

KODIAK CITY COUNCIL

WORK SESSION AGENDA

Tuesday, May 10, 2016

Kodiak Public Library Multi-Purpose Room

7:30 p.m.

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

Discussion Items

1. Public Comments (limited to 3 minutes)
2. Update from City’s Planning and Zoning Representatives
3. Review of Resolution Establishing a Marijuana Advisory Special Committee and Applicant Letters.....1
4. Discussion About Cooperative Agreement Between the City, Sun’aq Tribe, and BIA for Improvements to Shelikof Street5
5. Discussion About the Future Use of Fisherman’s Hall PowerPoint
6. Summer Meeting Schedule
7. Elected Officials Training/Travel Requests
8. May 12, 2016, Agenda Packet Review

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Office of the City Clerk

710 Mill Bay Road, Room 220, Kodiak, Alaska 99615

MEMORANDUM

To: Mayor Branson and Councilmembers Date: May 10, 2016
From: Aimée Kniaziowski, City Manager Subject: Marijuana Committee Resolution
Debra Marlar, City Clerk & Applicant Letter Review

At the April 26, 2016, work session, a unanimous consensus was voiced for staff to move forward to draft an ordinance to opt out of all aspects of the new State marijuana laws for six months, draft a resolution to establish a Marijuana Committee to be appointed by the Council, and to run an ad soliciting City volunteers to serve on the committee.

A draft resolution establishing the committee is included for your review. Letters received from individuals interested in being appointed to the committee will be distributed at the work session.

According to *Roberts Rules of Order*, a special committee is a committee appointed to carry out a specified task and automatically ceases to exist when it presents its final report to the Council. *Roberts Rules of Order* specifies that when a special committee is appointed it should be small and should consist only of those in favor of the action to be carried out. This means if the committee is established to determine "how" to move forward, not "if" to move forward with implementation, the committee should not include members who are not in favor of moving forward with determining how best to implement marijuana laws and regulations within the City.

**CITY OF KODIAK
RESOLUTION NUMBER 2016-16**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK ESTABLISHING A MARIJUANA ADVISORY SPECIAL COMMITTEE

WHEREAS, State Ballot Measure 2, An Act to Tax and Regulate the Production, Sale, and Use of Marijuana, was approved by voters statewide on November 4, 2014; and

WHEREAS, the Kodiak City Council desires to form a committee consisting of two Councilmembers, two City retail business owners, and two City resident at-large members to recommend guidelines for implementing taxation, regulation, production, sale, and use of marijuana within the Kodiak City limit.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that a Marijuana Advisory Special Committee is hereby established.

BE IT FURTHER RESOLVED THAT:

- Section 1. Membership/Quorum. The Marijuana Advisory Special Committee shall consist of the following six members appointed by the City Council.
- a) Two members of the City Council of which one member shall be designated as Chair and one as Vice-chair
 - b) Two retail business owners within the City
 - c) Two City resident at-large members

The City Manager, Deputy Manager, and City Clerk as well as additional City staff designated by the City Manager shall serve as nonvoting consulting members of the Committee. The City Attorney shall serve as a nonvoting consulting member of the Committee when requested by the City Manager.

Four voting members shall constitute a quorum.

- Section 2. Terms of members.
- a. The Committee shall be in effect until it presents its final report to the City Council.
 - b. Any Committee member who shall have two successive unexcused absences shall be subject to removal by the Committee by a majority vote of the members present.

- Section 3. Powers/Duties. It shall be the duty of the Marijuana Advisory Special Committee to act in an advisory capacity to the City Manager and the City Council on the regulation of marijuana and operation of marijuana facili-

ties within the Kodiak City limit. Further duties shall include, but not be limited to:

- Review taxation/fees, regulation, production, sale, use, and other issues related to implementation of marijuana laws and operating procedures within the Kodiak City limit.
- Recommend the implementation of laws and policies governing marijuana in the City.
- Analyze the economic impact of marijuana regulation in the City.

The Committee shall not have direct power to affect policy determinations but shall make recommendations to the City Council and administration.

Section 4. Meetings/Duration. Marijuana Advisory Special Committee meetings shall be open to the public, and public notice shall be provided at least three days prior to each meeting. The Committee shall meet at the call of the Chair and shall meet as often as necessary to complete its task prior to the expiration of Ordinance 1350. Permanent records or minutes shall be kept of the vote of each member upon every question. Every decision of finding shall immediately be filed in the office of the City Clerk, and shall be a public record open to inspection by any person. Every decision of finding shall be directed to the City Council at the earliest possible date.

Section 5. Administrative Support. The City Clerk’s Office shall provide administrative support.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted:

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Sun'aq Tribe of Kodiak

May 3, 2016

Aimee Kniazowski, City Manager
710 Mill Bay Road, Room 114
Kodiak, AK 99615

Dear Ms. Kniazowski:

Thank you for your consideration of the Sun'aq Tribe of Kodiak's proposal to add Shelikof Street to the Sun'aq Tribal Transportation Program's Inventory.

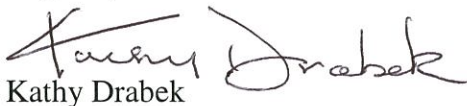
We currently have an inventory of roads that are mostly state-owned; such as, Rezanof Drive and Anton Larsen Bay Road. With our newly purchased Ursin cannery property on Shelikof Street, we have a vested interest in the neighborhood. By adding Shelikof Street in our inventory, we will be able to access Bureau of Indian Affairs (BIA) funds for such things as lighting, signage and other road improvement expenses to benefit the City's road improvement efforts. Including a road in a Tribal inventory does not limit the owner of the road nor relinquish any ownership rights.

All federally-recognized tribes in Alaska have cooperative agreements with the owners of the roads in their inventories, which clearly outlines a collaboration to seek to improve roads of mutual benefit.

Given that we all live in this community together and as the BIA Tribal Transportation Program brings funds to Sun'aq, we would like to contribute support to City of Kodiak roads that benefit us all. These funds are made available to Sun'aq through BIA in support of design, construction or maintenance of Tribal Council approved projects. As we discussed in our meeting yesterday, we would adhere to existing plans like the DOWL Pedestrian Pathways project and keep open communications with your office.

I look forward to potentially developing this agreement.

Regards,


Kathy Drabek

Tribal Transportation
Program Manager

312 W. Marine Way, Kodiak, Alaska 99615 (907) 486-4449

Fax: (907) 486-3361 * E-mail: kddrabek@sunaq.org

Proudly representing the members of the Sun'aq Tribe of Kodiak Island, Alaska



MEMORANDUM OF AGREEMENT

Between

Sun'aq Tribe of Kodiak

City of Kodiak

312 West Marine Way
Kodiak AK 99615
Phone: (907) 486-4449
Fax: (907) 486-3361

710 Mill Bay Road
Kodiak, AK 99615
Phone: (907) 486-8640
Fax: (907) 486-8600

This Memorandum of Agreement is by and between City of Kodiak, current OWNER and RESPONSIBLE AUTHORITY for Maintaining Routes in the City of Kodiak and Sun'aq Tribe of Kodiak. In Kodiak, Alaska, where Sun'aq Tribe of Kodiak Resides, the Tribe does not own the Route or maintain it.

A Separate Maintenance Agreement between the Public Authorities allows the Tribe to work with City to maintain route.

Route #	Section #	Route Name	Length	Route Location
1012	010	Shelikof Street	0.03	E01-850
1012	020	Shelikof Street	0.42	E01-850
1012	030	Shelikof Street	0.37	E01-850
Total Length			0.82 Miles	

If needed improvements to the OWNER routes are completed under cooperative agreements between the TRIBE and OWNER, and if Tribal Transportation Program (TTP) funds are available the TRIBE can contribute based on its Long Range Transportation Plan (LRTP) and Council Approval. Moreover, these routes will be open to the public unless the roads meet the definition of 25 C.F.R. 170.120, 170.122 Requirement – 23 U.S.C. 116 (a) (b), Appendix C, Question 10 (3), 170.443 (d).

This agreement is binding upon signatories not as individuals, but solely in their capacity as officials of their respective organizations, and acknowledges proper action of OWNER and TRIBE to infer the same.

SUN' AQ TRIBE OF KODIAK

CITY OF KODIAK

Chief Executive Officer

City Manager

Date: _____

Date: _____