population downtown. He urged the Council to resolve this ongoing problem.

Alexus Kwachka voiced frustration about the ongoing problem of inebriates downtown. He suggested the City look at what other communities are doing to solve this problem.

IV. UNFINISHED BUSINESS

a. Authorization of Professional Services Contract for Pre-Design of the New Fire Station and Condition Assessment of the Old Library Building, Project No. 6015/15-06

Between 2004 and 2006, USKH (now Stantec) performed programming and concept design services for various configurations of City of Kodiak municipal buildings including various approaches to the fire station. Now that the old police station has been removed and the old library is vacated, the City needs to re-assess the site and look at options for planning of the new fire station, as well as potential reuse of the old library building.

The motion to approve a professional services contract with Stantec in the amount of \$99,435 for the pre-design of the new fire station and condition assessment of the old library building, Project No. 6015/15-06 and authorize the City Manager to execute the documents for the City was postponed at the March 19, 2015, meeting and was brought back to the Council for a vote.

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

b. Second Reading and Public Hearing, Ordinance No. 1334, Levying Taxes and Appropriating Funds for the Expenses and Liabilities of the City of Kodiak for the Fiscal Year Commencing on the First Day of July 2015 and Ending on the Thirtieth Day of June 2016

Mayor Branson read Ordinance No. 1334 by title. Ordinance No. 1334 provides for the adoption of the City of Kodiak's FY2016 budget. The budget document, which supports the ordinance, estimates all sources of revenue the City anticipates receiving between July 1, 2015, and June 30, 2016. The budget document also establishes an operating and capital expenditure plan for FY2016 that is based on staff's assessment of operational and community needs and the Council's FY2016 budget goals.

Councilmember Davidson MOVED to adopt Ordinance No. 1334.

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

Councilmember Davidson MOVED to amend Ordinance No. 1334 as follows: increase State of Alaska jail contract revenue by \$85,552 in the General Fund Boarding of Prisoners line item; increase funding for Discover Kodiak by \$8,000 in the Tourism Fund, KICVB line item with funds from the Tourism Fund fund balance; increase funding for litter pick-up by \$1,000 in the Tourism Fund, Chamber of Commerce line item with funds from the Tourism Fund fund balance; increase funding for a new Pick-up truck for \$23,300 in the Water Fund, Water/Distribution, Machinery and equipment greater than \$5,000 line item, with funds from the Water Fund fund balance; and authorize staff to correct budget totals accordingly.

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

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

c. Second Reading and Public Hearing, Ordinance No. 1335, Establishing Supplemental Appropriation No. 2 to the Budget for the Fiscal Year Commencing on the First Day of July 2014 and Ending On the Thirtieth Day of June 2015

Mayor Branson read Ordinance No. 1335 by title. Supplemental Appropriation No. 2 to the budget for the fiscal year commencing on the first day of July 2014 and ending on the thirtieth day of June 2015 is in the amount of \$151,778. It is customary for the City Council to approve at least one supplemental budget annually to authorize the adjustments of current revenues and expenses. The adjustments are for the 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.

Councilmember Bishop MOVED to adopt Ordinance No. 1335.

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, Saravia, Walker, and Whiddon in favor. Councilmember Haines was absent. The motion passed.

V. NEW BUSINESS

a. First Reading, Ordinance No. 1336, Amending Chapter 18.28 of the City Code, “Port and Harbor Facilities” to Incorporate Protections Against Derelict and Abandoned Vessels Provided Under Alaska State Law

Mayor Branson read Ordinance No. 1336 by title. The State of Alaska amended State Statute, Chapter 30 entitled “Abandoned and Derelict Vessels” to expressly authorize the removal of abandoned and derelict vessels from municipal waters. It is in the City of Kodiak’s best interest to amend Chapter 18.28 of the City code to integrate corresponding state and federal laws governing abandoned and derelict vessels.

Councilmember Walker MOVED to pass Ordinance No. 1336 in the first reading and advance to second reading and public hearing at the next regular or special Council meeting.

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

b. Authorization of Bid Award for FY2016 Petroleum Products

Each year the Public Works Department issues bids for the City’s petroleum products. On May 28, 2015, bids were opened for FY2016 petroleum products.

Councilmember Davidson MOVED to authorize the bid award for the City’s FY2016 petroleum products to Petro Marine Services for a per gallon cost as follows: Diesel Ultra Low Sulfur at \$2.751, Gasoline at \$2.671, Heating Fuel #2 at \$2.751, and Heating Fuel #1 at \$2.851, with funds coming from each department’s FY2016 line items.

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

c. Authorization of a Professional Services Contract for Internet and Telecommunications Services

The City issued a request for proposals on April 13, 2015, to enhance the existing Internet and Wide-Area Network (WAN). The City's goal is to increase bandwidth to remote sites, provide a high level of security, performance, and reliability while at the same time minimizing the cost of implementation. One proposal was received.

Councilmember Whiddon MOVED to authorize three-year professional services contracts with Alaska Communications for internet and local telecommunications services for the City in an amount not-to-exceed \$141,337 per year, with funds coming from the Telephone account (450.115) the operating budgets of the General Fund, the Harbor Fund, the Water Fund, and the Sewer Fund.

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

d. Authorization of Extension of Office Use Agreement With the Maritime Museum

The City Council has provided office space at the St. Herman Harbor support building to the Kodiak Maritime Museum at no cost since 2002. Extension of this office use agreement through June 2016 has been requested by the Museum.

Councilmember Bishop MOVED to authorize the FY2016 Lease Extension Agreement with the Kodiak Maritime Museum through June 2016 and authorize the City Manager to sign the agreement on behalf of the City.

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

e. Authorization of Janitorial Services for the Kodiak Police Station

The Kodiak Police Department (KPD) requested Council authorization of a three-year contract with Tuan's Island Professional Cleaning Service for regular janitorial services at the Kodiak Police Department. The three-year contract would commence July 1, 2015, and expire June 30, 2018.

Councilmember Walker MOVED to approve a three-year contract for janitorial services for the Kodiak Police Department with Tuan's Island Professional Cleaning Services in the amount of \$52,615 annually, with funds to come from FY2016 Kodiak Police Department, Operational Budget, Janitorial Services account and authorize the City Manager to sign the contract on behalf of the City.

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

f. Recommendation of City Appointment to the Planning and Zoning Commission

Three of the seven seats on the Planning and Zoning Commission are designated as City seats. Patricia Olsen was appointed to a City seat for a term ending December 2016. Ms. Olsen resigned from the Planning and Zoning Commission, and the Council needs to recommend an applicant for appointment.

Councilmember Bishop MOVED to recommend Kyle Crowe for appointment to the vacant City seat on the Planning and Zoning Commission.

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

VI. STAFF REPORTS**a. City Manager**

Manager Kniazowski noted she had been busy all week with Deputy City Manager interviews. Two candidates were interviewed; she noted both candidates commented on the dedication and experience of department directors. She gave an update on the Monashka pump house project, the composting project, and the Pier III project. She stated the state budget committee had come to an agreement on the state budget.

b. City Clerk

City Clerk Debra Marlar informed the public of the next scheduled Council work session and regular meeting. She said nominating petitions for the Mayoral seat and two Councilmember seats will be available in the Clerk's office beginning July 20. The petition filing date this year is August 1 through August 17. She said the Clerk's office is seeking canvass board workers to meet October 14 to canvass the results of the October 6 election. She let the public know the City is revamping its website and is seeking donated photo images for the website photo library.

VII. MAYOR'S COMMENTS

Mayor Branson commended the staff on the budget. She informed the public of a June 30 Joint Work Session with the Kodiak Island Borough to discuss the closure of Jackson's trailer court and available options. She thanked Jack Mann and Alexis Kwachka for their comments and stated the City Council is very aware of the situation downtown. She noted the City has been working with social service agencies and other entities to find the best solution for this multi-faceted issue. She encouraged the public to get out and enjoy the sunshine.

VIII. COUNCIL COMMENTS

Councilmember Walker said that everyone in the City is aware of the major problem downtown, and the Council will do everything they can to find a solution. He congratulated the Kodiak High School track team who won the state tournament.

Councilmember Bishop had no comment.

Councilmember Davidson noted he is also saddened and upset by the behavior downtown and said that the City Council is well aware of the problem. He suggested putting cameras downtown and noted that the solution to this problem will not be a cheap one. He thanked the City staff for their work on the budget and reducing costs by eight percent.

Councilmember Saravia thanked Kyle Crow for applying for the Planning and Zoning Commission. He said the Council is aware of the problem downtown, and the Council, along with the City Manager and staff, are looking into it. He thanked Jack Mann and Alexis Kwachka for voicing their concerns.

Councilmember Whiddon thanked the City Manager and staff for their work on the budget. He gave a report on his recent trip to Sitka for the North Pacific Fishery Management Council meetings. He mentioned he attended the Change of Command ceremony for Air Station Kodiak and said he was pleased to see a team of elite professionals. He noted that the Coast Guard is a vital part of the community.

IX. AUDIENCE COMMENTS

None

X. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

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

The meeting adjourned at 8:51 p.m.

CITY OF KODIAK

MAYOR



ATTEST:

CITY CLERK

Minutes Approved:

UNFINISHED BUSINESS

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Aimée Kniazowski, City Manager 
Thru: Lon White, Harbormaster 
Date: June 25, 2015

Agenda Item: IV. a. **Second Reading and Public Hearing, Ordinance No. 1336, Amending Chapter 18.28 of the City Code, “Port and Harbor Facilities” to Incorporate Protections Against Derelict and Abandoned Vessels Provided Under Alaska State Law**

SUMMARY: The State of Alaska amended State Statute, Chapter 30 entitled “Abandoned and Derelict Vessels” to expressly authorize the removal of abandoned and derelict vessels from municipal waters. It is in the City of Kodiak’s best interest to amend Chapter 18.28 of the City Code to integrate corresponding State and Federal laws governing abandoned and derelict vessels. Staff recommends Council adopt Ordinance No. 1336 following the public hearing at tonight’s meeting.

PREVIOUS COUNCIL ACTION:

- In 2003 Council approved Ordinance No. 1163, which adopted the current City Code pertaining to abandoned and derelict vessel
- June 11, 2015, Council approved Ordinance No. 1336 in the first reading and advanced to second reading and public hearing at the next regular or special meeting

DISCUSSION: Chapter 18.28 of the City Code pertains to port and harbors. Section 18.28.390 specifically addresses the procedures for impoundment; sale or disposal of vessels that have been deemed abandoned or are derelict with City facilities.

The City of Kodiak Port and Harbors deal with abandoned and derelict vessels on a regular basis. Amending Chapter 18.28 to integrate corresponding state and federal laws will ensure the City of Kodiak is compliant with all current legal requirements.

ALTERNATIVES:

- 1) Adopt Ordinance No. 1336, which is staff’s recommendation.
- 2) Don’t adopt Ordinance No. 1336, which would keep Kodiak non-compliant with state and federal laws.

FINANCIAL IMPLICATIONS: It is critical the City of Kodiak has a legal avenue which allows for the impound, sale or disposal of abandoned and derelict vessels within Kodiak harbors. Revenue from

the moorage space these vessels occupy is lost and often the vessels pose a risk of sinking and or pollution, leaving the City with expensive salvage and or spill cleanup. Additionally, these vessels pose substantial liability for the City.

LEGAL: The City attorney drafted Ordinance No. 1336 to be consistent with current state and federal laws governing abandoned and derelict vessels in Alaska waters.

STAFF RECOMMENDATION: Staff recommends Council adopt Ordinance No. 1336.

CITY MANAGER'S COMMENTS: I agree with our attorney and Harbormaster that this section of City Code must be updated to be consistent with federal and state regulations. Abandoned and derelict vessels are a recurring problem and can be time-consuming and costly for the City. Alignment with state and federal laws will benefit us when we deal with these vessels. I recommend Council adopt the ordinance.

ATTACHMENT:

Attachment A: Ordinance No. 1336

PROPOSED MOTION:

Move to adopt Ordinance No. 1336.

**CITY OF KODIAK
ORDINANCE NUMBER 1336**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK AMENDING
CHAPTER 18.28 OF THE KODIAK CITY CODE, “PORT AND HARBOR
FACILITIES”, TO INCORPORATE PROTECTIONS AGAINST DERELICT AND
ABANDONED VESSELS PROVIDED UNDER ALASKA STATE LAW**

WHEREAS, the Alaska State legislature amended Alaska Statute Chapter 30 entitled “Abandoned and Derelict Vessels” to expressly authorize the removal of abandoned and derelict vessels from municipal waters; and

WHEREAS, it is in the City of Kodiak, Alaska’s best interest to amend Kodiak City Code Chapter 18.28 to integrate corresponding state and federal laws governing derelict and abandoned vessels in Alaska waters;

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

Section 1: Kodiak City Code 18.28.010, “Definitions”, is hereby amended to read as follows:

As used in this chapter, the following definitions shall apply:

“Auxiliary vessel” means a seine or snag skiff used in a commercial fishing operation or any skiff or raft used as a lifeboat or used for ship to shore transportation.

“Beam” means the greatest overall width of the vessel including booms, spars, gins, or any fixed protuberances.

“Derelict” means:

(1) A vessel that is sunk or in immediate danger of sinking, is obstructing a waterway, or is endangering life or property; or

(2) A vessel that has been moored or otherwise left in city waters or on public property contrary to law or regulations adopted by the city or a state agency or the vessel has been left on private property without authorization of the owner or occupant of the property; or

(3) A vessel with an expired marine document number where the registered owner no longer resides at the address listed in the vessel registration or

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marine document records of a state agency or the United States Coast Guard;

(4) A vessel where the last registered owner of record disclaims ownership and the current owner's name or address cannot be determined;

(5) The vessel identification numbers and other means of identification have been obliterated or removed in a manner that nullifies or precludes efforts to locate or identify the owner; or

(6) The vessel registration records of a state agency and the marine document records of the United States Coast Guard contain no record that the vessel has ever been registered or documented, and the owner's name or address cannot be determined.

~~any vessel moored or otherwise located within the boundaries of the small boat harbors which reasonably appears to have been forsaken, abandoned, deserted, or cast away or which, in the opinion of the harbormaster or any recognized marine surveyor, is unsound, unseaworthy, and unfit for its trade or occupation and which reflects substantial evidence of neglect.~~

“Exclusive moorage” refers to a signed agreement between the city and the owner/operator of a vessel for a certain, specific moorage space within St. Paul Harbor or St. Herman Harbor during which time services provided by the city of Kodiak through the harbormaster may be needed by the owner/operator of the vessel.

“Harbor and/or port facilities” means all piers, docks, floats, berths, parking areas, and other launching, loading, mooring, and repair facilities owned or operated by the city.

“Harbormaster” means the official hired by the city manager to serve as harbormaster and any deputy harbormaster, port security officer, or other city employee authorized or designated by the harbormaster or city manager to enforce the provisions of this chapter.

“Kodiak harbor” means all saltwater or tidewater lying within the boundaries of the city.

“Length” means the overall length as measured from the most forward portion, including booms, spars, gins, or any fixed protuberances, to the most aft portion of the vessel, including booms, spars, gins, or any fixed protuberances.

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“Local boat” means a vessel operating out of the port of Kodiak whose owners or operators are residents of the Kodiak area.

“Operator” means the registered master or skipper of a vessel or any other person who is in actual physical control of a vessel.

“Primary vessel” means a documented or registered vessel with the U.S. Coast Guard and the port of Kodiak.

“Recreation vessel” means a craft used primarily for personal recreation and pleasure.

“Small boat harbors” means the area of water in the Kodiak harbor within the boundaries created by breakwaters and by the shoreline of mean higher high water, together with all harbor facilities located in that area to include St. Paul Harbor, St. Herman Harbor, and Trident Basin.

“Term moorage” refers to a signed agreement between the city and the owner/operator of a vessel for an unspecified time during which services provided by the city of Kodiak through the harbormaster may be needed by the owner/operator of a vessel.

“Transient” means any boat not registered by an exclusive moorage agreement or term moorage with the harbormaster.

“Vessel” means a boat, motorboat, ship, waterborne aircraft, houseboat, float, scow, raft, pile driver, or other floating structure or object used for recreational, commercial, or other purpose upon the waterway or moored at any place on the waterway.

“Vessel mooring agreement” refers to either a term moorage, exclusive moorage, or daily moorage agreement.

“Waterway” means any water, lake, river, tributary, or lagoon within the boundaries of the city.

Section 2: Kodiak City Code 18.28.390, “Impoundment, sale, or disposal of vessels”, is hereby amended to read as follows:

(a) The harbormaster may impound a vessel in the city harbor that the harbormaster determines to be ~~(1)~~ derelict, **which includes vessels** ~~(2)~~ in violation of a provision of this chapter; or ~~(3)~~ delinquent in the payment of moorage or other charges for services rendered to the vessel by the city. The harbormaster

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may impound a vessel by immobilizing the vessel or by hauling the vessel out of the water and storing it, with all expenses and risks of haul-out and storage to be borne by the owner of the vessel.

(b) Except in the circumstances described in subsection (c) of this section, the harbormaster shall not haul out and impound a vessel without first providing notice and an opportunity for a hearing on the impoundment under this subsection.

(1) At least ~~15~~ **30** days before impounding the vessel, the harbormaster shall (i) post notice of the impoundment on the vessel, in the harbormaster's office, at the city offices, and on the bulletin board at the entrance of the nearest United States Post Office; and (ii) mail the notice by certified mail, return receipt requested, to the last-known address of the registered owner, **and to all lienholders shown on the records of the United States Coast Guard,** ~~operator, master, or agent of the vessel as identified on the vessel mooring agreement or application for certificate of number filed with the Department of Motor Vehicles.~~

(2) The notice of proposed impoundment shall contain (i) the name and number of the vessel; (ii) the name and address, if known, of the registered owner, lienholder, operator, master, or agent of the vessel; (iii) the location of the vessel; (iv) the reasons for impoundment and, if the vessel was impounded pursuant to subsection (c) of this section, the date of impoundment; (v) a statement that unless a hearing is requested, the harbormaster will impound the vessel under this section within ~~15~~ **30** days of the date of the notice; (vi) a statement that the right to a hearing will be waived if not timely requested and the harbormaster may proceed with impoundment and disposition of the vessel by sale, destruction, or other disposition authorized by law; (vii) a statement that if the vessel is impounded and not redeemed within 30 days of impoundment, title to the vessel and its contents shall vest in the city and the vessel and its contents will be sold or otherwise disposed of as provided in this title; and (viii) the name, address, and telephone number of the harbormaster or other city representative to be contacted concerning the impoundment.

(3) **Except as provided in subsection (c) of this section,** ~~A~~ **a** person claiming an interest in the vessel may obtain a **pre-impoundment** hearing on the impoundment of the vessel by requesting the hearing in writing at the office of the harbormaster not more than ~~15~~ **30** days after the date of the notice of impoundment.

(c) If the harbormaster determines that ~~the derelict condition~~ of a vessel constitutes **a clear and present danger to the public health, safety or general welfare, the risks posed by that vessel may be summarily abated via**

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impoundment without notice prior to impoundment. ~~a fire or safety hazard to harbor facilities or other vessels, or a pollutant hazard to the waters and marine life of the harbor, and that damage from such fire, safety, or pollutant hazard will more likely than not occur within the notice period required under subsection (b) of this section, the harbormaster may take reasonable steps to prevent damage from the fire, safety, or pollutant hazard without prior notice of hearing, including without limitation impounding the vessel by immobilizing the vessel or by hauling the vessel out of the water and storing it. Promptly after impounding a vessel under this subsection, the harbormaster shall give notice of the impoundment in accordance with subsection (b)(1) of this section. A person claiming an interest in the vessel may obtain a **post-impoundment** hearing ~~on the impoundment of the vessel~~ by requesting the hearing in writing at the office of the harbormaster not more than ~~15~~ **30** days after the date of the notice of impoundment.~~

(d) Upon written request by the owner, master, or agent of the vessel, a hearings officer as designated by the city manager shall conduct a hearing on the impoundment of the vessel within **48 business hours** of the request for **post-impoundment** hearings **and within seven days of the request for pre-impoundment hearings.** The sole issue before the hearings officer shall be whether there is **or was** probable cause to impound the vessel. “Probable cause to impound” shall mean a state of facts that would lead a person of ordinary care and prudence to believe that one or more of the grounds stated in subsection (a) of this section for impounding the vessel has occurred and is continuing. The hearings officer shall conduct the hearing in an informal manner and shall not be bound by the technical rules of evidence. Any person claiming an interest in the vessel may appear, present evidence, and cross-examine witnesses. The hearing shall be recorded. Within seven days of the conclusion of the hearing, the hearings officer shall prepare a written decision whether to impound the vessel, or, in the case of a post-impoundment hearing, whether to release the vessel from impoundment, stating the reasons for the decision. The hearings officer shall provide a copy of the decision to each person who appeared at the hearing and claimed an interest in the vessel. The hearings officer’s decision has no effect on any criminal proceeding for the violation of this chapter, which will be resolved by the court regardless of the impoundment decision.

(e) Any person aggrieved by the harbormaster’s decision under subsection (d) of this section to impound a vessel or not to release a vessel from impoundment may appeal the decision to the superior court within 30 days after the date the decision was mailed or delivered to the parties. Unless the court orders otherwise, the harbormaster may impound a vessel under this section immediately after issuing a decision approving the impoundment, but may not sell or otherwise dispose of the

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vessel until either the court affirms the decision or the time for appeal expires without an appeal having been filed.

(f) An impounded vessel and its registered owner, master, or agent shall be jointly and severally liable for the costs of hauling out, storing, securing, and selling or otherwise disposing of the vessel, as well as the costs of abating any fire, safety, or pollutant hazard that is caused by the vessel.

(g) Any vessel impounded shall be held by the city for a period of not less than 30 days. After impounding a vessel, the harbormaster shall determine whether to sell or to otherwise dispose of the vessel. The harbormaster shall sell the vessel unless the harbormaster determines that the market value of the vessel does not exceed the amount owed from the vessel to the city plus the costs of the sale, or that the vessel is a derelict, and unlikely to be returned to a safe and seaworthy condition. If the amount owed from the vessel plus the costs of sale do not exceed \$10,000 the harbormaster may estimate the market value of the vessel to make this determination. Otherwise, the harbormaster shall make the determination after obtaining an independent appraisal of the market value of the vessel from a qualified appraiser. If the vessel need not be sold, the harbormaster may destroy or otherwise dispose of the vessel. The owner of the vessel shall be liable for the costs of destroying or otherwise disposing of the vessel.

(h) The harbormaster shall give notice of the city's intent to sell or dispose of an impounded vessel in the manner provided in subsection (b) of this section at least ~~10~~ 30 days before the date of sale or disposal. The notice shall state the name and number of the vessel, the name and address, if known, of the registered owner, master, or agent of the vessel, the lienholder, if known, the location of the vessel, that the harbormaster has impounded the vessel under this section, that the harbormaster intends to sell or dispose of the vessel on a day and at a place and time certain, as the case may be, and the requirements for a person claiming an interest in the vessel to reclaim the vessel. If the vessel is to be sold, the notice shall describe the vessel to be sold, state any required terms of the sale and any required minimum sale price, and the date, time, and place where bids will be received. This notice shall also be published in a newspaper of general circulation in the city once at least ~~10~~ 30 days prior to the date of the sale or disposal of the vessel.

(i) At any time prior to the sale or disposal of the vessel, a person claiming an interest in an impounded vessel may reclaim possession by paying to the city all charges against the vessel to the date possession is reclaimed; provided, that if the harbormaster determines that an impounded vessel is a derelict and unlikely to be returned to a safe and seaworthy condition, the harbormaster may refuse further moorage of the vessel, and condition the return of possession of the vessel on the

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

claimant making satisfactory arrangements to remove the vessel from the harbor, and providing the city with security acceptable to the harbormaster for the vessel's proper and timely removal.

(j) The city may offer an impounded vessel for sale at public auction or by sealed competitive bid. Continued moorage of the vessel in the city harbor shall be at the discretion of the harbormaster. If the city intends to refuse further moorage of the vessel, the notice of sale shall so state, and the sale shall be conditioned upon the purchaser making satisfactory arrangements to remove the vessel from the harbor, and providing the city with security acceptable to the harbormaster for the vessel's proper and timely removal. The sale by the city of an impounded vessel shall be without warranty as to title or otherwise. If the city receives no acceptable bids for the vessel, the harbormaster may destroy or otherwise dispose of the vessel.

(k) The proceeds of the sale of an impounded vessel shall be applied first to any fees or charges owed to the city on account of the vessel, including reimbursement for all costs of impoundment and sale. Any part of the proceeds remaining thereafter shall be ~~made available to the owner of the vessel if claimed within 30 days from the date of sale, and if not so claimed shall become the property of the city.~~ **distributed pursuant to AS 30.30.140.**

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: June 11, 2015
Second Reading:
Effective Date:

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

NEW BUSINESS

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Aimée Kniazowski, City Manager
Thru: Ronda Wallace, Chief of Police
Date: June 25, 2015

Agenda Item: V. a. **Resolution No. 2015–18, Authorizing the Issuance of a Permit to the American Legion Post 17 for Use of Public Property in Conjunction With Fourth of July Celebrations**

SUMMARY: Resolution No. 2015–18 permits American Legion Post 17 to close and use City streets for its annual Fourth of July parade. Street closures for the parade will take place on Saturday, July 4, 2015, from 11 a.m. to approximately 12:30 p.m. for the St. Paul Harbor spit, Marine Way, and Center Avenue. Rezanof Drive will also be closed as part of the parade route, but the American Legion will receive a separate authorization from the State Department of Transportation (DOT) since that is a state roadway.

PREVIOUS COUNCIL ACTION: The Council approves parade permit requests from the American Legion on an annual basis.

DISCUSSION: For several years, the American Legion has coordinated a Fourth of July parade in Kodiak. The Council has traditionally adopted a resolution to authorize street closures to accommodate the parade and related activities. The American Legion has been working with State DOT to obtain a permit to close Rezanof, because it is a state roadway that the City does not have the authority to close. The organizers will coordinate with the City Manager, Kodiak Police Department, and the DOT in the event the parade must be postponed due to inclement weather.

ALTERNATIVES:

- 1) Adopt Resolution No. 2015–18, which is staff's recommendation.
- 2) Do not adopt Resolution No. 2015–18, which would result in cancellation of the parade.

STAFF RECOMMENDATION: Staff recommends Council adopt Resolution No. 2015–18.

CITY MANAGER'S COMMENTS: The entire community looks forward to celebrating the Fourth of July holiday and parade. I support this year's request to issue a permit to the American Legion Post 17 to organize the Fourth of July parade, which requires City street closures covered under this resolution and the closure of Rezanof Drive, which requires a State of Alaska DOT permit. I recommend Council approve their request by adopting Resolution No. 2015–18.

ATTACHMENTS:

Attachment A: Resolution No. 2015–18

Attachment B: Letter of Request from American Legion, dated May 19, 2015

PROPOSED MOTION:

Move to adopt Resolution No. 2015–18.

**CITY OF KODIAK
RESOLUTION NUMBER 2015-18**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK AUTHORIZING THE ISSUANCE OF A PERMIT TO THE AMERICAN LEGION POST 17 FOR USE OF PUBLIC PROPERTY IN CONJUNCTION WITH FOURTH OF JULY CELEBRATIONS

WHEREAS, the American Legion Post 17 is a local nonprofit organization that annually manages the Fourth of July parade; and

WHEREAS, the Fourth of July parade has a proud tradition of family fun and encourages widespread participation and involvement from Kodiak citizens of all ages; and

WHEREAS, the Fourth of July parade is planned for Saturday, July 4, 2015, beginning at 11:00 a.m.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that a permit be issued, with the permit fee waived, to the American Legion Post 17 for use of City public property for the Fourth of July parade on the condition that the American Legion Post 17 agrees to comply with the stipulations as provided in City Code Sections 5.04.050(d) and 5.04.060.

BE IT FURTHER RESOLVED that the Council hereby authorizes City street closures/traffic control for the Fourth of July Parade on Saturday, July 4, 2015, from 11:00 a.m. until approximately 12:30 p.m. for the St. Paul Harbor spit, Marine Way, and Center Ave. Traffic control is also authorized for Rezanof Drive, under the condition that the American Legion Post 17 obtains authorization from the State Department of Transportation to close Rezanof Drive for the parade.

BE IT FURTHER RESOLVED that if the State of Alaska Department of Transportation grants authority to close Rezanof Drive, the parade shall begin at the St. Paul Harbor spit; turning left onto Marine Way; turning right onto Rezanof Drive, turning right onto Center Avenue; turning right onto Marine Way; and ending at the St. Paul Harbor spit.

BE IT FURTHER RESOLVED that in the event the parade is postponed due to inclement weather and must be rescheduled, or if the State of Alaska Department of Transportation does not grant authority for the closure of Rezanof Drive, the Council authorizes necessary changes and additional City road closures be coordinated through the City Manager and the Kodiak Police Department.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted:



THE AMERICAN LEGION
Robert G. Blair Post 17
318 Center Ave., Kodiak, AK 99615
Phone (907) 486-3258 Fax (907) 486-6588
aklegion@gci.net

May 19, 2015

City of Kodiak

The American Legion Post 17 is requesting permission to have our annual 4th of July parade which lands on a Saturday this year. It will be the same route as last year, starting at Oscars dock left on Marine Way, right on Rezanof, right on Center Ave, right on Marine Way disassembling at the starting point Oscars dock. Thank you for your time.


Sincerely,



Walter Sargent, Commander

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Aimée Kniazowski, City Manager 

Date: June 25, 2015

Agenda Item: V. b. Resolution No. 2015–19, Supporting “The Subsistence Access Management Act of 2015”

SUMMARY: Resolution No. 2015–19 supports “The Subsistence Access Management Act of 2015,” which is legislation to prohibit any changes in rural determination by the Departments of Interior and Agriculture that would remove a community currently qualified for subsistence rights. This legislation is introduced by Senator Murkowski and Representative Young. Kodiak is currently categorized as rural for the purposes of harvesting fish and wildlife on federal lands. In the Kodiak area, the lands include the Kodiak Wildlife Refuge lands, the Buskin River, and waters around Afognak Island. The determination of rural status using population threshold criteria by the Department of Interior and Agriculture could impact Kodiak’s current rural subsistence status. The “rural” status allows Kodiak to qualify for certain Federal programs, services and funding.

PREVIOUS COUNCIL ACTION: The City Council adopted Resolution No. 2013–29 to urge the Secretaries of Agriculture and Interior to revise rural determination process under Alaska National Interest Lands Conservation Act (ANILCA) and Resolution No. 2006–28 in support of Kodiak retaining its rural status on August 24, 2006.

DISCUSSION: The Departments of Interior and Agriculture are undertaking a review of its subsistence management rules that could result in changes that rely more substantially on population thresholds rather than other qualitative or non-numeric considerations that we believe are as or more important in determining whether a community meets the rural determination standard. Kodiak’s geographic isolation and remoteness; a limited road infrastructure; high cost-of-living, including food; historic reliance on subsistence harvest; and significant Native population should be used in the criteria of rural status determinations as previously adopted by resolutions.

“The SACS MAN Act would also require Congressional approval before the federal government unilaterally decides to change the status of any communities under the Alaska National Interest Lands Conservation Act (ANILCA). Kodiak was considered for a potential shift in status as recently as 2006.”

Retrieved from Senator Murkowski’s website:

[<http://www.murkowski.senate.gov/public/index.cfm/pressreleases?ID=b2ad2b54-2516-44e3-b49f-5d9ee958b5c8>]: [May 11, 2015]

ALTERNATIVES: Council may approve, amend, or fail the resolution.

CITY MANAGER’S COMMENTS: The issue of Kodiak’s classification as rural in order for residents to qualify for subsistence rights is reviewed periodically by the federal government. Kodiak City has taken a stance in support of retaining the designation in 2006 and 2013 (see Attachments B & C). Senator Murkowski and Representative Young support Kodiak’s retention of its rural determination on a permanent basis and have requested a resolution from us in support of their legislation entitled “The Subsistence Access Management Act of 2015.” If Council agrees to adopt the resolution, it will be forwarded to our federal lobbyist Brad Gilman and the Alaska Delegation offices.

ATTACHMENTS:

Attachment A: Resolution No. 2015–19

Attachment B: Resolution No. 2013–29

Attachment C: Resolution No. 2006–28

PROPOSED MOTION:

Move to adopt Resolution No. 2015–19.

**CITY OF KODIAK
RESOLUTION NUMBER 2015–19**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK SUPPORT-
ING “THE SUBSISTENCE ACCESS MANAGEMENT ACT OF 2015”**

WHEREAS, subsistence harvest of fish and game has long been part of the history, culture, way-of-life and survival for the residents of Kodiak; and

WHEREAS, subsistence harvest of fish and game is vital for economic, dietary, and food access needs; and

WHEREAS, Congress has long recognized subsistence rights on Federal lands and waters of Alaska Natives and rural residents in Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA); and

WHEREAS, hundreds of Alaska Natives reside in the City or take temporary residence from the outlying villages during the winter months; and

WHEREAS, federal agencies (including those within the Departments of Interior and Agriculture) have long-considered Kodiak “rural” in terms of qualifying for certain federal programs, services and funding; and

WHEREAS, the Departments of Interior and Agriculture have previously determined that Kodiak residents qualified for subsistence rights under the definition of rural determination in ANILCA but are considering the use of a population-based threshold that could put that status in jeopardy; and

WHEREAS, inclusion of the largely transient and nonresident population of the U.S. Coast Guard Base–Kodiak should not be considered by the Departments in their population threshold calculations, as it is a Census-designated place located outside the borders of the City of Kodiak with its administrative authority based in Alameda, CA; and

WHEREAS, the Departments of Interior and Agriculture are undertaking a review of its subsistence management rules that could result in changes that rely more substantially on population thresholds rather than other qualitative or non-numeric considerations that we believe are as or more important in determining whether a community meets the rural determination standard; and

WHEREAS, the Departments have issued a Proposed Rule on January 28, 2015, to consider revisions to its definition of rural determination, with public comments taken until April 1; and

WHEREAS, the Departments should give greater weight in its rural determination decisions to non-population-based considerations including: Kodiak’s geographic isolation and

remoteness; a limited road infrastructure; high cost-of-living, including food; historic reliance on subsistence harvest; significant Native population; and

WHEREAS, there is a great deal of uncertainty that the Departments in their Final Rule may revert to a primarily population-based standard in rural determination decisions that could result in Kodiak residents losing their subsistence rights; and

WHEREAS, Senator Murkowski and Representative Young have introduced companion legislation, titled “The Subsistence Access Management Act of 2015” to prohibit any changes in rural determination by the Departments of Interior and Agriculture that would remove a community currently qualified for subsistence rights unless Congress authorizes such removal;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Kodiak, Alaska, strongly endorses the “The Subsistence Access Management Act of 2015” and urges its prompt enactment in the 114th Congress.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted:

**CITY OF KODIAK
RESOLUTION NUMBER 2013-29**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK URGING THE SECRETARIES OF AGRICULTURE AND INTERIOR TO REVISE RURAL DETERMINATION PROCESS UNDER ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT TITLE VIII

WHEREAS, the Unified States Congress passed into Law, in 1980, Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) in order to protect the subsistence rights of rural Alaskans by making subsistence a priority consumptive use of federal lands and waters for rural Alaskans; and

WHEREAS, Congress indicated in Title VIII that protecting subsistence was essential to Alaska Native culture and a rural lifestyle, and that Congress was applying its trust responsibility to Alaska Natives in requiring a subsistence consumptive priority; and

WHEREAS, the federal government through the Federal Subsistence Management Board (FSMB) under the Secretaries of Interior and Agriculture is responsible for protecting rural residents and implementing the Congressional intent of Title VIII and as verified by the 9th Circuit Court decisions (2013); and

WHEREAS, Congress, the Federal Subsistence Board, and the State of Alaska determined that the City of Kodiak and the adjacent road system had significant rural characteristics and, therefore, was designated rural for state and federal purposes in the early 1990s; and

WHEREAS, the Federal Subsistence Board is required every ten years to review but not determine rural residential status to evaluate changes within a community that justify changing its rural status; and

WHEREAS, the determination process is not required and is expensive and stressful to FSMB and to communities; and

WHEREAS, there has been an approximately ten-percent decline in the City of Kodiak's population between 1990 and 2013 (from 6,787 to 6,104) moving the City of Kodiak further away from the benchmark population of 7,000 people; and

WHEREAS, the City of Kodiak and the Kodiak road system continue to possess significant characteristics of a remote geography, including a location without road access from the nearest urban area, cultural and geographical isolation, a high cost of living, and limited access to goods and services; and

WHEREAS, the United States Coast Guard Base does not eliminate or reduce the rural nature of Kodiak, since the Base is an independent census-designated place community, located well outside the boundaries of the City of Kodiak, with its administrative authority based in Alameda, California; and

WHEREAS, the City of Kodiak, along with each of the individual road-system communities have individual and unique characteristics that define them, and they should not be “lumped” together for rural designation purposes in an effort to establish a “community” population greater than a subjective threshold of 7,000 people; and

WHEREAS, the City of Kodiak serves as a hub for outlying villages, whose elders often spend their winters and later years living in town, returning to the village during the summer; and

WHEREAS, many hundreds of Alaska Natives reside in Kodiak and are strongly dependent on subsistence for their cultural and nutritional survival, as are many more residents of the community, due to their economic status or remote lifestyle; and

WHEREAS, the rural characteristics of Kodiak have not significantly changed since Kodiak was originally designated rural to the point where Kodiak residents should be denied their cultural heritage and access to local resources.

NOW, THEREFORE, BE IT RESOLVED that the City of Kodiak strongly suggests the Federal Subsistence Board and the Secretaries of Interior and Agriculture determine that:

- Rural for purposes of ANILCA Title VIII should follow the standards used by the USDA and USDHHS and be based upon geographic and land use classification, which are statistically determined.
- “Rural Characteristics” currently used as criteria should be removed.
- Population aggregation is unneeded and should not occur.
- Communities smaller than those always considered nonrural under ANILCA VIII will remain rural.
- No area determined as “frontier” or “remote” for purposes of federal services should be determined urban or “non-rural” by the Subsistence Board.
- Communities already designated as rural for purposes of ANILCA Title VIII by the Board or by Congress and the Secretaries of Interior and Agriculture shall remain rural.

BE IT FURTHER RESOLVED that Kodiak residents should remain permanently rural for purposes of ANILCA Title VIII, because Kodiak is a geographically and statistically remote archipelago and a community designated as frontier for many federal services.



CITY OF KODIAK

DEPUTY MAYOR

ATTEST:

CITY CLERK

Adopted: October 24, 2013

**CITY OF KODIAK
RESOLUTION NUMBER 06-28**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK URGING
THE FEDERAL SUBSISTENCE BOARD TO DESIGNATE KODIAK RURAL**

WHEREAS, the United States Congress passed into Law, in 1980, Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) in order to protect the subsistence rights of rural Alaskans by making subsistence a priority use of federal lands and waters for rural Alaskans; and

WHEREAS, Congress indicated in Title VIII that protecting subsistence was essential to Alaska Native culture and a rural lifestyle, and that Congress was applying its trust responsibility to Alaska Natives in requiring a subsistence priority; and

WHEREAS, the federal government assumed authority over subsistence management on public lands in Alaska because they determined that the State of Alaska was not in compliance with Title VIII of ANILCA; therefore the federal government through the Federal Subsistence Management Board is responsible for protecting subsistence and implementing the Congressional intent of Title VIII; and

WHEREAS, Congress recognized that an Alaskan community with a population of more than 7,000 can be rural if it possesses significant characteristics of a rural nature, and this recognition is documented in federal regulations; and

WHEREAS, both the Federal Subsistence Board and the State of Alaska determined that the City of Kodiak and the adjacent road system had significant rural characteristics and, therefore, was designated rural for State and federal purposes in the early 1990s; and

WHEREAS, the Federal Subsistence Board is required to review rural determinations every ten years to evaluate *changes* within a community that justify changing its rural status; and

WHEREAS, the Federal Subsistence Board has recently recommended that Kodiak be changed from rural to nonrural status, thereby eliminating Kodiak's qualification for the rural subsistence priority; and

WHEREAS, the Federal Subsistence Board appears to be basing its recommendation for changing the status of Kodiak primarily on the basis of an aggregate road system population exceeding 7,000, which was true when Kodiak was first designated rural; and

WHEREAS, there has been an approximately ten-percent decline in the City of Kodiak's population between 1990 and 2005 (from 6,787 to 6,088) moving the City of Kodiak further away from the benchmark population of 7,000 people; and

WHEREAS, the City of Kodiak and the Kodiak road system continues to possess significant characteristics of a rural nature, including a remote location, cultural and geographical isolation, a high cost of living, and limited access to goods and services; and

WHEREAS, the United States Coast Guard Base does not eliminate or reduce the rural nature of Kodiak, since the Base functions as an independent community, located well outside the boundaries of the City of Kodiak, with its administrative authority based in Alameda, California; and

WHEREAS, the City of Kodiak, along with each of the individual road-system neighborhoods have individual and unique characteristics that define them, and they should not be "lumped" together for rural designation purposes in an effort to establish a "community" population greater than 7,000 people; and

WHEREAS, the City of Kodiak serves as a hub for outlying villages, whose elders often spend their winters and latter years living in town, returning to the village during the summer; and

WHEREAS, many hundreds of Alaska Natives reside in Kodiak and are strongly dependent on subsistence for their cultural and nutritional survival, as are many more residents of the community, due to their economic status or lifestyle; and

WHEREAS, the subsistence characteristics of Kodiak have not significantly changed, since Kodiak was originally designated rural, to the point where Kodiak residents should be denied their cultural heritage and access to subsistence resources.

NOW, THEREFORE, BE IT RESOLVED that the City of Kodiak strongly opposes the preliminary recommendations of the Federal Subsistence Board that Kodiak be changed from a rural to a nonrural community and urges the Board to make a final decennial determination that Kodiak is rural.

BE IT FURTHER RESOLVED that Kodiak's significant rural characteristics have not changed since 1990, and Kodiak should remain a rural community for subsistence purposes.

BE IT FURTHER RESOLVED that the City Council of Kodiak, Alaska, requests the Federal Subsistence Board hold its final December hearing in Kodiak, Alaska, for the purposes of listening to local residents' testimony concerning the importance of confirming Kodiak's rural status.



CITY OF KODIAK

Carolyn Floyd
MAYOR


ATTEST:

Debra M. Mark
CITY CLERK

Adopted: August 24, 2006

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Aimée Kniazowski, City Manager 

Date: June 25, 2015

Agenda Item: V. c. **Resolution No. 2015–20, Supporting the 2015 Kodiak Coordinated Public Transit-Human Services Transportation Plan**

SUMMARY: Resolution No. 2015–20 supports the Kodiak Coordinated Public Transit-Human Services Transportation Plan, which has been reviewed, revised, and completed by the Kodiak Human Service Coalition this year. This plan lists the Kodiak Area Transit System (KATS) priorities that are necessary for the request of state and federal funding. KATS is the only coordinated system in the State of Alaska, with more than 15 local nonprofit agencies participating. We recommend Council adopt Resolution No. 2015–20.

PREVIOUS COUNCIL ACTION: The Council previously adopted a resolution supporting the Kodiak Area Transit System in 2004 (Attachment C).

DISCUSSION: Since August 2000, the Kodiak Area Transit System has served the Kodiak community and local nonprofits with reliable and safe transportation, allowing Kodiak residents to live independently. Priority for service is to provide needed transportation to those Kodiak residents who need it the most: seniors; disabled; Alaska MentalHealth Trust beneficiaries; meeting medical, dental and physical therapy appointments; shopping; Kodiak college; work; and community activities. Without this transportation, many users of this system would not be able to live in Kodiak and continue to be viable citizens.

ALTERNATIVES:

- 1) Adopt Resolution No. 2015–20, which is staff's recommendation.
- 2) Do not adopt Resolution No. 2015–20, which could adversely impact the KATS funding.

STAFF RECOMMENDATION: Staff recommends Council adopt Resolution No. 2015–20.

CITY MANAGER'S COMMENTS: I recommend Council approve this request by adopting Resolution No. 2015–20.

ATTACHMENTS:

Attachment A: Resolution No. 2015–20

Attachment B: 2015 Kodiak Area Coordinated Public Transit-Human Services Transportation Plan

Attachment C: Resolution No. 2004–02

PROPOSED MOTION:

Move to adopt Resolution No. 2015–20.

**CITY OF KODIAK
RESOLUTION NUMBER 2015–20**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK SUPPORTING THE
2015 KODIAK COORDINATED PUBLIC TRANSIT–HUMAN SERVICES TRANS-
PORTATION PLAN**

WHEREAS, the Kodiak Human Service Coalition, which includes all Kodiak nonprofit social service providers, has been holding quarterly meetings since November 2002; and

WHEREAS, these sessions culminated in the review, revision and completion of the 2015 Kodiak Coordinated Public Transit-Human Services Transportation Plan; and

WHEREAS, the Kodiak Area Transportation Plan outlines the following priorities:

1. Assess FY2016 budgets to expand coordinated and public service to meet the needs of Kodiak residents
2. Improve education, marketing plans, and website for KATS services
3. Continue to conduct surveys with riders, public, and business community about KATS service
4. Plan to write capital grants every two years for new buses
5. Assure transit vehicles are part of the Kodiak Island Borough and City of Kodiak pandemic planning and use of buses for evacuations; and

WHEREAS, Kodiak Area Transit System (KATS) and listed priorities are needed in order to receive Federal and State funds for continuing KATS which has served the community and local non-profit agencies as a coordinated transit system since August 2000; and

WHEREAS, KATS is the only coordinated transportation system in the state with more than 15 local non-profit agencies participating; and

WHEREAS, KATS is cost efficient and fundamental to the quality of life for many Kodiak residents to remain in our community and be continuing to be viable citizens;

NOW, THEREFORE, BE IT RESOLVED that the City of Kodiak, Alaska, hereby supports the Kodiak Coordinated Public Transit-Human Services Transportation Plan and priorities and expresses continued support to KATS in its goal to provide safe and reliable transportation to those Kodiak residents who need it the most so they might remain in Kodiak living independently for as long as possible.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted:

Kodiak

Kodiak Coordinated Public Transit-Human Services Transportation Plan

Senior Citizens of Kodiak, Inc.

2015

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I. Introduction/Executive Summary

The intent of this plan is to document the efforts of the Kodiak community to coordinate transportation for our residents, especially the elderly and individuals with a disability. In order to be eligible for Federal Transit Administration (FTA) or Alaska Mental Health Trust funds through the Alaska DOT&PF Alaska Community Transit office (ACT), projects must be derived from a locally developed coordinated plan. These funding sources focus on the transportation needs of disadvantaged persons and those with special transportation needs that cannot be met through traditional personal automobile or public transportation means. The coordinated plan identifies existing transportation providers, unmet transportation needs and duplications in human service and public transit service. The plan also identifies goals and strategies to decrease duplication, address the gaps in service, and provide better transportation options for our community.

KATS was originally set up through a pilot project through the Kodiak Island Borough (KIB) in 1997 with funds coming from several sources to establish a public transportation system with minimal service in the middle of the day for social service agencies and their clients. KIB contracted with Laidlaw to operate this pilot project which consisted of one bus doing an express route from Monashka Bay to Women's Bay and another bus running an in town route. In late summer, 1999, the KIB Assembly decided not to continue funding for the pilot project to continue.

Kodiak social service agencies knew the need for transportation for seniors, low income developmentally disabled and other Alaska Mental Health Trust beneficiaries. SCOK having met with each social service agency about a coordinated transit system for their clients and being designated as the lead agency, wrote a grant to the Alaska Department of Transportation (DOT) for funding a coordinated transit system, was awarded that grant and began KATS coordinated service in August, 2000 with one bus being operational five days a week. SCOK contracted with Laidlaw for operations, insurance, fuel, dispatch and a coordinator for the coordinated KATS service. A minimal public service was available in the early morning and late afternoon.

Since 2000, KATS has successfully operated as a coordinated transit system six days a week representing the 15 local non profits that use the system for their clients as well as low income, veterans and welfare to work residents and the public. SCOK continues to contract with now First Student, formerly Laidlaw, to provide the same service as described above. New buses were purchased in 2002, 2007 and 2015 with funding mainly from DOT and other support from Rasmuson Foundation, Kodiak Island Borough and City of Kodiak.

The Kodiak Human Services Coalition, which meets quarterly, oversees KATS with discussion about KATS held at each of their meetings for input on gaps in services, how services could be improved and grant and budget reporting. The SCOK Board of Directors also receives this input on a monthly basis as well as quarterly reports being given to the City of Kodiak and Kodiak Island Borough Assembly. With KATS now having two buses and having completed a Mobility Management Report by RLS in 2012, plans are to expand the public service and to continue to serve residents with the coordinated service seven days a week.

II. COMMUNITY INFORMATION

A) Location

Kodiak is the second largest island in the country and is located 252 miles southwest of Anchorage in the middle of the Gulf of Alaska. The island's population is 13,592 and it has six outlying communities or villages and the country's largest Coast Guard base. All Kodiak communities are accessible only by either boat or plane. The City of Kodiak is the island's hub community with a population of 6,130, 62 miles of roads, and ferry service on the Alaska Marine Highway ships Tustumena and Kennicott. Geographic barriers from each of the island's communities include mountains, lakes, rivers and no roads connecting them. Ferry service is only to Kodiak with some service to Old Harbor, Ouzinkie and Port Lions.

Kodiak is located in a rain forest having an average snowfall of 77 inches and rainfall of 67 inches. Average summer temperature is 55 and winter temperature is 32 with most yearly temperatures between 32 and 65 degrees. Mild temperatures are accounted for by the Japanese current with most winters being mild. Kodiak can be quite windy with the average wind speed at 11 miles per hour. Clear days are rare with only an average of 59 annually; partly cloudy days are 74 days and cloudy days at 232 days.

B) Population

Population of Service Area: Kodiak

Kodiak Island has 13,592 people with most living in the City of Kodiak and on the road system. Residents of the six island villages use the KATS system when they are in town. Most users of KATS reside in the city limits though there are residents outside the city limits in Monashka Bay all the way out to Women's Bay who use the transit system especially the public service. There are no transit services in each of the outlying communities.

C) Map of Community

A map is attached of the transportation area in the Appendix.

III. Assessment of Available Resources & Services

A) Coordination Working Group

The Kodiak community and 15 local non profits have come together to pool our resources and work as a team to provide enhanced mobility for our seniors and individuals with disabilities with KATS since August, 2000. Since that time, Senior Citizens of Kodiak, Inc. (SCOK) has been the lead agency for this coordinated transit system with Pat Branson, SCOK Executive Director, as the contact person and participation from the Kodiak Human Services Coalition. Jonathan Strong has been added to the SCOK employment as the Project Specialist and is assisting with KATS. The Human Service Coalition members include Providence Kodiak island Medical Center, Providence Kodiak island Counseling Center, Providence long term care facility, Island Cove Adult Day Program, Kodiak Senior Center, Hope Resources, Kodiak Women’s Resource & Crisis Center, Kodiak Island Housing Authority, Vocational Rehabilitation, Kodiak College, Kodiak Area Native Association, Alaska Public Housing, Salvation Army, Suun’aq Tribe, WIC, Kodiak Job Service, Threshold Vocational Services, Kodiak Food Bank, Kodiak Baptist Mission, Brother Frances Shelter, The Kodiak Human Services Coalition meet quarterly to discuss social services so they are not duplicated in our community as well as KATS and the needs or issues for the transit system.

B) Current Transportation Options

Kodiak is the second largest island in the country and is situated in the middle of the Gulf of Alaska with accessibility only by the marine highway system or by airplane. The six island villages are only accessible by the same ways. There are only 62 miles of road in the Kodiak urban area with most of the roads inside the city limits. The marine highway system is served by the ferries, Tustumena and Kennicott. The Tusty docks at Pier 1 and the Kennicott at Pier 2, both in the City. Both ferries go from Kodiak to Homer with some stops in Port Lions, Old Harbor and Ouzinkie. Both ferries transport vehicles. Both ferries visit Kodiak about twice a week but with repairs and maintenance, those schedules at times do not hold up nor do stopping in the smaller communities. Barge service is only through Horizon Lines which docks at Pier 3 and which serves the community twice weekly. The airport is owned by the State of Alaska and is located outside the city limits near the Coast Guard base. The Alaska Airlines and Ravn planes mainly fly to and from Anchorage. There are smaller private airlines which fly to the smaller communities on a regular basis. Presently, KATS with their public transit service only takes people to and from the airport to meet the morning and afternoon Alaska Airlines jets. Most Kodiak residents fly to and from Anchorage and catch other airlines to the lower 48. Residents also use the ferry system regularly (but it fills up quickly in the summer) to get to Anchorage for appointments and shopping. Kodiak has rivers but they are not for transportation, only for fishing.

C) Inventory of Available Resources and Services

Below is a listing of the agency vehicles available and current transportation services within the community.

Vehicle Inventory:

Year	Make, Model	Status	Condition	Seating	Wheelchair Y/N	Owner of Vehicle
2015	F550 Ford Aero Elite	Full time	Excellent		Y	SCOK
2011	Ford Bus	Back up presently	Good		Y	SCOK
2010	Ford Flex	Pt hd meal delivery	Good	5	N	SCOK
KANA	2 Minivans	Full time	Good	7	1-Y	KANA
RuralCap Headstart	Bus	Part time	Good	24	Y	RuraLCap
Kodiak Island Housing Authority	Bus & 2 cars	Part time	Good	15	Y-bus only	KIHA
23 Taxis	Various	various	various		N	Various
Hope Resources	1 car 1 van	Clients only	Good			Hope Resources
Providence Kodiak Counseling Center	2 sedans, 2 mini vans	Clients only	Good	23	N	PKCC
Providence Kodiak Island Medical Center	1 bus	Long term care residents	Excellent	6	Y	PKIMC

Services Inventory:

Agency	Clients	Operating Days	Operating Hours	Annual Vehicle Miles*	Annual Passenger Trips*	Destinations
SCOK/KATS	AMHTA, seniors, welfare to	M-F Sat. 10-3	8-5	26,000	15,000	Social service agencies, hospital, medical clinics, shopping, work

	work etc.					
SCOK/KATS	public	M_F	6:30-8; 5-6:30	10,200	2000	MonashkaBay-Women's Bay
KANA	KANA beneficiaries	M-F	8:30-4:45			KANA Clinic
HeadStart	Headstart	M-F	Am & pm school hours			Headstart
KIHA	Students	M-F	School pick up			School and home

*Estimated or actual

IV. Assessment of Transportation Needs

A) Demographics

FTA defines a “coordinated public transit-human service transportation plan” as a plan that “identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes, that provide strategies for meeting those local needs, and prioritizes transportation services for funding and implementation.” The following tables depict detailed demographics of these group types for Kodiak area.

Table 1

Community Demographics	
2010 Population	13,592
Population 65 and over	1915
Percent Population 65 and older	14%
Per Capita Income	\$22,195
Median Family Income	\$58,834
Median Household Income	\$68,718
Persons in Poverty	901
Percent Below Poverty	7%

Source: U.S. Census Bureau Census 2010.

Table 2

Commuting to Work	
Workers 16 years and over	6,632
Car, truck, van – drove alone	4,166
Car, truck, van – carpooled	1,247
Public transportation (excluding taxi)	79
Walked	658
Other means	303
Worked at home	179

Source: U.S. Census Bureau Census 2010.

Table 3

Household Income	
Total:	4,431
Less than \$10,000	159
\$10,000 to \$14,999	212
\$15,000 to \$24,999	459
\$25,000 to \$34,999	485
\$35,000 to \$49,999	643
\$50,000 to \$74,999	961
\$75,000 to \$99,999	653
\$100,000-149,999	613
\$150,000-\$199,999	171
\$200,000 or more	75

Source: U.S. Census Bureau Census 2010.

Table 4

Household by Type	
Total Households	2,039
Households with individuals 65 years and over	403
Percent Households with individuals 65 years and older	20%
Average household size	2.9
Average family size	3.5

Source: U.S. Census Bureau Census 2010.

Table 5: U.S. Department of Health and Human Services Poverty Guidelines, 2015

Size of Family Unit	48 Contiguous States and D.C.	Alaska	Hawaii
1	\$11,770	\$14,720	\$13,550
2	\$15,930	\$19,920	\$18,330
3	\$20,090	\$25,120	\$23,110
4	\$24,250	\$30,320	\$27,890
5	\$28,410	\$35,520	\$32,670
6	\$32,570	\$40,720	\$37,450
For each additional person, add	\$4,160	\$5,200	\$4,780

Source: Federal Register, Vol. 80, No. 14, January 22, 2015, pp. 3236-3237

B) Gaps in Service

Since its inception in August, 2000, KATS Coordinated and Minimal Public transit system has served Kodiak residents who need transportation the most. i.e AMHT beneficiaries, seniors, low income, veterans, college students etc. Transportation assistance and escort services are available at all times on the coordinated piece of the transit service which goes from 8-5 Monday-Friday and presently 10-3 on Saturday as the coordinated service is door to door service with assistance with luggage, shopping bags etc. to the resident's door. Any AMHT beneficiary or resident affiliated with a local non profit can use the coordinated system any time of the year regardless if they are able to drive or not. Village elders and residents can use KATS when they come to town and the KANA van is not available. With limited funding, KATS coordinated system is very overloaded meeting the needs of those riders and having scheduled weekly stops at the senior center, food bank, Walmart, Safeway while meeting riders' needs for medical, dental, physical therapy and hospital appointments. No Sunday service is available.

The minimal KATS public service is available only Monday-Friday from 6:30am to 8am and then again from 5-6:30 pm. so public riders use is very limited with most transit hours devoted to the coordinated transit piece and those riders who are AMHT and affiliated with a local non profit.

KATS fare is \$2 each way and has been at that same fare price since 2000. The fare is very reasonable and, of course, does not come close to paying for operations match. Nonprofits can purchase bus passes or bus tickets at \$2 a ride for their clients.

SCOK did an extensive survey of the Kodiak community, local businesses and clinics in February, 2015 to find out which gaps in the present public services existed and which expanded service might be requested and where it might go. The survey was conducted to the Human Services Coalition members as well as on line in Survey Monkey and hard copies being delivered to 41 different locations in the community. We received 227 survey responses: 24 from the business community (Chamber members), 85 hard copies and 118 from survey monkey on line.

Summary responses from the business community included: all respondents stated reliable public transit service would benefit their customers and their employees as well as be beneficial to our community; Chamber members wanted the public transit to expand to were downtown, Walmart & Safeway, the new library and Cannery row.

Summary responses from hard copy surveys were: 93 were aware of KATS coordinated system; 60 did not use the public system; those who used the KATS public service used it in the morning and evening; 45 stated they would use KATS mid-day for shopping and appointments and 45 stated they would use KATS after work and in the evenings, 39 stated they would use KATS on the weekends; 71 stated they would use KATS to get to Safeway and Walmart, 43 stated they would the public service for appointments or work and 47 stated they would use KATS to go to the library; 66 stated they would pay \$3 fare for the public service; 71 stated they would use KATS if they could reserve a seat 24 hours in advance; 93 stated they would use KATS public service if there were specific stops in town; public service priorities were shopping, getting to work, medical appointments and to social services.

The survey monkey on line responses were: 78 knew about coordinated KATS service; 56 stated they were interested in using KATS but weren't sure when they would use it and 31 stated they would use the service after work and in the evenings; 50 said they would use the service for shopping to Safeway and Walmart, 39 to the library, 38 to shopping and appointments; 66 stated they would pay \$3 for a ride; 97 said they would use KATS if the system had specific stops; 56 said they would KATS to get to work or to shopping with 40 stating they would KATS to get to hospital and appointments.

In summary, the survey responses in asking about expanded public KATS service were: people were interested in having a public transit system each day and it would be an asset; people were interested in using the public service each day in getting to work, shopping and medical and dental appointments as well as the food bank. Having a regular route with pick up every hour would be beneficial; it is a greatly needed service especially for cannery workers; weekend service would be great especially for church and eating out afterwards.

The Human Service Coalition members were also surveyed in asking for gaps in the coordinated KATS service. Their responses were to: increase service in the evening and Sunday so people could get to and from church, activities and events at the auditorium and to the library. Most members were very satisfied with the present coordinated service and it serving their clients well. They did note that during the weekdays the coordinated system is at time overwhelmed with the number of riders and at times the wait for the door to door service can be long. Kodiak Island Housing Authority requested more service for their residents in Woody Way apartments, for youth and for seniors in the new Near Island apartment complex. KANA requested more service for their beneficiaries.

A survey was also conducted with KATS coordinated riders and those had these responses: most riders use the service to get to Safeway and Walmart and to dental and doctor appointments; most use the service more than 5 days a month; most stated KATS enabled them to live independently and it was a very important service.

V. Goals & Strategies

GOAL 1: Maintain coordinated KATS service for AMHTA beneficiaries				
STRATEGY		ACTION	PROGRESS	NOTES
1.1:	Improve hours & days of service	Assess budget to expand daily & Sunday service	Will do by fall, 2015	
1.2:	Human Services Coalition involvement	Meet quarterly to discuss KATS & clients' needs		
1.3:	Plan to purchase another bus in 2017 and every two years	Write capital grant for new bus	2016	

GOAL 2: Expand public service using 2nd bus				
STRATEGY		ACTION	PROGRESS	NOTES
2.1:	Improve outreach education marketing plan	Do marketing plan & develop KATS own website	Complete by summer, 2015	
2.2:	Assess budget for expanded public service	Review FY16 budget, fares, local contributions	July, 2105	
2.3:	Conduct survey for public service riders	Do survey in spring, 2016	Spring 2016	

GOAL 3: To improve public awareness				
STRATEGY		ACTION	PROGRESS	NOTES
3.1:	Create KATS website	Contract to design & implement website	Complete by summer, 2015	
3.2:	Develop marketing materials	Design & print materials	Complete by summer, 2015	
3.3:	Hold public meetings	Invite & advertise	Fall, 2015	
3.4:	Create big annual KATS event	Fundraiser	2016	

VI. Priority of Projects

Priority	Project	Goal, Strategy
1	Expand coordinated and public KATS service	1.1
2.	Develop marketing, outreach education & website for expanded service	3.1 3.2 3.3 3.4
3.	Purchase new bus 2017 and every two years	1.3
4.	Continue to survey riders, community & businesses	2.3

VII. Appendix

**CITY OF KODIAK
RESOLUTION NUMBER 04-2**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK SUPPORTING THE
KODIAK AREA TRANSIT SYSTEM (KATS)**

WHEREAS, Kodiak Area Transit System (KATS) has served the community and local non-profit agencies as a coordinated transit system since August 2000; and

WHEREAS, Kodiak area non-profit agencies use the KATS coordinated transit system instead of each agency having its own vehicle; and

WHEREAS, KATS' services assist people to live independently and with mobility for as long as possible; and

WHEREAS, KATS served 1,500 people this past year, including non-profit clients, nursing home residents, those using child and adult day care services, welfare-to-work program participants, and Kodiak Island Borough School District students attending college classes and after-school activities; and provided more than 14,000 rides for trips such as medical and dental appointments, shopping, outings, and picking up prescriptions; and

WHEREAS, KATS is the only coordinated transportation system in the state with more than 17 local non-profit agencies participating; and

WHEREAS, KATS is cost efficient and fundamental to the quality of life for many Kodiak residents who cannot afford other means of transportation;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Kodiak, Alaska, continues its support for the Kodiak Area Transit System as the state-recognized coordinated transit system for our community.



ATTEST:

Debra Marlar
CITY CLERK

CITY OF KODIAK

Cecilia L. Floyd
MAYOR

Adopted: January 8, 2004

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Aimée Kniazowski, City Manager
Thru: Chief of Police Ronda Wallace
Date: June 25, 2015

Agenda Item: V. d. Authorization of FY2016 Special Services Contract with Alaska Department of Public Safety

SUMMARY: The Alaska Department of Public Safety (DPS) requests the renewal of its contract with the City to provide services that support the mission and operations of the Alaska State Troopers (AST) and Alaska Wildlife Troopers (AWT) in Kodiak. In exchange for providing these services, DPS will compensate the City \$78,750.00 for FY2016. Staff recommends Council authorize the FY2016 Special Services Contract with the Alaska Department of Public Safety.

PREVIOUS COUNCIL ACTION: Council approved this contract in FY2015 and has approved annual contracts for more than fourteen years.

DISCUSSION: The Alaska Department of Public Safety has contracted with the City to provide support services to Kodiak-based Alaska State Troopers for over thirteen years.

If Council approves this contract, the City will provide the following services:

1. Dispatch service and support to AST working in vehicle, vessel, and foot or in aircraft during emergencies for up to 48-consecutive hours.
 - a. Emergency is defined as those instances where natural or man-made disasters have disabled AST dispatch capabilities.
 - b. In the event the City is required to provide more than 48 consecutive hours of dispatch service to AST, the City shall be reimbursed for the costs of services at a rate of \$24.43 per hour.
2. Provide administrative support to AST by processing, filing, recording, entering into/deleting from the APSIN/NCIC database, and returning to the court all process relative to Kodiak Police Department cases, investigations and business.

3. Provide field support to AST by serving in the corporate limits of the City of Kodiak court process relative to Kodiak Police Department cases, investigations, and business.
4. Provide one correctional transport officer or one police officer, to transport and guard prisoners appearing in the Kodiak Court.

ALTERNATIVES:

- 1) Council may approve this contract, in which case continuity of operations with essential criminal justice services, i.e. process service, and prisoner guarding and transportation shall be maintained. Staff believes it is in the best interest of public safety in Kodiak.
- 2) Council may choose not to approve this contract. If this contract is not approved, AST will be responsible for providing these services. The Department does not have the local resources to do this. Staff's assessment is this would be contrary to the interest of public safety.

FINANCIAL IMPLICATIONS: The City's FY2016 budget reflects \$78,750 in revenue for this contract. Staff does not foresee any financial implications to the City because of approving the contract, and under the terms of FY2016 contract, staff believes the City will be adequately compensated for the services KPD will be obligated to provide.

STAFF RECOMMENDATION: Staff recommends Council authorize the FY2016 Special Services Contract with the Alaska Department of Public Safety for \$78,750.

CITY MANAGER'S COMMENTS: The City has contracted these services with the Alaska State Troopers to support their operations in Kodiak for over fourteen years. The FY2016 contract contains the same terms as the one approved last year, and I am pleased that we are able to retain the same terms and funding as last year, given the state's financial challenges. The Chief believes the additional services are manageable and worthwhile to both the City and Alaska State Troopers. I support staff's recommendation and ask Council to authorize me to sign the contract for FY2016.

ATTACHMENTS:

Attachment A: Alaska Department of Public Safety Contract for Special Services FY2016

PROPOSED MOTION:

Move to authorize the FY2016 Special Services Contract with the Alaska Department of Public Safety, Division of Alaska State Troopers, and authorize the City Manager to sign the contract on behalf of the City.

**ALASKA DEPARTMENT OF PUBLIC SAFETY
CONTRACT FOR SPECIAL SERVICES**

July 1, 2015 to June 30, 2016

GENERAL PROVISIONS

The parties. The parties to this contract are the Alaska Department of Public Safety (hereinafter referred to as the “Department”) and the City of Kodiak (hereinafter referred to as the “City”).

Sole Agreement. The City and the Department undertake this contract under the terms set forth below. This contract is the sole agreement between the parties relating to special services, and there are no other agreements, express or implied.

Effective Date/Termination/Amendments. This contract is effective July 1, 2015 and continues in force until June 30, 2016. Either party may terminate the agreement with thirty (30) days written notice to the other party. This agreement may be amended by written agreement of the parties.

1. The Department will pay the City for services provided in accordance with, and under the terms of, this contract. Payments will be made quarterly in the amount of \$19,687.50, for a total of \$78,750.00. Payment for services provided under this contract will be made in four payments in the amount of and covering the period indicated below:

Period Covered	Amount	Payment Process Can Be Initiated
07/01/15 - 09/30/15	\$19,687.50	10/01/15
10/01/15 - 12/31/15	\$19,687.50	01/01/16
01/01/16 - 03/31/16	\$19,687.50	04/01/16
04/01/16 - 06/30/16	\$19,687.50	06/01/16
12 Month Total	\$78,750.00	

2. The City will provide and perform the services specified in this contract to the satisfaction of the Department, in support of Department personnel and operations.

**ALASKA DEPARTMENT OF PUBLIC SAFETY
CONTRACT FOR SPECIAL SERVICES**

July 1, 2015 to June 30, 2016

SPECIFIC PROVISIONS

4. The City will:
- a. Dispatch services will be provided in emergency situations. Emergency situations are those instances where natural or man-made disasters disable DPS dispatch capabilities; such as earthquakes, fires, etc. The need for the City to provide dispatch service in these situations is not anticipated to last longer than forty eight hours. In the event the City is required to provide more than 48 consecutive hours of dispatch service, the City shall be reimbursed for all dispatch related services provided at the rate of \$24.43 per hour.
 - b. Provide administrative support to the Department by processing, filing, recording, entering into/deleting from APSIN/NCIC, and returning to the court, all process relative to Kodiak Police Department cases, investigations, and business;
 - c. Provide field support to the Department by serving in the corporate limits of the City of Kodiak court process relative to Kodiak Police Department cases, investigations, and business;
 - d. Provide one correctional transport officer or one police officer, to transport and guard prisoners appearing in the Kodiak Court.

IN WITNESS OF THIS AGREEMENT, the undersigned duly authorized officers have subscribed their names on behalf of the Department and the City respectively.

For the City of Kodiak:

For the Department of Public Safety:

By _____

By _____

Printed Name _____

Printed Name _____



Official Title _____

Official Title _____

Date _____

Date _____

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Aimée Kniazowski, City Manager 
Thru: Glenn Melvin, City Engineer and Lon White, Harbormaster 
Date: June 25, 2015
Agenda Item: V. e. **Authorization of Amendment No. 7 to the Professional Services Contract for Construction Administration Services for Pier III Replacement, Project No. 11-07/8024**

SUMMARY: This memo is to recommend award of Amendment No. 7 to PND Engineers Inc. for additional construction phase services associated with the Pier III Replacement PN 11-07/8024 project. PND Engineers Inc. submitted a proposal for continued services during construction. The third party project manager and City staff recommend Council authorize Amendment No. 7 to the professional services contract to provide additional construction phase services associated with the Pier III Replacement project to PND Engineers on a Time and Expense (T & E) basis with services not to exceed \$275,000.

PREVIOUS COUNCIL ACTION:

- December 13, 2012, Council approved a professional services contract for geotechnical work
- January 24, 2013, Council approved Amendment No. 1 to professional services contract for survey and preliminary engineering
- May 23, 2013, Council approved Amendment No. 2 to professional services contract for additional geotechnical work
- June 11, 2013, the project manager and PND made a presentation to Council on the project in preparation for the design and permitting work
- June 27, 2013, Council approved Amendment No. 3 to the professional services contract for full design and permitting work
- September 13, 2013, approved no cost Amendment No. 4 to the professional services contract that did not require Council action
- December 12, 2013, Council authorized Amendment No. 5 to the professional services contract for construction phase services associated with the Pier III Replacement project
- January 20, 2015, work session Council reviewed the contract amendment and discussed it with staff and the project manager
- January 22, 2015, Council authorized Amendment No. 6 to the professional services contract for the construction phase services associated with the Pier III Replacement project

DISCUSSION: PND's level of required effort has increased beyond what was previously anticipated at Amendment 6. They have performed additional services that were within the approved scope of their

contract but not contemplated in the compensation amount at the time of Amendment No. 6. These services included successful completion of hydro-acoustical monitoring that facilitated a critically needed modification to the USACE drilling permit restrictions. They performed additional pipe pile measurement work and analysis beyond what had been originally contemplated. This was done to verify and strengthen the City's claim that the pipe supplied by Dominion was indeed "out-of-round." They have continued to perform extensive review of contractual issues in the PPM and Dominion contracts. In addition, they have provided more onsite construction inspection in response to the contractor adding a night shift to maintain schedule moving to the critical crane delivery date in mid July.

PND's current proposal continues the full-time inspection scope of services through completion of the pier structural work and the crane offload. After that point the level of inspection services will be reduced from full-time to periodic observation. Local resources, outside the PND contract will then be used to provide additional onsite observation. The amount of PND engineering services that will be required is in part a function of timing of the contractor in completing the work, maintaining quality control, and the level of effort needed to close out the Dominion and PPM contracts.

ALTERNATIVES:

- 1) Authorize the Amendment No. 7 to professional services contract with PND. Staff and the Project Manager recommend this alternative, as a necessary component to successfully complete the project and help to ensure that the City gets quality construction.
- 2) Do not authorize the amendment. This is not recommended, as it will greatly increase the risk of construction problems not being addressed and will likely cause delays in work.

FINANCIAL IMPLICATIONS: The funds to compensate PND for Amendment No. 7 fall within the project budget and within the unallocated project contingency.

STAFF RECOMMENDATION: Staff recommends Council authorize Amendment No. 7 to the professional services contract with PND for construction phase services associated with Pier III Replacement in the amount not to exceed \$275,000 with funds coming from the Cargo Development Fund, Pier III project, Project No. 11-07/8024.

CITY MANAGER'S COMMENTS: This is a necessary contract amendment to ensure the Pier III project gets the services of the design engineers for the remainder of the project. To be without PND's services at this time would be unwise. I support the recommendations of staff and the project manager and recommend Council authorize this contract amendment.

ATTACHMENTS:

- Attachment A: ARCADIS memo dated June 15, 2015, Re: Kodiak Pier III-PND Engineers Amendment 7
- Attachment B: PND letter dated June 15, 2015, Re: additional construction admin fees

PROPOSED MOTION:

Move to authorize Amendment No. 7 to the professional services contract with PND for additional construction phase services related to the Pier III replacement project on a time and expense basis in an amount not-to-exceed \$275,000 with funds coming from the Cargo Development Fund, Pier III project, Project No. 11-07/8024 and authorize the City Manager to execute the documents for the City.



Memorandum

TO: Aimee Kniazowski
FROM: Roe Sturgulewski
DATE: June 15, 2015
RE: Pier III PND Amendment #7
Recommendation for Approval

This is to recommend approval of Amendment #7 to PND Engineers, Inc. in the amount of \$275,000 to provide additional CA services on the Pier III project. The attached letter from PND dated June 15, 2015 provides additional information.

PND's level of required effort remains higher than previously anticipated. They have performed a number of additional services that were within the approved scope of their contract but not contemplated in the compensation amount at the time of their last Amendment. They successfully performed hydro-acoustical monitoring which facilitated a modification to the USACE drilling permit restrictions. They performed additional pile pipe pile measurement work and analysis beyond what had been originally estimated. They have done extensive review of contractual issues in the PPM and Dominion contracts. In addition, they have provided more onsite inspection after the Contractor moved to a double shift to maintain the pier construction schedule.

PND's current proposal contemplates full-time inspection through completion of the pier structural work and the crane offload. After that point the level of inspection effort will be reduced from full-time to periodic observation. Local resources, outside the PND contract, will then be used to provide additional onsite observation. The amount of remaining PND engineering services that will be required is in part a function of timing of Contractor completion and quality control and the level of effort required to close out the Dominion and PPM contracts.

Please contact me at 907.343.3013 if you have any questions.



ENGINEERS, INC.

June 15, 2015

111012

Mr. Roe Sturgulewski
 Alaska Operations Leader
 ARCADIS U.S., Inc.
 880 H Street Suite 101
 Anchorage, AK 99501

Subject: Additional Construction Admin Fees – Kodiak Pier 3 Construction

Dear Mr. Sturgulewski:

As you are aware PND Engineers, Inc. (PND) is currently providing construction administration (CA) services during construction of the new Kodiak Pier 3 facility. At the time of our original proposal for construction administration services, the construction schedule was unknown and the administration fee assumed only 8 months of six day a week field work would be required. Modifications to these costs were expected once the project schedule was better developed. In January PND submitted for extension of our CA budget based on the current spending trends that was expected to last into early August. Since that time additional services have been requested of PND, such as hydroacoustic monitoring and additional pipe pile measurements that have expended the budget quicker than expected.

As of June 5, 2015, there is approximately \$27,000 remaining in PND's CA budget. Based on current CA spending to date, and considering our remaining budget, it is estimated that to continue construction administration until the currently anticipated crane delivery of mid-July 2015, will require an extension of our CA budget by \$150,000.

Following crane delivery it has been requested that, to the extent possible, on-site CA services be reduced. PND believes that reduction of on-site CA will be feasible within acceptable levels of risk management near this timeframe, however; there are many unknowns that make estimation of the remaining on-site CA difficult. Some of these unknowns include:

- Dock Completion
 - It is unclear at this time what activities will be completed prior to crane delivery. The CA effort is heavily dependent on the amount of the facility that is completed.
- Construction Schedule
 - Conducting periodic inspection is heavily dependent on the schedule of installation. Depending on the sequence and schedule it may be possible to conduct inspection of multiple items during a single periodic inspection or it may require multiple trips.
- City Involvement
 - The City may elect to perform some of the CA on its own, where appropriate personnel are available. Coordination of what efforts the City would like to take over and what efforts PND will continue to oversee needs to be performed. As the project advances closer to the crane delivery date, the coordination planning will become clearer than what is currently known.

Kodiak Pier 3 Construction Administration and Project Procurement

In addition to the above on-site effort, there is expected to be additional effort expended by PND responding to contractor requests for additional compensation. PND has already spent considerable time on this effort but there are still multiple items that will require input from engineering as the project reaches completion.

We understand that obtaining approval through the City Council can take time due to the schedule of meetings and work sessions. For this reason, it is requested that an additional \$125,000 be added to the CA budget to cover expenses for the unknown portions of the work outlined above until such a time as clearer scope and definition of the work going forward can be attained.

In summary PND is requesting an additional \$275,000 extension to our current budget for CA efforts. Of this total, \$150,000 is to cover continued on-site CA expenses until crane delivery, expected in mid-July. An additional \$125,000 is requested to continue part time on-site CA following the crane delivery and for continued efforts addressing contractor requests for additional compensation as the project progresses. As noted above, the estimation of the part time on-site CA and compensation review efforts will be re-addressed following crane delivery and discussions with the City.

We appreciate this opportunity to continue moving this project forward and look forward to working further with the City.

Sincerely,
PND Engineers, Inc. | Anchorage Office





FOR
Kenton W. Braun, P.E.
Vice President



Bryan Hudson, P.E.
Senior Engineer

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Aimée Kniazowski, City Manager 
Thru: Mark Kozak, Public Works Director and Glenn Melvin, City Engineer 
Date: June 25, 2015

Agenda Item: V. f. Authorization of FY2016 Pavement Repairs, Project No. 16-02/5025

SUMMARY: To keep City streets and parking lots in good driving condition requires a continual asphalt maintenance program. This project will repair areas of asphalt damaged by wear and water erosion with the focus on Mill Bay Road repairs. Brechan Enterprises, Inc. is the only asphalt pavement producer and large paver in Kodiak; therefore, staff recommends Council authorize the FY2016 pavement repairs to Brechan as a sole source contract per KCC 3.12.070(d) in the amount of \$1,150,000.

PREVIOUS COUNCIL ACTION: Since 2006 the City has authorized multiple contracts with Brechan to repair sections of street and parking lots in order to keep the paved areas from deteriorating to the point of requiring a complete rebuild.

DISCUSSION: Because of the limited funds available for asphalt pavement repairs and no support from the state in the form of grants for this year, staff intends to focus on the worst parts of Mill Bay Road. The following is an outline of the intended scope of work for Brechan:

Mill Bay Road, Bartel Avenue to Benny Benson Road: This section of road will include three sections of paving located between the short sections done at Benny Benson, Malutin, and Bancroft in 2014. The work will include milling and removal in the ruts shown to have “alligator cracking,” patch-pave ruts, and overlay entire roadway to centerline. We are using the same overlay cross section as done in 2014, which raised the “crown” (road cross slope) from two (2) percent to three (3) percent and improved pavement drainage. Being able to get the water off the pavement and into the gutter will help the pavement last longer. This section of road is roughly 2,800 feet in length.

Benny Benson Road to Island Lake Road: This section of road is the most travelled section of road in Kodiak with over 12,000 trips per day average. This section will be reconstructed with the same method as Bartell to Benny Benson but will require the use of ADOT specified “hard rock” aggregate in the asphalt mix. Brechan has enough “hard rock” left over from ADOT projects to complete this section of road. Staff discussed the use of “hard rock” with ADOT engineers in Juneau, and they confirmed that it significantly increases the life of the pavement. Staff also checked with DOWL and their pavement

engineering specialist recommended using “hard rock” on all roads that exceed 6,000 tips per day. Also, using “hard rock” for this section and using Kodiak rock for the Bartel section will be a good test case to compare pavement wear over time and help plan future pavement projects. The local rock mix used on past Mill Bay Road projects has historically lasted about seven years. Staff hopes the “hard rock” will last at least ten years or more. The plan is to mill, pre-level, and overlay this section of road as was done last year, including a three (3) percent increase in the crown of the road.

Discussion Detail and Methodology: Mill Bay was originally paved in two lifts of two inches each based on the heavy traffic flow. The existing ruts vary in depth from 1.5 inches to over 2.5 inches. Sections of street areas are almost completely worn through the asphalt. The Birch intersection showed holes last winter, and staff found places where there was only about one inch of remaining asphalt in the turning lanes.

In order to repair the rutted areas and improve the drainage off the pavement, the plan is to mill two inches along the gutter in a 40-inch width. A second milling pass to remove a portion of the hump between the ruts on each side of the street will maintain a consistent depth of replacement asphalt. The milling pass next to the gutter will come out almost in the center of the rut closest to gutter. The second milling pass will remove the high spot between the ruts. They will then use a leveling course of fine mix asphalt in what is left of the rut close to the center of the street. This leveling course will improve finish compaction on the overlay lift. The overlay lift will be laid with two inches of asphalt next to the gutter and thicken to almost 3 inches at the centerline of the road. This allows us the opportunity to test out the three (3) percent crown that a lot of southeast Alaska communities are using. Their weather is much closer to ours as far as freeze-thaw cycles and rainfall compared to the standard two (2) percent crown used on most streets. The steeper crown is all about getting the water off the pavement as quickly as possible.

The plan eventually decided upon by staff is to use the milling, pre-level and overlay approach, and we are then able to increase the estimated footage repair to approximately 1,500 feet of repair.

It is important to point out that this project addresses only a portion of the rapidly deteriorating Mill Bay Road. Approximately one mile of Mill Bay Road will still need to be overlaid as soon as possible to avoid substantial additional cost due to further deepening of the ruts. Other Kodiak roads, such as Lower Erskine and the north end of Larch Street, have conditions very similar to Mill Bay. Many other streets within the community are in need of pavement overlays or replacement. Birch Street is in very poor condition, but it is the next phase of the Aleutian Homes Water and Sewer Replacement project. The design for this project was funded in the FY2015 budget, and we intend to build it as soon as funding is available.

ALTERNATIVES: Council may consider the following:

- 1) Authorize the FY2016 pavement repairs to Brechan as a sole source contract, which is staff's recommendation, because Brechan is the only large paving company in Kodiak. KCC 3.12.070 (d) allows the City to award sole source contracts, and this approach saves the time and expense of preparing a bid ready project with only one supplier on the island.
- 2) Do not sole source this work and prepare a bid ready set of plans and documents. This process is not recommended because it would delay repairs and increase engineering and survey costs to bid the project. Since Brechan is the only asphalt producer and the size of the project is too small to attract off island pavers staff does not see the benefit in using this approach.
- 3) Do not authorize the FY2016 pavement project and patching work, which is not recommended because it would leave Mill Bay Road to continue its rapid deterioration.

FINANCIAL IMPLICATIONS: \$1,200,000 was added to the continuing pavement repair project, so there is adequate funding to award this contract and leave a contingency to cover any minor overruns in product quantities and for some possible lay down testing for compaction.

LEGAL: KCC 3.12.070 (d) allows the City to award a sole source contract for supplies, materials, equipment, or services when the City Manager determines that there is only one source. This is the case with the FY16 paving contract. There are two paving contractors in Kodiak of which Brechan is the only one qualified to do heavy highway paving. Bassi Pavin is the other local contractor. Bassi is a smaller firm specializing in driveways and parking lots and has indicated in writing that the firm will not be bidding this project (Attachment B). Brechan is the only source for this project and the materials needed to complete the needed paving repairs.

STAFF RECOMMENDATION: Staff recommends Council authorize the award of the FY2016 Pavement Repair project to Brechan as a sole source contract for the total amount of \$1,150,000 with funds coming from the Streets Capital Improvement Fund Project No. 16-02/5025, Pavement Repairs.

CITY MANAGER'S COMMENTS: I support staff recommendation to sole source this contract to Brechan for our FY2016 pavement project. The condition of Mill Bay Road will only continue to deteriorate if we don't take some immediate action. I recommend Council authorize the award of this contract to Brechan as outlined.

ATTACHMENTS:

- Attachment A: Brechan proposal dated June 14, 2015
- Attachment B: Letter from Bassi Pavin

PROPOSED MOTION:

Move to authorize the award of the FY2016 Pavement Repair project to Brechan Construction LLC in the amount of \$1,150,000, with funds coming from the Streets Capital Improvement Fund Project No. 16-02/5025, Pavement Repairs and authorize the City Manager to execute the documents on behalf of the City.



Alaska Business License # 1016083 Alaska Contractors License # 39993

June 14, 2015

City of Kodiak – Public Works
Attn – Mark Kozak
2410 Mill Bay Rd
Kodiak, AK 99615

Re: Mill Bay Rd. Overlay 2015
Price Proposal

Dear Mr. Kozak,

It is our pleasure to submit the following proposal for the Mill Bay Overlay 2015 Project.

This Project is a continuation and slight modification of a successful design from 2014. In 2014, City of Kodiak Public Works representatives, along with Brechan representatives came up with a concept design which attempted to maximize funds available and increase the service life of the asphalt on Mill Bay Rd. With the resources available at the time, we were able to come up with a design that met these 2 critical components. We have now increased our available resources with the purchase of a larger milling machine. When we purchased this larger milling machine, we kept Mill Bay Road in mind, knowing that it would be a valuable resource for the increased performance of the Project.

The 2015 proposed typical cross-section will be slightly different from the 2014 typical in the following ways:

1. Instead of multiple passes required with our older equipment, the new milling machine will mill all in one pass. This decreases labor and equipment costs with faster productions.
2. In the proposed sections, there have been “Alligatored Areas” that have developed due to the upper layer of existing asphalt breaking through in to the bottom layer of asphalt. We will mill these bad sections out with our smaller milling machine and patch them back with asphalt prior to the asphalt pre-level and overlay being installed.
3. We will be performing a “test-section” of asphalt overlay along the section of road from Island Lake Road to Benny Benson. This section of road will receive Nordic 9 Hard Rock to test and see if it is worth installing it on the remainder of Mill Bay Road.

With these modifications, we have decreased our overall unit price from 2014 from \$261 to \$239 per foot of road in the areas not receiving Nordic 9 hard rock. However, the

2705 Mill Bay Road, Kodiak, Alaska 99615 (907) 486-3215

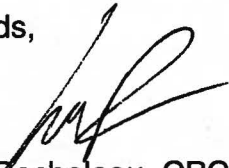
June 14, 2015

section of road receiving Nordic 9 hard rock is \$308 per foot of road. Next year, if you are pleased with the performance of the Nordic 9 test section, we can install it on the remainder of Mill Bay Road.

To stay within your budget of \$1,200,000, we are submitting the attached proposal which appears to come to a total of approximately \$1,150,000. This leaves us a factor of safety of approximately \$50,000. To that I am comfortable with saying we can stay on budget.

If you have any questions, please feel free to contact me.

Regards,



Louis Rocheleau, CPC
Project Manager

Att: Work Plan – Proposed Areas for 2015 Overlay Sections
Summary of Forecast of Costs
Forecast of Costs for Section – Island Lake Rd to Benny Benson
Forecast of Costs for Section – Benny Benson to Bankroft
Forecast of Costs for Section – Bankroft to Municipal Airport Rd
Forecast of Costs for Section – Municipal Airport Rd to Bartel
Typical Cross Section
Traffic Control Plan #1 – Island Lake Rd to Benny Benson
Traffic Control Plan #2 – Benny Benson to Bartel
Initial Project Schedule

**2015 City of Kodiak Mill Bay Rd Overlay - IDIQ
Summary of Forecast of Costs**

Section	Forecast of Costs	Length	Unit Price (\$/LF)	Notes
Island Lake to Benny Benson	\$475,865.14	1547	\$307.61	Hard Rock Overlay
Benny Benson to Bankroft	\$133,248.42	542	\$245.85	
Bankroft to Municipal Airport Road	\$433,092.16	1829	\$236.79	
Municipal Airport Road to Bartel	\$104,759.44	431	\$243.06	
Total	\$1,146,965.16	4,349	\$263.73	

2015 City of Kodiak Mill Bay Rd Overlay - IDIQ

Forecast of Costs

Section: Island Lake to Benny Benson

Item #	Description of Work	Units	2015 Unit Price	Quantity	Price Extension
205(2)	Leveling Course	Ton	\$50.00	8	\$400.00
207(2)	Full Depth Removal of Pavement	square foot	\$2.00	720	\$1,440.00
207(10-a)	Pavement Planing w/ 7.2' Milling Machine	square foot	\$0.78	22,813	\$17,794.14
207(10-b)	Pavement Planing w/ 40" Milling Machine	square foot	\$1.15	0	\$0.00
402(2-a)	AC Pavement, Type IIB, Paving Machine, 2" Thickness	square foot	\$4.00	0	\$0.00
402(2-a)	AC Pavement, Type IIB, Overlay, Varying Thickness	Ton	\$340.00	9	\$3,060.00
402(2-b)	AC Pavement, Type IIB, Manual Patch, 2" Thickness	square foot	\$5.00	40	\$200.00
402(2-b)	AC Pavement, Type IIB, New Full Depth, 3" Thickness	Ton	\$340.00	0	\$0.00
402(2-c)	AC Pavement, Type IIB, Manual Patch, 3" Thickness	square foot	\$6.50	0	\$0.00
402(2-d)	AC Pavement, Type IIB, Manual Patch	square foot	\$7.00	0	\$0.00
402(2-e)	AC Pavement, Type IVB, Leveling Course	Lane-STA	\$650.00	30.34	\$19,721.00
402(2-f)	AC Pavement, Type IIB w/ Hard Rock, Overlay, Varying Thickness	Ton	\$440.00	825.0	\$363,000.00
802(1)	Traffic Maintenance	Calendar Day	\$1,500.00	7	\$10,500.00
802(5)	Flagging	Hour	\$95.00	350	\$33,250.00
804(1)	Temporary Erosion & Pollution Control	LS	\$5,000.00	0	\$0.00
805(2)	Survey Monument Installed in Monument Case	Each	\$1,500.00	3	\$4,500.00
814(1)	Adjust Manhole to Finish Grade	Each	\$1,200.00	15	\$18,000.00
815(1)	Adjust Valve Box to Finish Grade	Each	\$800.00	5	\$4,000.00
			TOTALS		\$475,865.14

2015 City of Kodiak Mill Bay Rd Overlay - IDIQ

Forecast of Costs

Section: Benny Benson to Bankroft

Item #	Description of Work	Units	2015 Unit Price	Quantity	Price Extension
205(2)	Leveling Course	Ton	\$50.00	0	\$0.00
207(2)	Full Depth Removal of Pavement	square foot	\$2.00	364	\$728.00
207(10-a)	Pavement Planing w/ 7.2' Milling Machine	square foot	\$0.78	8,589	\$6,699.42
207(10-b)	Pavement Planing w/ 40" Milling Machine	square foot	\$1.15	0	\$0.00
402(2-a)	AC Pavement, Type IIB, Paving Machine, 2" Thickness	square foot	\$4.00	0	\$0.00
402(2-a)	AC Pavement, Type IIB, Overlay, Varying Thickness	Ton	\$340.00	295	\$100,300.00
402(2-b)	AC Pavement, Type IIB, Manual Patch, 2" Thickness	square foot	\$5.00	364	\$1,820.00
402(2-b)	AC Pavement, Type IIB, New Full Depth, 3" Thickness	Ton	\$340.00	0	\$0.00
402(2-c)	AC Pavement, Type IIB, Manual Patch, 3" Thickness	square foot	\$6.50	0	\$0.00
402(2-d)	AC Pavement, Type IIB, Manual Patch	square foot	\$7.00	0	\$0.00
402(2-e)	AC Pavement, Type IVB, Leveling Course	Lane-STA	\$650.00	10.04	\$6,526.00
402(2-f)	AC Pavement, Type IIB w/ Hard Rock, Overlay, Varying Thickness	Ton	\$440.00	0.0	\$0.00
802(1)	Traffic Maintenance	Calendar Day	\$1,500.00	4	\$6,000.00
802(5)	Flagging	Hour	\$95.00	105	\$9,975.00
804(1)	Temporary Erosion & Pollution Control	LS	\$5,000.00	0	\$0.00
805(2)	Survey Monument Installed in Monument Case	Each	\$1,500.00	0	\$0.00
814(1)	Adjust Manhole to Finish Grade	Each	\$1,200.00	1	\$1,200.00
815(1)	Adjust Valve Box to Finish Grade	Each	\$800.00	0	\$0.00
			TOTALS		\$133,248.42

2015 City of Kodiak Mill Bay Rd Overlay - IDIQ

Forecast of Costs

Section: Bankroft to Municipal Airport Road

Item #	Description of Work	Units	2015 Unit Price	Quantity	Price Extension
205(2)	Leveling Course	Ton	\$50.00	0	\$0.00
207(2)	Full Depth Removal of Pavement	square foot	\$2.00	1,940	\$3,880.00
207(10-a)	Pavement Planing w/ 7.2' Milling Machine	square foot	\$0.78	27,122	\$21,155.16
207(10-b)	Pavement Planing w/ 40" Milling Machine	square foot	\$1.15	0	\$0.00
402(2-a)	AC Pavement, Type IIB, Paving Machine, 2" Thickness	square foot	\$4.00	0	\$0.00
402(2-a)	AC Pavement, Type IIB, Overlay, Varying Thickness	Ton	\$340.00	970	\$329,800.00
402(2-b)	AC Pavement, Type IIB, Manual Patch, 2" Thickness	square foot	\$5.00	1,940	\$9,700.00
402(2-b)	AC Pavement, Type IIB, New Full Depth, 3" Thickness	Ton	\$340.00	0	\$0.00
402(2-c)	AC Pavement, Type IIB, Manual Patch, 3" Thickness	square foot	\$6.50	0	\$0.00
402(2-d)	AC Pavement, Type IIB, Manual Patch	square foot	\$7.00	0	\$0.00
402(2-e)	AC Pavement, Type IVB, Leveling Course	Lane-STA	\$650.00	35.78	\$23,257.00
402(2-f)	AC Pavement, Type IIB w/ Hard Rock, Overlay, Varying Thickness	Ton	\$440.00	0.0	\$0.00
802(1)	Traffic Maintenance	Calendar Day	\$1,500.00	6	\$9,000.00
802(5)	Flagging	Hour	\$95.00	240	\$22,800.00
804(1)	Temporary Erosion & Pollution Control	LS	\$5,000.00	0	\$0.00
805(2)	Survey Monument Installed in Monument Case	Each	\$1,500.00	1	\$1,500.00
814(1)	Adjust Manhole to Finish Grade	Each	\$1,200.00	10	\$12,000.00
815(1)	Adjust Valve Box to Finish Grade	Each	\$800.00	0	\$0.00
			TOTALS		\$433,092.16

2015 City of Kodiak Mill Bay Rd Overlay - IDIQ

Forecast of Costs

Section: Municipal Airport Road to Bartel

Item #	Description of Work	Units	2015 Unit Price	Quantity	Price Extension
205(2)	Leveling Course	Ton	\$50.00	8	\$400.00
207(2)	Full Depth Removal of Pavement	square foot	\$2.00	680	\$1,360.00
207(10-a)	Pavement Planing w/ 7.2' Milling Machine	square foot	\$0.78	6,598	\$5,146.44
207(10-b)	Pavement Planing w/ 40" Milling Machine	square foot	\$1.15	0	\$0.00
402(2-a)	AC Pavement, Type IIB, Paving Machine, 2" Thickness	square foot	\$4.00	680	\$2,720.00
402(2-a)	AC Pavement, Type IIB, Overlay, Varying Thickness	Ton	\$340.00	235	\$79,900.00
402(2-b)	AC Pavement, Type IIB, Manual Patch, 2" Thickness	square foot	\$5.00	0	\$0.00
402(2-b)	AC Pavement, Type IIB, New Full Depth, 3" Thickness	Ton	\$340.00	0	\$0.00
402(2-c)	AC Pavement, Type IIB, Manual Patch, 3" Thickness	square foot	\$6.50	0	\$0.00
402(2-d)	AC Pavement, Type IIB, Manual Patch	square foot	\$7.00	0	\$0.00
402(2-e)	AC Pavement, Type IVB, Leveling Course	Lane-STA	\$650.00	7.82	\$5,083.00
402(2-f)	AC Pavement, Type IIB w/ Hard Rock, Overlay, Varying Thickness	Ton	\$440.00	0.0	\$0.00
802(1)	Traffic Maintenance	Calendar Day	\$1,500.00	2	\$3,000.00
802(5)	Flagging	Hour	\$95.00	50	\$4,750.00
804(1)	Temporary Erosion & Pollution Control	LS	\$5,000.00	0	\$0.00
805(2)	Survey Monument Installed in Monument Case	Each	\$1,500.00	0	\$0.00
814(1)	Adjust Manhole to Finish Grade	Each	\$1,200.00	2	\$2,400.00
815(1)	Adjust Valve Box to Finish Grade	Each	\$800.00	0	\$0.00
			TOTALS		\$104,759.44

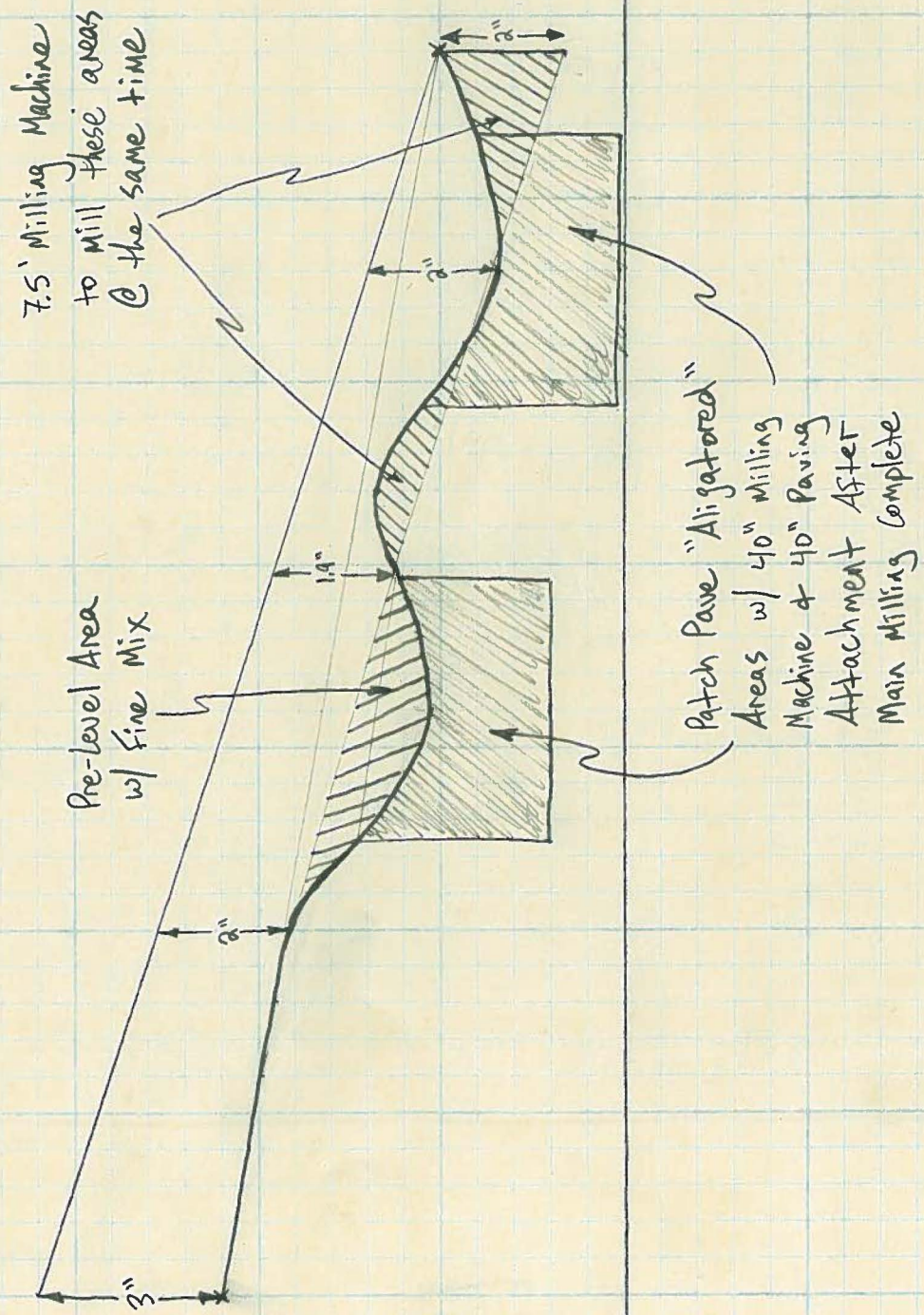
City of Kodiak - Mill Bay Overlay 2015 - Initial Schedule

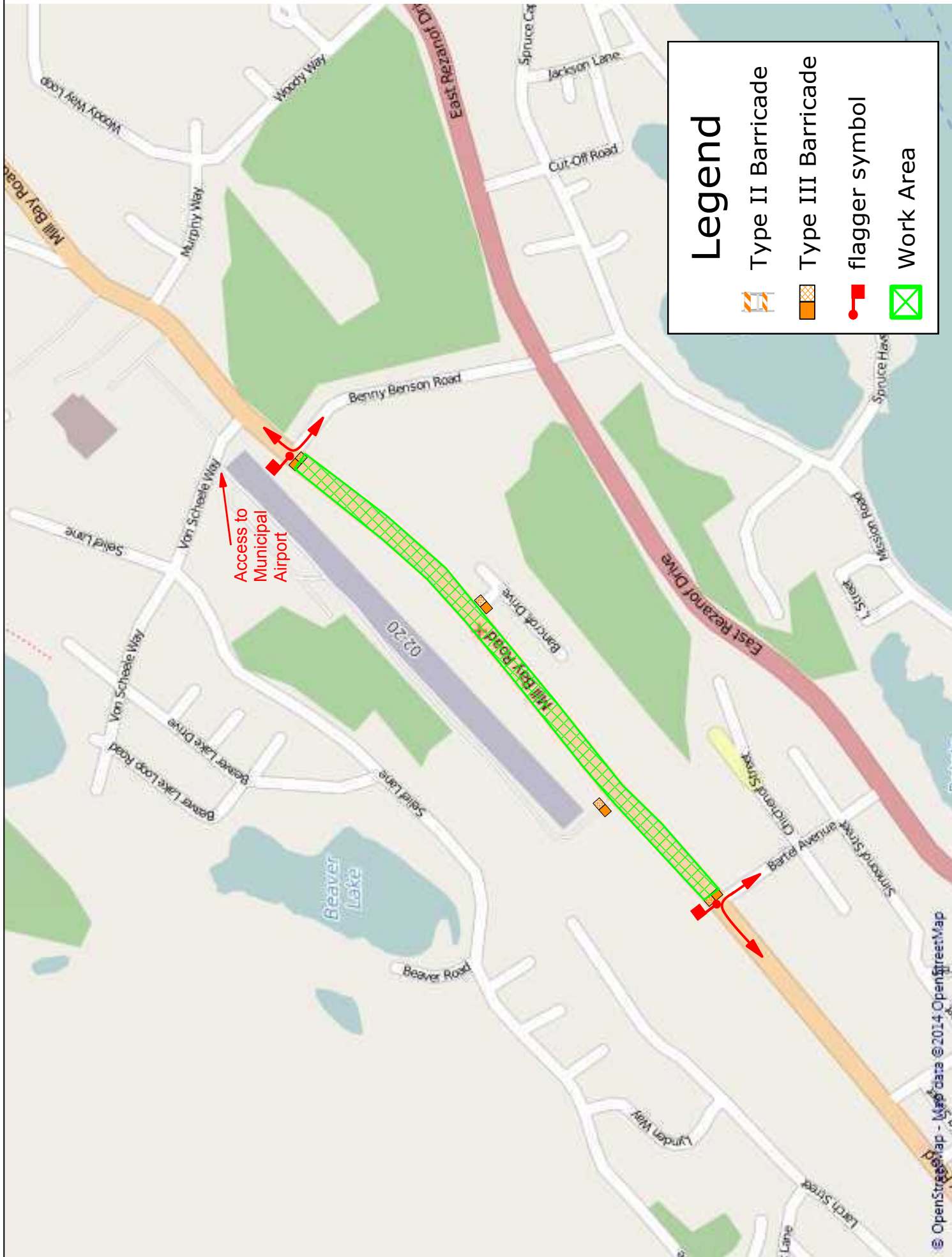
ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	6/21	July 1	7/5	7/19	0%
1		Benny Benson to Bartel Section:	16 days	Mon 6/29/15	Thu 7/16/15						
2		Lower Utilities	1 day	Mon 6/29/15	Mon 6/29/15						
3		7.2' Milling (Day Work)	1 day	Wed 7/1/15	Wed 7/1/15	9,2					
4		AC Patch Work	2 days	Fri 7/3/15	Sat 7/4/15	3,10					
5		AC Leveling Course (Night Work)	1 day	Tue 7/7/15	Tue 7/7/15	4,11					
6		Raise Utilities	2 days	Thu 7/9/15	Fri 7/10/15	5,12					
7		Pave Overlay (Night Work)	2 days	Wed 7/15/15	Thu 7/16/15	6,14					
8		Island Lake to Benny Benson Section:	16 days	Tue 6/30/15	Fri 7/17/15						0%
9		Lower Utilities	1 day	Tue 6/30/15	Tue 6/30/15	2					
10		7.2' Milling (Night Work)	1 day	Thu 7/2/15	Thu 7/2/15	9,3					
11		AC Patch Work	1 day	Mon 7/6/15	Mon 7/6/15	10,4					
12		AC Leveling Course (Night Work)	1 day	Wed 7/8/15	Wed 7/8/15	11,5					
13		Raise Utilities	2 days	Sat 7/11/15	Mon 7/13/15	12,6					
14		Remove AC Transition / Pave Transition (Night Work)	1 day	Tue 7/14/15	Tue 7/14/15	13					
15		Pave Hard Rock Overlay (Night Work)	1 day	Fri 7/17/15	Fri 7/17/15	14,7					



Critical	Split	Finish-only	Baseline Milestone	Manual Summary	Inactive Task
Critical Split	Task Progress	Duration-only	Milestone	Project Summary	Inactive Milestone
Critical Progress	Manual Task	Baseline	Summary Progress	External Tasks	Inactive Summary
Task	Start-only	Baseline Split	Summary	External Milestone	Deadline

2015 Design





Legend

-  Type II Barricade
-  Type III Barricade
-  flagger symbol
-  Work Area

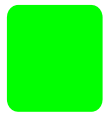
Date: 6/14/2015 **Project:** City of Kodiak 2015 Road Maintenance **Author:** Louis Rocheleau (ATSSA TCS#51193)
Traffic Control Plan: #2 - Benny Benson to Bartel Closure

Comments:

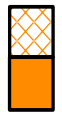
- *Road Closure is only permitted between the hours of 7:00 pm & 6:00 am.
- *All Flagging Stations and Work Zone will be illuminated.
- *All Flaggers will have radio communication.
- *Portable Changeable Message Board Signs will be used in prominent locations to alert traffic.
- *Fire & Police Department & All Emergency Personnel will have access at all times.
- *Municipal Airport Traffic use North Entrance as Shown on Drawing.



Legend



Work Area



Type III Barricade



flagger symbol



Date: 6/14/2015 **Project:** City of Kodiak 2015 Mill Bay Road Overlay **Author:** Louis Rocheleau (ATSSA TCS#51193)
Traffic Control Plan: #1 - Island Lake Rd. to Benny Benson Road Closure

Comments:

- *Road Closure is only permitted between the hours of 7:00 pm & 6:00 am.
- *All Flagger Stations and Work Zone will be illuminated.
- *All Flaggers will have radio communication.
- *Portable Changeable Message Board Signs will be used in prominent locations to alert traffic.
- *Fire & Police Department & All Emergency Personnel will have access at all times.
- *Safeway Traffic Use Von Scheele Entrance from Selief Rd. for Access.
- *Walmart Traffic Use Island Lake Rd. Entrance for Access.



Legend



Island Lake Rd to Benny Benson



Benny Benson to Bankcroft



Bankcroft to Municipal Airport Rd



Municipal Airport Rd to Bartel



Date: 6/14/2015 **Project:** City of Kodiak 2015 Mill Bay Road Overlay **Author:** Louis Rocheleau (ATSSA TCS#51193)
Work Plan: Proposed Areas for 2015 Overlay Sections

Comments:

Areas depicted will transition in to patches of overlay installed in 2014.



Bassi Pavin

City of Kodiak
2410 Mill Bay Rd
Kodiak, AK 99615
907-486-8065 Ph
907-486-8066 Fx

Attn: Mark

Thank you for the opportunity and invite to bid on the Mill Bay Road project. Unfortunately at this time we not set up to complete this job. We ask that you please withdrawal Bassi Pavin from the bidding list on the Mill Bay Rd. project. Thank you so much for your time and opportunity.

Sincerely,

John Bassi
Bassi Pavin
PO Box 1201
Kodiak, AK 99615
907-229-6769 cell



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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Aimée Kniaziowski, City Manager 

Date: June 25, 2015

Agenda Item: V. g. **Authorization of FY2015 Marketing and Tourism Development Agreement With Discover Kodiak**

SUMMARY: Council has authorized agreements with the Kodiak Island Convention and Visitors Bureau, known as Discover Kodiak, to provide marketing and tourism outreach for Kodiak since FY2009. This Council action will renew the agreement for FY2016. Discover Kodiak is requesting the City provide \$108,000 to fund the FY2016 contract, which is \$8,000 more than was funded in FY2015, to help fund their trails kiosk project. Staff recommends Council authorize the City Manager to sign the FY2016 Marketing and Tourism Program Agreement with Discover Kodiak in the amount of \$108,000.

PREVIOUS COUNCIL ACTION:

- July 22, 2010, Council authorized the FY2011 Destination Marketing and Tourism Development Program Agreement in the amount of \$90,000
- June 23, 2011, Council authorized the FY2012 program agreement in the amount of \$100,000
- June 21, 2012, Council authorized the FY2013 program agreement in the amount of \$90,000
- May 9, 2013, Council authorized the FY2014 program agreement in the amount of \$90,000
- March 25, 2014, Discover Kodiak made a presentation to Council regarding their request for \$100,000 in funding for FY2015
- June 12, 2014, Council approved the FY2015 contract for \$100,000
- May 26, 2015, Discover Kodiak made their FY2016 request for funding at \$108,000
- June 11, 2015, Council approved additional funding in FY2016 budget

DISCUSSION: The City has participated in a community-based tourism development program managed by the Kodiak Island Convention and Visitors Bureau, known as Discover Kodiak, for many years. Funding support from the City of Kodiak and the Kodiak Island Borough has been used to establish a marketing and tourism development program that benefits the City of Kodiak and the Kodiak region.

The City and the Borough agree that economic development and diversification are important aspects of a sustainable economy for Kodiak. Tourism is an important aspect of that diversification, and Discover Kodiak has worked to expand and promote tourism in the region. They have been successful in promoting Kodiak to vacationers and other visitors. Discover Kodiak requested and was approved for \$108,000 in funding from the City for FY2016 to provide the contracted services and help fund a new

trails kiosk project. This is \$8,000 above what was funded in the FY2015 budget and will be used in partnership with other funders to develop the trails kiosk, which Council supported at previous discussions in May and June.

Chastity McCarthy, the Executive Director of Discover Kodiak, made a presentation at the May 26 work session. She described the funding request, discussed the work accomplished by Discover Kodiak, and outlined the organization's focus, the initial evaluation of return on investment (ROI) from community funding, and the proposed budget for the upcoming fiscal year (Attachments B and C).

ALTERNATIVES: Council may authorize the FY2016 agreement with Discover Kodiak for \$108,000 as identified in the FY2016 budget, may decide not to authorize the agreement, or decide to amend the agreement. Staff recommends Council authorize the agreement as presented, because it is consistent with Council's discussions and intent when the FY2016 budget was passed.

FINANCIAL IMPLICATIONS: The FY2016 budget reflects an expenditure of \$108,000 for this contracted service in the Tourism Development Fund.

STAFF RECOMMENDATION: Staff recommends Council approve the FY2016 Marketing and Tourism Development Agreement with Discover Kodiak in the amount previously supported by Council of \$108,000, with funds coming from the Tourism Development Fund.

CITY MANAGER'S COMMENTS: The City realizes that economic development and diversification are keys to a sustainable economy for Kodiak. Council has identified economic development as one of its budget goals for several years now. With financial support from the Borough and the City, Discover Kodiak works to promote Kodiak as a visitor destination. Discover Kodiak has requested \$108,000 for FY2016, and Council was supportive of the request.

ATTACHMENTS:

Attachment A: Marketing and Tourism Development Agreement, FY2015-2016

Attachment B: FY2016 budget presentation and annual report

Attachment C: Discover Kodiak's accomplishments, goals, and budget comparisons between FY15 and FY16

PROPOSED MOTION:

Move to authorize the FY2016 Marketing and Tourism Development Agreement with Discover Kodiak in the amount of \$108,000, with funds coming from the Special Revenue Funds, Tourism Development Fund, Tourism, Administration, Contributions account and authorize the City Manager to sign the agreement on behalf of the City.

**MARKETING AND
TOURISM DEVELOPMENT PROGRAM
AGREEMENT NO. 219064**

THIS AGREEMENT is entered into by and between the City of Kodiak, Alaska, (City) and Discover Kodiak (CVB) for the purpose of setting forth the terms and conditions pursuant to which the CVB will be contracted to provide destination marketing and tourism development activities for the City of Kodiak.

Section 1. INTENT OF AGREEMENT. The CVB is hereby contracted to provide a Board of Directors, which will serve as a policy making body for the CVB and will employ a minimum of one full time equivalent employee (FTE) to focus on destination marketing and tourism development for the City of Kodiak.

Section 2. SCOPE OF WORK. The CVB's executive director (ED) will be hired by and work at the direction of the Board of Directors and the (ED) will hire and manage necessary staff to carry out the following tasks:

- a. Produce marketing materials, including the Discover Kodiak Visitor Guide.
- b. Provide information about the City of Kodiak to the traveling public.
- c. Maintain and staff the Kodiak Visitor Center.
- d. Keep the City Council and community at large informed about the results of the CVB's marketing efforts and the state of the local tourism industry.
- e. Work with the Alaska Travel Industry Association (ATIA) and other statewide tourism marketing organizations to ensure that the City of Kodiak is represented in their ongoing national and international marketing programs.
- f. Continue development of the kodiak.org website to improve its usability and visibility to visitors, potential businesses, and residents.
- g. Work with the City of Kodiak to determine the role tourism does and can play in the community's economy.
- h. Participate in the Comprehensive Economic Development Strategy committee to foster an understanding of the tourism industry and opportunities and challenges facing the industry.
- i. Work with the Kodiak Chamber of Commerce to transform the visitor industry into a significant component of the City of Kodiak's economy.
- j. Work with the Kodiak Chamber of Commerce, the Kodiak Island Borough School District, Kodiak College, Kodiak Native organizations, and others to encourage entrepreneurship and assist small business development in the tourism industry.
- k. Explore new employment and business opportunities related to the Kodiak tourism industry.
- l. Develop a travel press kit, to be available on the kodiak.org website, with a broader distribution plan for the kit to a variety of travel media.
- m. Work with the airline industry and the Alaska Marine Highway System to maintain and improve access for visitors to Kodiak.
- n. Attend travel trade show to promote Kodiak to travel agents and consumers.
- o. Expand advertising and marketing specific to the Kodiak Convention Center.

A minimum of four DISCOVER KODIAK Board of Directors meetings will be held during the term of this Agreement for the purpose of maintaining Board input and guiding the efforts of the CVB. A report of all marketing activities of the CVB will be submitted to the City Manager quarterly and a report will be submitted/presented to the Kodiak City Council annually.

Section 3. TERM. This agreement will remain in effect July 1, 2015, through June 30, 2016, unless earlier terminated. Either party shall have the right to terminate the agreement without penalty upon one month's written notice to the other.

Section 4. COMPENSATION. As compensation for all services rendered under this agreement, contractor shall be paid \$108,000 by the City of Kodiak. Said compensation shall be paid in equal installments of \$27,000 on the second Friday of July and October 2015, and January and April 2016.

IN WITNESS WHEREOF the parties have executed this Agreement on this ____ day of _____, 2015.

CITY OF KODIAK

DISCOVER KODIAK

Aimée Kniazowski, City Manager

Chastity McCarthy, Discover Kodiak Director

Attest:

Debra Marlar, City Clerk

**DISCOVER KODIAK
2016 BUDGET PRESENTATION AND ANNUAL REPORT
February 2015**

**DESTINATION MARKETING & TOURISM DEVELOPMENT PROGRAM
AGREEMENT**

Achievements 2014-2015

- www.kodiak.org had over 357,000 views in 2014.
- Provided membership services to 208 members, added 7 members.
- Hosted the annual meeting for our membership.
- Submitted RFP's to over 8 convention holders around the state.
- Continued our monthly Bear Tracks newsletter.
- Produced additional co-op advertising opportunities for our membership.
- New and updated downtown walking map produced, color coded walking trails added.
- 2 page winter spread introduced in 2015 Visitor Guide, encouraging year round travel.
- Hosted two media/travel writers which resulted in 5 stories, social media exposure and a video series.
- Completed Kodiak specific market research which will be used to direct future advertising purchases.
- Supported the production of two television shows "Island Life" and "Buying Alaska."
- Hosted our annual fundraising event which was a sold out event.
- Hosted a community scavenger hunt that led the public to membership businesses during the 2014 Crab Festival.
- Created new proprietary products for the visitor center.
- Created a partnership system to better advertise non-member businesses.
- Accepted a bid to produce a new Kodiak Island feature video.

Section 2. SCOPE OF WORK. The contractor will work with the Marketing Committee to accomplish the following tasks identified in the document, such as:

- a. Produce collateral marketing materials, including the Discover Kodiak Visitor Guide.
 - Kodiak Visitor Guide revised and produced each year.
 - Press media kits developed to target specific media.
 - 2015 membership directory re-created
 - Downtown walking maps re-created with additional features
- b. Provide information about the City of Kodiak to the traveling public
 - Served approximately 9172 cruise ship passengers & crew plus 11,000 independent travelers, Coast Guard families, convention and business travelers and local residents.

- Visitor Center worked with Fish N Game to produce outdoor walking plaque
- c. Maintain and staff the Kodiak Visitor Center
 - Staff visitor center full-time, year round. 6 days a week from May-September.
- d. Keep the City Council and community at large informed as to the results of the CVB's marketing efforts and the state of the local tourism industry
 - Attend City Council meetings and/or workshops as requested.
 - Provide quarterly reports
 - Provide relevant information to membership in regards to City updates and information
- e. Work with the Alaska Travel Industry Association and other statewide marketing organizations to ensure that the City of Kodiak is represented in their ongoing national and international marketing programs
 - Maintain community partnership level with ATIA.
 - Maintain listing in Official Alaska Travel planner
 - Participated in ATIA cooperative marketing programs
 - Director served on ATIA Marketing Committee
- f. Continue development of the kodiak.org website to improve its usability and visibility to visitors, potential businesses and residents
 - Further developed an IMAP location system
 - Updated Kodiak specific statistics for media/press page
 - Created partnership opportunities for purchase by local businesses
- g. Work with the City of Kodiak to determine the role tourism does and can play in the community's economy
 - Participated in the Downtown Beautification Committee
 - Serve in an advisory capacity to the BearTown Market
 - Coordinated public workshop on small business social media development and maintenance
 - Attended the Welcome Aboard fair at the Coast Guard base
 - Served on KUBS committee
- h. Continue participation in the Comprehensive Economic Development Strategy committee to foster an understanding of the tourism industry and opportunities and challenges facing the industry
 - Attend CEDS meetings and report on tourism and keep abreast of borough-wide issues.
 - Attended the Borough's suggested FIMA course on Disaster Management
- i. Work with the Kodiak Chamber of Commerce, the Kodiak Island Borough School District, Kodiak College and Kodiak Native Organizations, and others to encourage entrepreneurship and assist small business development in the Tourism Industry.
 - Serve as Tourism Representative on the Kodiak Chamber of Commerce Board of Directors
 - Meet regularly with Chamber of Commerce ED to develop ways to improve downtown business, especially as related to cruise tourism

- Attended Career Day at the Kodiak HS
 - Partnered with the Learning Café in hiring a student for seasonal help
 - Attended the Kodiak Health Fair at the college
 - Served on the Advisory Council for the Kodiak College
 - Serve on the Crab Fest committee
 - Hosted the Artic Council to the new Afognak Building as a possible meeting space for 2017 tribe relations.
- j. Explore new employment and business opportunities related to the Kodiak visitor industry
- Serve in advisory capacity to the BearTown Market
 - Assist members in development of business plans; notify membership of gaps in visitor services.
 - Hold roundtable sessions with our members to discuss future business operations and opportunities.
 - Assist members in development of social media as a marketing tool
 - Began offering social media management as a member benefit
- k. Continue development of the kodiak.org website to improve its usability and visibility to visitors, potential businesses and residents
- Further developed an IMAP location system
 - Updated Kodiak specific statistics for media/press page
 - Created partnership opportunities for purchase
- l. Develop a travel press kit to be available on the kodiak.org website, with a broader distribution plan for the kit to a variety of media
- Developed several travel press kits with different criteria, each with a different target consumer. All downloadable on the website.
 - Created a site landing page for media/press.
 - Distributed to media through one on one appoints at Alaska Media Road Show
- m. Work with the airline industry and the Alaska Marine Highway System to maintain and improve access to the Kodiak region
- Maintain relationship with Alaska Airlines and Era Aviation to encourage expanded flights and lower airfares to Kodiak.
 - Keep informed about airport closures and/or construction. Lobby for minimal interruptions.
 - Partner with ERA and Alaska Airlines to create cheaper package options for Alaska residents traveling to Kodiak.
 - Maintained airport rack brochure program at the Kodiak Airport
 - Partnered with Seward for a travel trade program
- n. Attend travel trade shows to promote Kodiak to travel agents and consumers.
- Attended 1 convention and travel agent based consumer show
 - Attended 4 out of state travel consumer shows
 - Attended 2 in state consumer shows
- o. Expand advertising and marketing specific to the Kodiak Convention Center.

- Placed advertising in Smart Meetings Magazine
- Created and distributed proposals to possible convention holders featuring the Kodiak Convention Center, and other venues.

City Of Kodiak



Board of Directors

- Jim Rippey, President (Russian River Roadhouse)
- Jan Chatto, Secretary (Pearson Cove B & B)
- Marya Halvorsen, Treasurer (Alutiiq Museum)
- Darlene Turner A Smiling Bear B&B
- Summer Wood, Kodiak Chamber of Commerce
- Jeff Peterson, Kodiak Combos
- Mike Rostad, A Kodiak Welcome B & B
- Tiffany Brunson, Baranov Museum
- Barb Hughes, Pickled Willy's

- Staff: Chastity McCarthy, Executive Director
- Jenifer Miranda, Membership Services
- Denise Sproat, 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)

Being as 501 C 6 organization means that we are not eligible for the typical grants and charitable giving programs. We are not tax deductible and most organizations or companies will not provide grants for that reason. We are not eligible for the same outside funding sources as many of the other local Kodiak non-profits. For this reason, Discover Kodiak works to create revenue opportunities that bring in over \$150,000 each year.

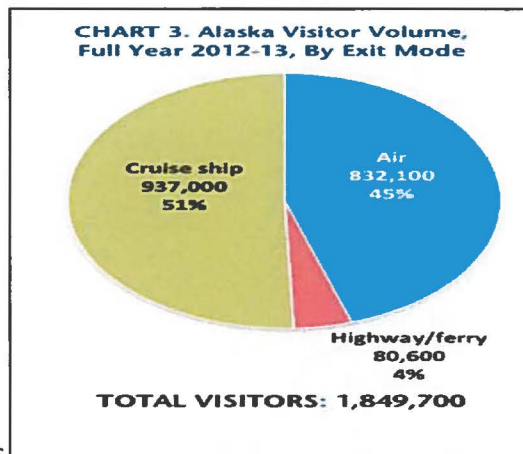
Typical messages we see are:

In order to be eligible for the program, each Alaska 501c(3) organization must certify that it meets certain requirements established in the law. The law states:

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

City of Kodiak Numbers in Relation to Tourism:

- Employment: 8%
- Bed Tax: \$170,500
- Fishing/Tagging License: \$8,200
- & a portion of sales tax.



Accomplishments in FY 2014

- Incorporation of new revenue earning website features

- Production of the 2015 Visitors Guide
- Production of the new community walking map with color coded walking trail features
- Increased traffic to www.kodiak.org
- Social Media
 - Facebook: 26,000 likes and several give-a-way promotions
 - Twitter: 1009 followers
 - Pinterest and You Tube: 200 followers
- Sold out fundraiser six years; meet or exceed fundraising expectations
- Completed market research project to gain knowledge about the travelers to Kodiak
- Increased retail store revenues as a result of new product development
- Membership drive resulted in 7 new members within a 4-month period
- Director attended the Alaska Travel Industry Convention in Fairbanks
- Hosted and served 9172 passengers traveling on 9 ships
- Successful in increasing the number of cruise ships to Kodiak to 12 for 2015
- Served 9063 visitors to the visitor information center
- Partnered with KMXT & other nonprofits to promote events and public service announcements
- Partnered with both the Alutiiq and Baranov Museums to do community outreach and cruise ship activities.
- Director elected to serve on the State of Alaska Marketing Committee
- Director serves on LEPC Board for the Borough and City.
- Director serves as tourism representative on Chamber of Commerce Board of Directors.
- Director serves as tourism representative on CEDS committee.
- Director serves on the Kodiak College Advisory Council.

Chart ES-1. Total Visitor Industry-Related Employment in Alaska, 2011-12

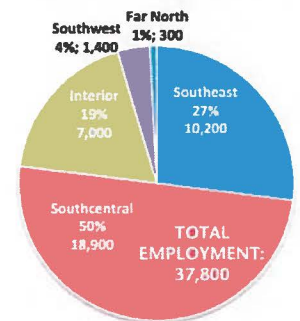
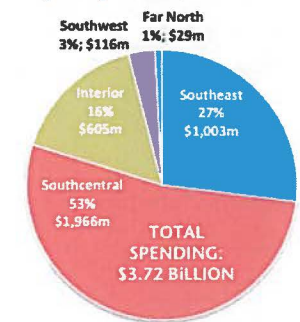


Chart ES-2. Total Visitor Industry-Related Spending in Alaska, 2011-12



Magazine advertising appeared in the following magazines in 2014-2015

Fish Alaska Magazine	Life After 50
AAA Midwest Traveler	Alaska State Travel Planner
AAA Home and Away	Smart Meetings
Alaska Magazine	Northwest Meeting Planners Guide
Sunset Magazine	Reel News
Vacation Country Travel Guide	
Where Magazine	

Kodiak Visitor Guide Placement FY 2014-2015

- | | |
|---|------------|
| ▪ JATA World Tourism Congress (Japanese Association of Travel Agents) | Jan 2014 |
| ▪ International Tourism Exchange (ITB) Berlin | March 2014 |
| ▪ New York Times Travel Show | April 2014 |
| ▪ World Travel Market (London) | Sept. 2014 |
| ▪ AARP Consumer Show (San Diego) | Sept 2014 |
| ▪ IMEX America (business travel) | Oct. 2014 |
| ▪ Travel Leaders Franchise Group Meeting | Nov 2014 |
| ▪ Taipei International Travel Fair (consumer) | Nov 2014 |
| ▪ Pacific Marine Expo (commercial fish) Seattle, WA | Dec 2014 |

- Seattle Boat Show (consumer) Seattle, WA Nov 2014

KICVB Shows Attended by Staff or Board

- Adventures in Travel Expo (Chicago, Illinois) Jan 2014
- Los Angeles Times Travel Show (LA, California) Jan 2014
- Boston Globe Travel Show (Boston, MA) Feb 2014
- Great Alaska Sportsman’s Show, Anchorage (consumer) March 2014
- Fairbanks Outdoor Show (consumer) April 2014
- Mini-Trade Business Travel (Phoenix, AZ) Sept 2014
- Alaska Media Road Show, Santa Barbara, CA Oct 2014

Proposed Budget Breakdown	FY16	FY15
Public Funding	\$193,000	\$190,000
Earned Revenues	\$149,700	\$160,050
TOTAL:	\$342,700	\$350,050
Program Expenses	\$155,100	\$164,750
Operating Expenses	\$187,600	\$185,300
TOTAL:	\$342,700	\$350,050

The noticeable difference in program expenses and earned revenue comes from our production of the Kodiak Community Map project that we will not be doing again until FY17.

Additional funding would support known arbitrary increases in operating/miscellaneous expenses:

Meeting increased costs of operating expenses and fulfillment	\$2500
<i>*Postage, Printing, Staff Hourly Pay*</i>	
TOTAL nondiscretionary increases:	\$2500

Hiking Map Increase

Discover Kodiak Board of Directors and staff has long wanted to show our community in a more active, people based way. Together, with the Borough mapping department, Discover Kodiak would like to create a Kodiak Island Hiking and Activity Map. This map would be a fold out brochure with detailed trails. The trails would indicate levels of hardness, activities allowed on the trail (mountain biking, hiking, snow shoeing), bear/animal alerts, and length. This map would also display photographs of trail heads, as well as photographs inside the brochure of different people completing these activities. This would be a brochure that is not only beneficial to incoming visitors who are looking to hike (which we know about 60% of visitors are), but it would be very useful to the community as well. We currently distribute the Borough hiking map and Audubon birding guide, both of which are not very user friendly. We also spend quite a bit of money in visitor center expenses per year to keep the Audubon guides in stock.

Program TOTAL:	\$6,000
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Visitor Center Development

In conjunction (but can also be done separately) with the development of a new Kodiak Island Hiking and Activity Map, Discover Kodiak would like to install a trail guide kiosk in the downtown visitor center. With this kiosk, all hiking questions could be answered not only with words but with mapped out details. Discover Kodiak staff is often asked about trails, what they are like, level of roughness, etc. The hiking/activity kiosk would allow staff to walk the visitor/community member over, select a trail and let the visitor watch the trail with their own eyes. If you are interested in seeing how the kiosk would work, please visit:

<http://trailgenius.com/trail-genius-map/northwest-park>.

The kiosk would also present the same information as the hiking and activity map such as trail length, animal alerts, etc. This can also be used to map out safe kayaking paths among other sports. In addition, the information and maps would be accessible via our website.

****This is a multi-year project that will take a few years of additional funding.*****

Program TOTAL: **\$8,000**

Total nondiscretionary expense increase:	\$2,500
Total program expense increase:	\$14,000
TOTAL INCREASE IN EXPENSES:	\$16,500
TOTAL Request for 2016 Budget:	\$108,000

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Aimée Kniazowski, City Manager

Thru: Karl Swanson, Interim Finance Director

Date: June 25, 2015

Agenda Item: V. h. Authorization to Extend the Alaska Public Entity Insurance Agreement

SUMMARY: The City receives its property, casualty, liability, marine, and Workers' Compensation coverage through its membership in the Alaska Public Entities Insurance (APEI) pool. The City joined APEI in 2010 and has been very satisfied with the coverage, risk management assistance, and training provided by APEI over the past five years. In addition to the annual 3% premium reduction and dividend for FY16, APEI has offered the City additional premium credit of \$10,000 in exchange for an agreement to extend membership in the pool for a three-year period. Staff supports this offer and recommends Council authorize the City Manager to notify APEI of the City's intent to renew its membership and to sign the necessary paperwork to extend the City's membership.

PREVIOUS COUNCIL ACTION:

- July 22, 2010, Council authorized a three-year agreement to remain a member of APEI from 2010-2013
- July 12, 2012, Council authorized a three-year agreement to remain a member of APEI from 2013-2016

DISCUSSION: The City became a member of APEI's insurance pool in 2010 following an analysis of premium quotes for property, casualty, liability, marine, and Workers' Compensation coverage received from several insurance providers. APEI was able to provide the City with the most comprehensive coverage, a substantial reduction in deductibles, and no deductible for automobile liability claims, compared to the City's previous coverage. Council authorized the Manager to sign a three-year program agreement with APEI in exchange for a three (3) percent annual premium credit. The City has remained a member of APEI since 2010 and is very satisfied with the services provided. Staff believes the relationship with APEI has been strengthened since the Manager was selected to serve on the board of directors last spring. The knowledge of how market information is gathered and analyzed and how the decisions for members are made is of benefit to the City.

The combined premiums for all areas of coverage for FY2016 as provided by our insurance broker totals \$742,387, which is an increase of approximately \$74,000. The increase is due to additional new property coming online, payroll increases, and a jump in the Worker's Compensation experience modifier due to

increased claims. By signing the three-year agreement, the total premium will be reduced by \$10,000, which will help offset some of the increases to premiums the City faces this year.

The City has been well served through its membership in APEI and has received premium credits each year. We are entering the final year of our second three-year agreement to remain in the APEI pool, which will expire on June 30, 2016 (Attachment C). Knowing that the City's agreement will expire at the end of FY2016 and wishing to retain the City as a member, APEI offered to reduce the City's FY2016 premiums by an additional \$10,000 in exchange for agreeing to extend the membership agreement through the 2018-2019 policy year (Attachment B).

ALTERNATIVES:

- 1) Authorize the Manager to extend the agreement with APEI for an additional three-year period, which is staff's recommendation, because it provides the City with additional savings on FY2016 insurance premiums.
- 2) Do not agree to the three-year extension, which is not recommended, because the City would miss a financial benefit and would not assure the City's continued membership beyond FY2016.

STAFF RECOMMENDATION: Staff recommends Council authorize the City Manager to sign an extension to the City's participation agreement with APEI to receive an adjusted premium rate for FY2016 and to continue to receive annual three (3) percent premium credits in return for the commitment to remain with APEI for another three years.

CITY MANAGER'S COMMENTS: I am pleased with APEI's service and coverage over the past five years. I've found APEI to be a professional and reliable organization, and they see the City as a good member and partner. Since becoming a board member in 2014, I can appreciate the efforts that go into all decisions, including better ways to support members. It's clearly in our best interest to remain a member of APEI as long as they continue to serve our needs. I believe it's also important to manage and retain long-term relationships with our insurer, which provides additional indirect benefits to us. I recommend Council authorize me to sign an extension of our agreement with APEI as described above.

ATTACHMENTS:

Attachment A: Marsh McLennan cover letter, dated June 18, 2015

Attachment B: Proposed City-APEI membership agreement effective through June 18, 2015

Attachment C: Current City-APEI agreement effective through June 30, 2016

PROPOSED MOTION:

Move to authorize the City Manager to notify APEI of the City's intent to renew its membership agreement for an additional three years, which would otherwise terminate in 2016, and authorize the City Manager to execute all documents necessary to comply with the extension of the membership agreement.

Marsh & McLennan Agency LLC
1031 West 4th Avenue
Suite 400
Anchorage, AK 99501
+1 907 276 5617
brandon.allen@marshmc.com
www.marshmc.com

June 18, 2015

Aimee Kniaziowski
City Manager
City of Kodiak

Re: 2015 Property Casualty Insurance Renewal

Dear Aimee,

Aimee, we are pleased to present our renewal proposal for Property Casualty insurance coverages. The total renewal premiums are close to budget estimates reflecting adjustments in property values and payrolls. Total premiums are up \$74k or 8%.

The City of Kodiak is entering the third year of a three year / 3% program with APEI. In return for a three year agreement, City of Kodiak receives a 3% premium reduction each year. This year's reduction was \$18,654 in addition to the 3% premium reduction, APEI also applies a dividend to members. Your dividend this year is \$17,612 which is \$3,000 more than last year.

APEI is offering to help offset your premium increase with an enhancement to your 3 year program. In return for starting a new 3 year / 3% agreement now, they will increase this year's credit by \$10,000. APEI has performed very well for the City in claims payments, loss control services and pricing of coverage. This opportunity reduces City of Kodiak costs with a proven service provider.

Sincerely,

Brandon Allen
Senior Vice President



2233 Jordan Avenue
Juneau, AK 99801

Phone: (907) 523-9400
Fax: (907) 586-2008
www.akpei.com

AGREEMENT TO REMAIN IN APEI PROGRAM

The mission of Alaska Public Entity Insurance (“APEI”) is to provide our members with stable, affordable insurance, broad insurance coverage, and effective risk management services to ensure that maximum funds are available for local government and education programs. APEI is a non-profit corporation, and all member contributions are allocated to, and utilized for, the payment of claims and program expenses. APEI is generally referred to as an insurance “pool”, meaning that risks, liability and expenses are shared on an equitable basis among all pool members.

In order to encourage membership stability and predictability, an important factor in procuring excess and reinsurance, the APEI Board of Directors has authorized the establishment of a program whereby a member’s annual contribution will be discounted in exchange for an agreement to remain in the program. Other than the annual allocation of the discount to the amount due from the participating member, a member’s election to participate or not in this discount program will have no effect on any other aspect of the program as it relates to the member.

APEI and the undersigned member of APEI (“Member”), for mutual consideration, hereby agree as follows:

1. Except as provided in paragraph 3 below, Member agrees to remain a member of APEI through the conclusion of the 2018/2019 policy year that will end on June 30, 2019. Consistent with this paragraph, Member agrees not to give notice of intent to withdraw from the program during this period, and further agrees not to seek quotes during that time from other potential insurers for coverage provided under the APEI program.
2. APEI agrees to provide Member with a discount on Member’s annual contributions each year for the provision of insurance coverage under the program. Each policy year, the discount shall be 3% of the gross premium.
3. If APEI determines that the net premium rate charged to Member, after deductions for excess insurance and broker commissions (not including changes in premium due to increases in Member’s payroll, total insured property value, or vehicle count) is greater than 10% more than the rate charged for the preceding policy year, APEI will so notify Member and Member may, at its sole option, elect to cancel its commitment under this program without incurring charges or penalties under paragraph 4.

Agreement to Remain in APEI Program – July 1, 2015/June 30, 2019

4. If Member gives written notice to the Administrator (APEI Executive Director) of intent to withdraw from the program prior to the conclusion of this agreement, or otherwise acts inconsistent with the terms of this agreement, Member will forfeit all credits received during this term pursuant to this agreement and will be required to repay all such credits to APEI, with interest, and will further be required to pay penalties in the amount of 10% of the total premium charged for the last year Member was in the APEI program, as determined by the Administrator.

5. This agreement is effective July 1, 2015 through June 30, 2019.

IN WITNESS WHEREOF, the parties hereto, acting through properly authorized officials, hereby execute this Agreement.

Member: _____

Alaska Public Entity Insurance

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____



Alaska Public Entity Insurance

2233 Jordan Avenue
Juneau, AK 99801

Phone: (907) 523-9400
Fax: (907) 586-2008
www.akpei.com

AGREEMENT TO REMAIN IN APEI PROGRAM

The mission of Alaska Public Entity Insurance ("APEI") is to provide our members with stable, affordable insurance, broad insurance coverage, and effective risk management services to ensure that maximum funds are available for local government and education programs. APEI is a non-profit corporation, and all member contributions are allocated to, and utilized for, the payment of claims and program expenses. APEI is generally referred to as an insurance "pool", meaning that risks, liability and expenses are shared on an equitable basis among all pool members.

In order to encourage stable membership and more membership predictability, an important factor in procuring excess and reinsurance, the APEI Board of Directors has authorized the establishment of a program whereby a member's annual contribution will be discounted in exchange for an agreement to remain in the program for three years. Other than the annual allocation of the discount to the amount due from the participating member, a member's election to participate or not in this discount program will have no effect on any other aspect of the program as it relates to the member.

APEI and the undersigned member of APEI ("Member"), for mutual consideration, hereby agree as follows:

1. Except as provided in paragraph 3 below, Member agrees to remain a member of APEI through the conclusion of the 2015-2016 policy year that will end on June 30, 2016. Consistent with this paragraph, Member agrees not to give notice of intent to withdraw from the program during the agreed period, and further agrees not to seek quotes during that time from other potential insurers for coverage provided under the APEI program.
2. APEI agrees to provide Member with a discount on Member's annual contributions each year for the provision of insurance coverage under the program. Each policy year, the discount shall be 5% of the net premium received by APEI. "Net premium" means the amount paid in total premium, minus broker commission and excess/reinsurance expense.
3. If APEI determines that the net premium rate charged to Member, after deductions for excess insurance and broker commissions (not including changes in premium due to increases in Member's payroll, total insured property value, or vehicle count) is greater than 10% more than the rate charged for the preceding policy year, APEI will so notify Member and Member may, at its sole option, elect to cancel its commitment under this program without incurring charges or penalties under paragraph 4.

- 4. If Member gives written notice to the Administrator (APEI Executive Director) of intent to withdraw from the program prior to the conclusion of this agreement, or otherwise acts inconsistent with the terms of this agreement, Member will forfeit all credits received during the term of and pursuant to this agreement and will be required to repay all such credits to APEI, with interest, and will further be required to pay penalties in the amount of 10% of the total premium charged for the last year Member was in the APEI program, as determined by the Administrator.

- 5. This agreement is effective July 1, 2013 through June 30, 2016.

IN WITNESS WHEREOF, the parties hereto, acting through properly authorized officials, hereby execute this Agreement.

Member: CITY OF KODIAK

Alaska Public Entity Insurance

By: *Arnie Buscicqueski*
Title: CITY MANAGER
Date: 7/16/12

By: *Lawel Edson*
Title: Deputy Director
Date: 7/16/2012