

City of Kodiak Regular Council Meeting Agenda for January 11, 2018
7:30 p.m., at 710 Mill Bay Road, Assembly Chambers (Room 232)

- I. Call to Order/Roll Call**
Invocation/Pledge of Allegiance

- II. Previous Minutes**
Approval of Minutes of the December 7, 2017, Special Meeting and December 14, 2017,
Regular Council Meeting.....1

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

- IV. Unfinished Business**
 - a. None

- V. New Business**
 - a. First Reading, Ordinance No.1372, Reducing the Use of Disposable Plastic Shopping
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 - b. Resolution No. 2018-01, Rescinding Resolution No. 2017-25(SUB) and Re-Establishing
an Economic Development Special Committee24
 - c. Resolution No. 2018-02, Rescinding City Resolution No. 2013-17 and Documenting the
Kodiak Fisheries Work Group’s Scope and Authority34
 - d. Appointment of City Representatives to Kodiak Fisheries Work Group44

- 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. Executive Session**
 - a. Discussion With the City Attorney About City Litigation Cases.....48

- XI. Adjournment**

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<p>DRAFT</p>

**MINUTES OF THE SPECIAL COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, DECEMBER 7, 2017
IN THE KODIAK CITY CONFERENCE ROOM**

I. MEETING CALLED TO ORDER

Deputy Mayor Randall C. Bishop called the meeting to order at 12 p.m. Councilmembers Charles E. Davidson, Gabriel T. Saravia, and Richard H. Walker were present and constituted a quorum. Mayor Pat Branson and Councilmembers Laura B. Arboleda and John B. Whiddon were absent. City Manager Mike Tvenge and City Clerk Debra Marlar were also present.

II. PUBLIC COMMENTS

None

III. EXECUTIVE SESSION

a. Discussion With the City Attorney About Public Broadcasting Corp. Litigation

Councilmember Davidson MOVED to enter into executive session pursuant to Kodiak City Code 2.04.100(c) to discuss Kodiak Public Broadcasting litigation with the City's attorney.

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

The Council entered into executive session at 12:01 p.m.

Deputy Mayor Bishop reconvened the special meeting at 12:40 p.m.

IV. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

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

The meeting adjourned at 12:40 p.m.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Minutes Approved:

<p>DRAFT</p>

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, DECEMBER 14, 2017
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Mayor Pat Branson called the meeting to order at 7:30 p.m. Councilmembers Laura B. Arboleda, Randall C. Bishop, Charles E. Davidson, Gabriel T. Saravia, and John B. Whiddon were present and constituted a quorum. Councilmember Richard H. Walker was absent. City Manager Mike Tvenge, City Clerk Debra Marlar, and Deputy Clerk Michelle Shuravloff-Nelson were also present.

Salvation Army Major Dave Davis gave the invocation and the Pledge of Allegiance was recited.

II. PREVIOUS MINUTES

Councilmember Whiddon MOVED to approve the minutes of the November 9, 2017, regular meeting as presented.

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

III. PERSONS TO BE HEARD

a. Public Comments

Sarah Harrington, Executive Director of the Baranov Museum, spoke in favor of Ordinance No. 1371. She said they have raised over \$1 million for the renovation. She thanked the Mayor and Council for their support and commented that the renovation will add value to the building.

Megan Kelly, Board of Directors for the Kodiak Historical Society, spoke in support of Ordinance No. 1371 and shared they have received awards and acknowledged the funding support received from the City.

Dana Haynes, Board of Director for Kodiak Historical Society, spoke in support of Ordinance No. 1371 and stated she is proud of the collaboration with the City.

Darius Kasprzak spoke in support of the Ordinance No. 1370 and the authorization of the crane for Oscar's dock.

IV. UNFINISHED BUSINESS

- a. Second Reading and Public Hearing, Ordinance No. 1370, Amending Chapter 5.04 of the Kodiak City Code to Add a New Section 5.04.080 Pertaining to Procedures for Issuing Permits for Retail Sales of Seafood Directly From Vessels at City Port and Harbor Facilities**

Mayor Branson read Ordinance No. 1370 by title. The ordinance amends Chapter 5.04 of the Kodiak City Code by adding a new section 5.04.080 pertaining to procedures for issuing permits for retail sales of seafood directly from vessels at City Port and Harbor Facilities.

Councilmember Arboleda MOVED to adopt Ordinance No. 1370.

Mayor Branson closed the regular meeting and opened the public hearing

Darius Kasprzak said he supports Ordinance No. 1370 and stated it will be good for the local economy.

Mayor Branson closed the public hearing after public testimony and re-opened the regular meeting.

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

b. Second Reading and Public Hearing, Ordinance No. 1371, Authorizing a Contract With the Kodiak Historical Society to Operate the Baranov Museum Through June 30, 2020

Mayor Branson read Ordinance No. 1371 by title. The City has provided funding to the Kodiak Historical Society to help cover operating costs of the Baranov Museum for many years. In 2014, KHS requested that the City enter into a multi-year operating agreement or contract with them for the services provided at the Baranov Museum. The current contract expires June 30, 2018. The Historical Society is planning an exhibit redesign project that benefits by continued support from the City.

Councilmember Davidson MOVED to adopt Ordinance No. 1371.

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 Arboleda, Bishop, Davidson, Saravia, and Whiddon in favor. Councilmember Walker was absent. The motion passed.

V. NEW BUSINESS

a. Resolution No. 2017–29, Appropriating \$1,200,000 of Unassigned Fund Balance of the Sewer Improvement Fund and Transferring \$650,000 From the General Fund to Sewer Capital Project – Upgrade Lift Stations Project No. 7509

Mayor Branson read Resolution No. 2017–29 by title. The design for replacement of Lift Stations 3 and 4 is complete and ready to advertise for bid. Prior to advertising the project for bid, adequate funds need to be added to the project budget in order to cover construction and project management costs as well as contingency funds. This resolution authorizes the movement of unassigned funds within the Sewer Improvement fund into Project No. 7509, in the amount of \$1,850,000.

Councilmember Bishop MOVED to adopt Resolution No. 2017–29.

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

b. Resolution No. 2017–30, Appropriating \$48,750 of Unassigned Fund Balance of the General Capital Projects Fund to General Capital Project – Citywide Timekeeping Project No. 4052 and Authorizing the Purchase of Timekeeping Software and Related Components from TimeClock Plus by Data Management, Inc.

Mayor Branson read Resolution No. 2017–30 by title. The City has been researching options to gain efficiencies and save costs by automating functions in order to save staff time. The City currently utilizes manual timekeeping records for all employees. This approximates 80 hours per pay period in staff time for the employee, supervisors, managers, directors, and payroll staff. By automating this process, the City would gain efficiencies through saving staff time and reducing the errors that are caused through manual entry.

Councilmember Whiddon MOVED to adopt Resolution No. 2017–30.

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

c. Authorization of Bid Award for Oscar’s Dock Crane, Project No. 18-05/8531

Sealed bids for the purchase of one (1) hydraulic dock crane, fabricated platform, and controls for Oscar’s Dock Crane, Project No. 18-05/8531 were received by the City of Kodiak, December 1, 2017, and publicly opened and read aloud. Three bids were received, and Brechan Construction LLC was the lowest responsible bidder with a bid of \$117,000.

Councilmember Davidson MOVED to authorize the bid award for Oscar’s Dock Crane, Project No. 18-05/8531, to Brechan Construction LLC in the amount of \$117,000, with funds from the Boat Harbor Capital Project Fund, Project No. 18-5/8531.

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

d. Authorization of Professional Services Agreement for Juneau Lobbying Services

The City Council selected Ray Gillespie of Gillespie & Associates to be the City’s state lobbyist in 2011. The contract was extended in December 2015 for two years with a term ending December 31, 2017. Ray Gillespie has requested to be retained by the City. In recognition of Mr. Gillespie’s efforts of the past six years, the Manager recommends Council exercise a one-year contract from January 1, 2018, through December 31, 2018, for \$45,000.

Councilmember Davidson MOVED to authorize Professional Services Agreement No. 234670 with Gillespie and Associates from January 1 through December 31, 2018, in the amount of \$45,000 with funds coming from the General Fund Legislative Professional Services account and authorize the City Manager to sign the documents on behalf of the City.

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

e. Non-objection to Transfer of Safeway Inc. Liquor Licenses 174 and 2509

Safeway Inc. filed applications for the transfer of controlling interest with the State of Alaska Alcohol and Marijuana Control Office for Safeway Liquor Stores located on Marine Way and Mill Bay Road. Safeway's attorney has indicated that Safeway Inc.'s transfer application was triggered by a technical corporate change; a transfer of the controlling interest of Safeway Inc. (including its liquor licenses) from one Safeway Group subsidiary entity to another Safeway Group subsidiary company. They have stated the ultimate parent company and the key investors/stockholders are the same and the corporate change will not affect the premises or the stores' operations. State regulations require the Alcohol and Marijuana Control Office forward the applications to the City Council for the option to protest the approval of the applications for the transfer of the alcoholic beverage licenses. A letter emphasizing the correlation of the sale of alcohol items to the behaviors in the downtown area will also be sent regarding Liquor License 174.

Councilmember Whiddon MOVED to voice non-objection to the Alcohol and Marijuana Control Office regarding the Transfer of Safeway Inc. Liquor Licenses 174 and 2509 and direct staff to submit a letter of concern regarding Liquor License 174.

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

f. Appointment to Economic Development Special Committee

Barbara Bigelow was appointed by the Council on September 14, 2017, as the Health Care and Medical Support Services representative on the Economic Development Special Committee. Ms. Bigelow has moved off-island and the seat is now vacant. Jessica R. Cotton, Executive Director of the Kodiak Community Health Center has submitted an application to fill this vacancy.

Councilmember Bishop MOVED to appoint Jessica R. Cotton to the Economic Development Committee.

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

g. Election of Deputy Mayor

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

Councilmember Davidson MOVED to elect Councilmember Saravia as Deputy Mayor for a one-year term.

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

VI. STAFF REPORTS

a. City Manager

Manager Tvenge said the Public Works Department has been repairing water main and sewer main leaks over the past three weeks. He said a water main leak was near the landfill, another water leak in a line along Mission Road, and a sewer line adjacent to Simeonoff Street. He commented the Mission Road line was originally placed in 1956 and the Simeonoff line will need further repairs this spring. He said that he and Public Works Director Kozak met with Alaska Department of Environmental Conservation (ADEC) in Anchorage last week to discuss the Alaska Pollutant Discharge Elimination System -Preliminary Draft Permit. He said the draft permit applies to the City's Wastewater Treatment Facility on Spruce Cape Road and the permit proposes a compliance schedule for disinfection of the effluent to comply with final fecal coliform bacteria limits. He said the City would draft a follow up letter to ADEC by January 15, 2018, describing discussions they had and their request for additional information.

Manager Tvenge said that Pillar Mountain road access was gated for the winter months due to icy road conditions. He stated that KEA, GCI and the FAA have access beyond the locked gate. He shared that Saturday, December 9, 2017, was "Skate with Santa" at the Baranof Park ice arena, which was sponsored by the City and KMXT with cookies and cocoa. He shared that it was estimated over 200 attended to visit and skate with Santa Claus. Manager Tvenge said he issued a community permit for a North Star Elementary Lego Robotics Team fundraiser for a State competition.

b. City Clerk

Clerk Marljar provided an overview of the upcoming work session and regular meeting scheduled for the Council, and she included the dates and times for the Fisheries Work Group and Economic Development Committee. She confirmed a Council consensus for an additional January 2 work session beginning at 6:30 p.m. and a reschedule of the planning work session to January 6 at 9:30 a.m.

VII. MAYOR'S COMMENTS

Mayor Branson said the Harbor Lights Festival is on Saturday, December 16, 2017, from 5 p.m. until to 9 p.m. She said it is a wonderful event sponsored by the Maritime Museum and commented that she looks forward to seeing the Robotics group at the event. She said Herman Beukers passed away recently and gave condolences to his family and said he was a great person and a valued previous City employee. She wished everyone Happy Holidays and a Happy New Year. She congratulated Councilmember Saravia on his election as the new Deputy Mayor.

VIII. COUNCIL COMMENTS

Councilmember Bishop congratulated Councilmember Saravia and encouraged citizens to attend the Economic Development Committee. He thanked the City staff for their work.

Councilmember Saravia thanked the Council for their support to elect him as Deputy Mayor. He said the Council makes the community better for the citizens, and although the Council does not always agree, they respect each other and have the ultimate goal for the quality of life for Kodiak residents. He commented there is a cost for the services provided. He wished everyone a Merry Christmas and a Happy New Year. He encouraged people share their opinions and provide him feedback.

Councilmember Whiddon congratulated Councilmember Saravia. He spoke about green cards and democracy. He spoke of the 2018 Gulf of Alaska Pacific Cod Fishery and the low cod projections. He said the low cod projections are alarming for Kodiak people in the fishing industry and those working on the docks. He said the NPFMC and NIMS is trying to disseminate this information, and he said the City and Borough have drafted a letter to the Governor to declare a cod fishery disaster. He said, hopefully, the community could be proactive and get ahead of this. He apologized to Fire Chief Mullican for rescheduling the fire station tour.

Councilmember Arboleda congratulated Deputy Mayor Saravia. She said she looks to her colleagues for continual growth. She said she is there for the betterment of Kodiak. She thanked Parks and Recreation Director Gronn for his prompt response to activities. She encouraged everyone to be nice, be kind, and be loving to others during the holiday season.

Councilmember Davidson said he went on the fire station tour, which was informational and suggested sharing more information at the work session. He said he recently attended a session at AML where they spoke about the census and the electronic process they are using. He said there was a strong support for the plastic bag ordinance. He wished Happy Holidays to all.

IX. AUDIENCE COMMENTS

None

X. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

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

The meeting adjourned at 8:30 p.m.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK


Minutes Approved:


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NEW BUSINESS

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Thru: Matthew Van Daele, Deputy City Manager 

Date: January 11, 2018

Agenda Item: V. a. **First Reading, Ordinance No. 1372, Reducing the Use of Disposable Plastic Shopping Bags**

SUMMARY: In partnership with leaders of the community group working to raise public awareness regarding the impacts of single-use disposable plastic shopping bags, the Kodiak Island Borough's Solid Waste Advisory Board (SWAB) has prepared the documents presented here, which were requested by the City Council at the September 12, 2017, work session. Additionally, the included ordinance has been reviewed and vetted by the City Attorney.

BACKGROUND: There is a growing interest across the nation to eliminate or reduce single-use plastic shopping bags, while encouraging and/or supplying reusable (non-plastic) bags to retailers and consumers to mitigate environmental impacts. A search of local news archives (KMXT and the Kodiak Daily Mirror) indicate that one of the first times this issue was discussed in Kodiak was September 2012, coinciding with Homer's first "bag ordinance."

The current interest in Kodiak adopting its own "bag ordinance" started in December 2016, when the annual "Kodiak Strong!" Community Planning Event identified reducing local plastic waste, specifically single-use plastic shopping bags, as a top priority for consideration. Since that initial community event, proponents of "Ban the Bag" have reached out to multiple local community organizations and groups (including retailers), as well as to sister municipalities that have banned these types of bags. As a result of this effort, SWAB began discussing this issue in March 2017, and saw it as combining three distinct, but interrelated facets, all pertaining to reducing waste and blow-out at the landfill, thus: 1) reducing costs to taxpayers; 2) becoming more environmentally-conscious in a community reliant on the health of our ecosystem and the ocean; and 3) capitalizing on our already-established status as a growing "green community" and using this to leverage additional economic development potential.

In May, SWAB formed a subcommittee to write a bag ordinance for consideration by the Kodiak Island Borough. This was drafted in June, and subsequently forwarded to the Borough for its consideration, with the caveat that the City of Kodiak need to be involved since the majority of single-use plastic shopping bags are distributed within City limits. This draft ordinance was discussed at the June joint work session between the Borough and the City, but has not been discussed by the Borough since.

Key elements of the attached ordinance include exemptions for health and safety reasons (such as continuing to allow lightweight cellophane bags used for meat and produce); a “start date” of April 22 to allow retailers and consumers time to transition (and the importance of picking a “significant date” to aid in a public outreach campaign); and putting the new Section within Chapter 7.32, which will not substantially change existing Code and make it easier for public interpretation.

PREVIOUS COUNCIL ACTION: The Chair and some members of SWAB first presented a draft ordinance to the City Council on August 8. Council members requested additional discussion, and this topic was again discussed at the September 12 work session. Subsequently, the Council requested that a transitional plan, timeline, and educational flyers (Attachments A and B) be created by SWAB and the community group, as well as directing staff to send the draft ordinance to the City Attorney for a legal review.

The ordinance and additional information was scheduled to be discussed at the December 12 work session. The supporting documentation that was prepared for that meeting is now presented here, and includes a letter from SWAB to the City Council, the Plastic Bag Transition Plan and Timeline, and an educational flyer (that could serve double-duty as a coloring activity for kids) which will be printed in English, Tagalog, Spanish, and Alutiiq.

LEGAL: The attached ordinance is a combination of language from other municipalities that have adopted “bag ordinances,” including Cordova, Bethel, and Homer, as well as Lihue, HI, Boulder, CO, and San Francisco, CA, and has been reviewed and vetted by our City Attorney (Attachment C).

DEPUTY CITY MANAGER COMMENTS: Lessons learned from other municipalities stress the importance that during a transition time from single-use plastic shopping bags to reusable non-plastic bags, a team effort of impacted retailers, community organizations, and enthusiastic individuals is essential to ensure people have opportunities to become knowledgeable and prepare for a change at the checkout line. It is also excellent that the included transition plan includes funding commitments from community partners and retailers to purchase 6,000 reusable bags for distribution to the public, particularly that these bags will be provided free-of-charge to those who would benefit the most from having the opportunity to be given reusable bags, rather than needing to purchase them at the store.

ATTACHMENTS:

Attachment A: Transitional Plan and Timeline

Attachment B: Educational Flyers

Attachment C: Ordinance No. 1372

Attachment D: Kodiak Brown Bear Trust Support Letter Dated 12/8/17

SUGGESTED MOTION:

Move to pass Ordinance No. 1372 in the first reading and advance to second reading and public hearing at the next special or regular Council meeting.

JANUARY 11, 2018
Agenda Item V. a. Memo Page 3 of 3



Kodiak Island Borough

Solid Waste Advisory Board

710 Mill Bay Road
Kodiak, Alaska 99615
Reduce Reuse Recycle



December 5, 2017

The Honorable Pat Branson
Mayor
City of Kodiak
710 Mill Bay Road
Kodiak, AK 99615

Dear Mayor Branson,

I have attached the Plastic Bag Transition Plan and Timeline for the proposed ordinance to ban the distribution of single-use plastic bags by retailers in the City of Kodiak. The Plan was approved by the Kodiak Island Borough Solid Waste Advisory Board (SWAB) on December 4 by a vote of four to zero (4-0). In addition to SWAB members, the Plan was developed by Stephanie Mason and Mary Ruskovich, who are private citizens.

The goal of the Plan is to provide six thousand reusable shopping bags for distribution to the public during the transition period. The Kodiak Brown Bear Trust (KBBT) has agreed to be the agency that will receive and disburse any donations or grants that will be needed to carry out the Plan and has committed funds to purchase reusable shopping bags for distribution to the public. Additionally, Jason Jardine, Kodiak Walmart Manager, has agreed to support a \$1000 grant from Walmart, and the Kodiak Lions Club has committed \$500 to purchase reusable shopping bags for distribution. We will seek other donors and sponsors to raise the funds to purchase six thousand bags.

Any suggestions from you and the City Council will be greatly appreciated.

Sincerely,

Nick Szabo
Chairman

PLASTIC BAG BAN TRANSITION PLAN AND TIMELINE

Public Engagement

Public meetings and community events will be organized, focusing on the harm caused by plastic litter, especially single use plastics. This will create awareness and start the discussion among Kodiak Island residents.

Relations among local media outlets will be developed. Utilizing all sources of media allow us to reach a wide range of residents. For example: Public services announcements (KMXT & KVOK), press releases (Kodiak Daily Mirror), Facebook posts (Friends of Kodiak), Instagram posts, etc.

Posters and handouts will be distributed throughout the community announcing the campaign and keeping residents up-to-date with developments and events.

Volunteers will attend most community-wide events, distributing reusable bags and informational handouts.

Connections

Efforts will be made to establish relationships among local retailers that will be impacted by a plastic bag ban. We will also put energy toward developing a coalition among small businesses, non-profit organizations, and corporations.

Kodiak City Council and Kodiak Island Borough

Ban the bag supporters and sponsors will attend City Council meetings and Borough Assembly meetings to give updates on the campaign and transition.

Short Term Goals

Raise awareness about the use and harms of single use plastic bags, develop relationships with local retailers and organizations.

Intermediate Goals

Gain support from community, work with local government, create partnerships, build a coalition, be a presence in schools and at community events.

Long Term Goals

- Purchase six thousand reusable shopping bags for distribution to the public.
- Pass ordinance, continue education, survey bag use.

Campaign Timeline

December Campaign Kick-Off

- Engage the community
- Create slogan, posters and handouts
- Recruit supporters and sponsors
- Establish partnerships
- Advise sponsors of appropriate reusable bags to purchase.
- Attend Kodiak City Council and Kodiak Island Borough meetings and community wide events.

January

- Create Public Service Announcements (PSA) and Press Releases
- Follow up with sponsors about reusable bag purchase
- Find more sponsors depending on how many reusable bags are needed
- Show "Bag-It!", the documentary, at the Library
- Attend Kodiak City Council and Kodiak Island Borough meetings and community wide events.

February

- Distribution of reusable bags at events and local government meetings
- Attend Kodiak City Council and Kodiak Island Borough meetings and community wide events.

March

- Distribution of reusable bags at events and local government meetings
- Attend Kodiak City Council and Kodiak Island Borough meetings and community wide events.

April

- Distribution of reusable bags at events and local government meetings
- Attend Kodiak City Council and Kodiak Island Borough meetings and community wide events.
- Implementation on Ban the Bag Earth Day event on April 22, 2018.

Dear Kodiak,



Starting on April 22nd (Earth Day 2018), single-use plastic shopping bags will no longer be distributed for use within the City of Kodiak. Durable and reusable alternatives will be provided, either for purchase at retail establishments, or for free from partner organizations in our community.

We all are an essential part of keeping Kodiak green, our waters pristine, and showcasing our sustainable community to the world.



Let's Keep Kodiak Green!



Querido Kodiak,



Empezando en Abril, 2018, bolsas plásticas de un sólo uso no van a ser disponible en la ciudad de Kodiak. Alternativas que son durables y reutilizables salieron disponible para comparar en negocios, ó desde varios organizaciones en nuestra comunidad por gratis.



Tenemos un papel fundamental en manteniendo nuestro comunidad limpia, nuestras aguas sanas, y exhibiendo nuestra comunidad sostenible al mundo.

Vamos a mantener Kodiak verde y sano.



**CITY OF KODIAK
ORDINANCE NUMBER 1372**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK REDUCING
THE USE OF DISPOSABLE PLASTIC SHOPPING BAGS**

WHEREAS, the use of disposable plastic shopping bags in Kodiak creates burdens on the local solid waste disposal system and degrades the environment; and

WHEREAS, to decrease the use of disposable plastic shopping bags in Kodiak, it is necessary to restrict and mitigate such use; and

WHEREAS, it is in the best interest of the City of Kodiak and its residents to reduce the use of disposable plastic shopping bags in Kodiak.

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

Section 1: Section 7.32.020 Definitions, of the Kodiak City Code, is hereby amended to add new definitions of “buyer,” “seller,” and “disposable plastic shopping bag”, and are added to read as follows:

7.32.020 Definitions

As used in this chapter:

“Buyer” means a person who is a purchaser of goods or services.

“Disposable plastic shopping bag” means a bag made from plastic, including plastic marketed or labeled as “biodegradable” or “compostable,” that is not suitable for repeated reuse, if made of or containing plastic that is less than 4 millimeters thick, is unable to be cleaned and disinfected regularly, and is designed to carry buyer purchases from the seller’s premises. “Disposable plastic shopping bag” does not include bags used by buyers inside stores to package bulk items such as fruit, vegetables, nuts, grains, candy, or small hardware items, such as washers and bolts; bags used to contain dampness or leaks from items such as frozen foods, meat or fish, flowers or potted plants; bags used to protect prepared foods or bakery goods; bags provided by pharmacists to contain prescription drugs; laundry or dry cleaning bags; bags sold for buyer’s use off the seller’s premises for such purposes as the collection and disposal of garbage, pet waste, or yard waste; and newspaper bags.

“Seller” means a person or persons who vend property, including prepared foods, persons furnishing services, and all persons making sales, including goods and services.

Section 2: Chapter 7.32 Littering, of the Kodiak City Code, is hereby amended to add a new section, Section 7.32.050 Disposable Plastic Shopping Bags, to read as follows;

7.32.50 Disposable Plastic Shopping Bags

(a) The purpose of this section is to reduce the generation of waste from disposable plastic shopping bags.

(b) Sellers are prohibited from distributing disposable plastic shopping bags to buyers.

Section 3: Sections 1 and 2 of this ordinance are of a permanent and general nature and shall be included in the Kodiak City Code.

Section 4: This ordinance shall take effect on April 22, 2018, in accordance with Kodiak Charter Article II, Section 13.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

First Reading:
Second Reading:
Effective Date:



KODIAK BROWN BEAR TRUST

P. O. BOX 1740 KODIAK, ALASKA 99615



December 8, 2017

Nate Svoboda
Area Wildlife Biologist
Alaska Department of Fish and Game
351 Research Ct.
Kodiak, Alaska 99615

Dear Nate,

I want to commend you and your partners for the new "ban the bag" initiative that is underway in Kodiak. I have discussed this effort with Bear Trust Chairman Paul Chervenak and we agree this is a program in which we would like to participate. This type of work is clearly important to the mission of the Bear Trust.

One way in which we could assist would be as the "pass through" organization to receive donations for the program. We could provide this service because of our 501(c)(3) status. We also are interested in the possibility of purchasing reusable bags emblazoned with the Bear Trust logo.

Thanks for your efforts in this very worthwhile program.

Best regards,


Victor G. Barnes, Jr.
Trust Manager

Cc: Paul Chervenak

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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager and Debra Marlar, City Clerk 

Date: January 11, 2018

Agenda Item: V. b. Resolution No. 2018-01, Rescinding Resolution No. 2017-25(SUB) and Re-Establishing an Economic Development Special Committee

SUMMARY: The City Council has identified the need for an economic development plan. Economic Development Consultant Wanetta Ayers has been retained to assist with this plan and recommended the City establish a committee to achieve its economic development goals. The committee has held three meetings since November 3, 2017. Resolution No. 2018-01 has been revised to include committee recommendations by eliminating the alternate positions; establishing a quorum at five members; expanding community participation to include future representation by the Kodiak Island Borough, Kodiak Native Corporations, and USCG; and provide for committee participation via teleconference.

PREVIOUS COUNCIL ACTION:

- January 10, 2017, Council work session, Wanetta Ayers presented information about establishing a framework for economic development for the City of Kodiak, and Council voiced a consensus to move forward with economic development
- March 21, 2017, Council work session, Wanetta Ayers via teleconference discussed formation of an Economic Development Committee, and Council voiced a consensus to advertise for committee members
- May 23, 2017, work session, Mayor Branson and Councilmembers Bishop and Whiddon volunteered to serve on the committee
- May 25, 2017, regular meeting, Council adopted Resolution No. 2017-14, Establishing an Economic Development Special Committee
- September 14, 2017, adopted Resolution No. 2017-25(SUB), Rescinding Resolution No. 2017-14 and Re-Establishing an Economic Development Special Committee
- September 14, 2017, and December 14, 2017, appointed members to the committee

STAFF RECOMMENDATION: Staff recommends Council adopt Resolution No. 2018-01, which reflects recent recommendations of the Committee.

CITY MANAGER'S COMMENTS: I will assist the consultant with administration of the agreement and provide support to the committee.

ATTACHMENTS:

Attachment A: Resolution No. 2018-01

Attachment B: Resolution No. 2017-25(SUB)

PROPOSED MOTION:

Move to adopt Resolution No. 2018-01.

CITY OF KODIAK
RESOLUTION NUMBER 2018-01

A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK RESCINDING RESOLUTION NO. 2017-25(SUB) AND RE-ESTABLISHING AN ECONOMIC DEVELOPMENT SPECIAL COMMITTEE

WHEREAS, the Kodiak City Council adopted Resolution No. 2017-25(SUB) on September 14, 2017, Re-Establishing an Economic Development Special Committee; and

WHEREAS, ~~six~~ members of the Committee ~~were~~ are intended to represent a broad spectrum of economic development entities throughout the community; and

WHEREAS, ~~more than six applicants would like to serve on the Committee~~ ten committee members are deemed sufficient to carry out the work of the committee and alternate members are not required; and

~~WHEREAS, to ensure the broadest spectrum of economic development interests are represented on the Committee, the Council desires to eliminate the requirement limiting public participation to only six members; and~~

WHEREAS, the City of Kodiak seeks to harmonize its approaches to economic development; and

WHEREAS, a strategic economic development planning process will help the City of Kodiak develop and initiate a plan to achieve economic growth; and

WHEREAS, successful economic development initiatives are driven by a solid foundation of economic analysis, as well as continuous public engagement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that an Economic Development Special Committee is hereby re-established.

BE IT FURTHER RESOLVED THAT:

Section 1. Membership/Quorum. The Economic Development Special Committee shall consist of ten regular members appointed by the City Council as follows:

- a) The Mayor and two members of the City Council of which one member shall be designated as Chair and one as ~~Vice~~Co-chair.
- b) The committee shall consist of Kodiak community members representing ~~any one or more~~ of the following:
 - Kodiak Native Corporations
 - Aviation and Support Services
 - Community and Civic Organizations

- Construction Contracting and Trades
 - Health Care and Medical Support Services
 - Hospitality and Tourism
 - [Kodiak Island Borough](#)
 - Marine Transportation and Support Services
 - Professional and Business Services
 - Retail Goods and/or Services
 - ~~_____~~
 - ~~_____~~
 - [United States Coast Guard](#)
 - Other Representation Deemed Appropriate by the City Council
- c) The community membership ~~on this committee~~ will consist of seven regular members. ~~In addition, there shall be two alternate members appointed. In absence of a regular member, Alternate No. 1 shall have the right to vote on issues before the committee. In like manner, the absence of a second regular member confers the same right to Alternate No. 2.~~

The ten regular members previously appointed and currently serving on the committee shall continue to serve. New appointments shall be made by motion of the Council.

The City Manager, as well as additional City staff designated by the City Manager, shall serve as nonvoting consulting members of the Committee, if requested. The City's Economic Development Consultant shall also serve as a non-voting member of the Committee.

~~A simple majority~~ Five members shall constitute a quorum.

Section 2. Committee member teleconference participation in meetings. Teleconference participation by committee members shall be permitted under the following conditions:

- Teleconference equipment is available in the meeting room.
- The chair or co-chair is physically present.
- The first four committee members who notify the City Clerk prior to the meeting agenda being published may participate by teleconference as long as five committee members are physically present. If five committee members are not physically present, the meeting shall be adjourned and rescheduled.

Section ~~22~~ 23. Terms of members.

- a. The Committee is expected to complete its task within one year and shall be in effect until it presents its final report to the City Council.
- b. Committee members shall notify the City Clerk prior to any scheduled meeting if they are unable to attend. 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 ~~34~~. Powers/Duties. The Economic Development Special Committee shall act in an advisory capacity to the City Council and City Manager and shall:

- Identify a mechanism for future economic development.
- Discover and address business concerns ~~and pain points~~;
- Encourage businesses to prepare for natural disasters and economic downturns;
- Review ordinances, fee structures, land management, and other assets controlled by the City for policy revisions that will encourage economic growth.
- Review and harmonize key positioning and marketing efforts with primarily external audiences;
- Conduct outreach with key markets using a unified branding approach;
- Encourage prioritized efforts amongst the school district, Kodiak College, UAF School of Ocean Sciences, and others to ensure secondary and postsecondary education and training to address in-demand jobs that achieve a living wage;
- Identify planned and prioritized infrastructure investments that are most likely to support economic growth.

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

Section ~~45~~. Meetings/Duration. Economic Development 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 least quarterly and more often, if needed, at the call of the Chair. Permanent records or minutes shall be kept ~~of the vote of each member upon every question~~. Committee meeting minutes shall be directed to the City Council at the earliest possible date.

Section ~~56~~. Administrative Support. The City Clerk's Office shall provide administrative support.

Section ~~67~~. Parliamentary Authority. The current version of "Roberts Rules of Order Newly Revised" shall serve as the Committee's parliamentary authority.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted:

**CITY OF KODIAK
RESOLUTION NUMBER 2017–25(SUB)**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK RESCINDING RESOLUTION NO. 2017–14 AND RE-ESTABLISHING AN ECONOMIC DEVELOPMENT SPECIAL COMMITTEE

WHEREAS, the Kodiak City Council adopted Resolution No. 2017–14 on May 25, 2017, Establishing an Economic Development Special Committee; and

WHEREAS, six members of the Committee were intended to represent a broad spectrum of economic development entities throughout the community; and

WHEREAS, more than six applicants would like to serve on the Committee; and

WHEREAS, to ensure the broadest spectrum of economic development interests are represented on the Committee, the Council desires to eliminate the requirement limiting public participation to only six members; and

WHEREAS, the City of Kodiak seeks to harmonize its approaches to economic development; and

WHEREAS, a strategic economic development planning process will help the City of Kodiak develop and initiate a plan to achieve economic growth; and

WHEREAS, successful economic development initiatives are driven by a solid foundation of economic analysis, as well as continuous public engagement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that an Economic Development Special Committee is hereby established.

BE IT FURTHER RESOLVED THAT:

Section 1. Membership/Quorum. The Economic Development Special Committee shall consist of ten regular members appointed by the City Council as follows:

- a) The Mayor and two members of the City Council of which one member shall be designated as Chair and one as Vice-chair.
- b) The committee shall consist of Kodiak community members representing any of the following:
 - Aviation and Support Services
 - Community and Civic Organizations
 - Construction Contracting and Trades
 - Health Care and Medical Support Services
 - Hospitality and Tourism

- Marine Transportation and Support Services
 - Professional and Business Services
 - Retail Goods and/or Services
 - Seafood Harvesting
 - Seafood Processing
 - Other Representation Deemed Appropriate by the City Council.
- c) The community membership on this committee will consist of seven regular members. In addition, there shall be two alternate members appointed. In absence of a regular member, Alternate No. 1 shall have the right to vote on issues before the committee. In like manner, the absence of a second regular member confers the same right to Alternate No. 2.

The City Manager, as well as additional City staff designated by the City Manager, shall serve as nonvoting consulting members of the Committee, if requested. The City’s Economic Development Consultant shall also serve as a non-voting member of the Committee.

A simple majority shall constitute a quorum.

Section 2.

Terms of members.

- a. The Committee is expected to complete its task within one year and 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. The Economic Development Special Committee shall act in an advisory capacity to the City Council and City Manager and shall:

- Discover and address business concerns and pain points;
- Encourage businesses to prepare for natural disasters and economic downturns;
- Review ordinances, fee structures, land management, and other assets controlled by the City for policy revisions that will encourage economic growth.
- Review and harmonize key positioning and marketing efforts with primarily external audiences;
- Conduct outreach with key markets using a unified branding approach;
- Encourage prioritized efforts amongst the school district, Kodiak College, UAF School of Ocean Sciences, and others to ensure secondary and postsecondary education and training to address in-demand jobs that achieve a living wage;
- Identify planned and prioritized infrastructure investments that are most likely to support economic growth.

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. Economic Development 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 least quarterly and more often, if needed, at the call of the Chair. Permanent records or minutes shall be kept of the vote of each member upon every question. Committee meeting minutes 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.

Section 6. Parliamentary Authority. The current version of "Roberts Rules of Order Newly Revised" shall serve as the Committee's parliamentary authority.



CITY OF KODIAK

MAYOR

ATTEST:

DEPUTY CLERK

Adopted: September 14, 2017

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MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Mike Tvenge, City Manager and Debra Marlar, City Clerk *DM*
Date: January 11, 2018 *MT*

Agenda Item: V. c. Resolution No. 2018-02, Rescinding City Resolution No. 2013-17 and Documenting the Kodiak Fisheries Work Group's Scope and Authority

SUMMARY: This resolution re-defines the composition of the jointly formed Kodiak Fisheries Work Group (FWG) and formalizes their role and authority as they work on fisheries related issues for the Kodiak community. More specifically, it reduces the membership from three elected officials from each body to two elected officials; sets the meeting quorum at three members; removes the managers as non-voting ex-officio members; provides for monthly, instead of quarterly, reports from the fisheries analyst; and provides for teleconference participation.

PREVIOUS COUNCIL ACTION:

- September 27, 2012, Council adopted Resolution No. 2012-30, supporting the overall approach to fishery issues by the Kodiak Fisheries Workgroup
- September 27, 2012, Council adopted Resolution No. 2012-31, developed and recommended by the WFG that identified the overarching purpose for the Kodiak community's interactions and goals for fisheries management programs
- June 27, 2013, Council adopted Resolution No. 2013-17 identifying the composition, scope, and authority of the FWG

DISCUSSION: The Kodiak Fisheries Work Group, made up of City and Borough representatives, has been meeting since 2012 to review and propose responses to fisheries management issues that affect the community of Kodiak. This group is a spin-off of the original group that facilitated the selection of the fisheries analyst in fall of 2011. They have been meeting on a regular basis since that time and hold regular meetings with the fisheries analyst. They also provide input and updates to the joint sessions of the City and Borough work sessions on fisheries issues and provide recommendations for action as necessary.

In September 2012, the Council and Assembly each adopted resolutions that formally accepted the FWG's recommended overarching purpose for their efforts on behalf of Kodiak and its fisheries and identified ten fisheries management goals (Attachment C). In June 2013 the FWG prepared joint resolutions that outlined their scope and authority.

Resolution No. 2018-02 is the City's version of a joint resolution of the City and Borough that amends/rescinds Resolution No. 2013-17 and redefines the FWG's purpose and authority. It outlines the

organizational structure, including membership; the development of agendas and meeting recordings; consensus-based decision making; and reporting guidelines.

CITY CLERK RECOMMENDATION: The City and Borough Clerks have worked with members of the FWG to ensure each body's resolution is consistent. I recommend that Council adopt Resolution No. 2018-02.

CITY MANAGER'S COMMENTS: This is a very active group that works hard to analyze the complex fisheries issues that affect Kodiak. I support their work and the organizational structure this resolution provides. I recommend Council adopt Resolution No. 2018-02.

ATTACHMENTS:

Attachment A: Resolution No. 2018-02

Attachment B: KIB Resolution No. FY2018-21

Attachment C: Resolution No. 2012-31

Attachment D: Resolution No. 2013-17

PROPOSED MOTION:

Move to adopt Resolution No. 2018-02.

**CITY OF KODIAK
RESOLUTION NUMBER 2018-02**

A JOINT RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK AND THE KODIAK ISLAND BOROUGH RESCINDING CITY RESOLUTION NO. 2013-17 AND DOCUMENTING THE KODIAK FISHERIES WORK GROUP'S SCOPE AND AUTHORITY

WHEREAS, it is in Kodiak's best interests for its City and Borough governments to be well informed regarding the potential impacts of state and federal fishery management actions on the Kodiak community; and

WHEREAS, the Kodiak City Council and the Kodiak Island Borough Assembly have determined that a Kodiak Fisheries Work Group can provide valuable assistance to the City Council and Borough Assembly by identifying fishery management actions that could affect Kodiak.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that ~~this resolution hereby creates the Kodiak Fisheries Work Group.~~ Resolution No. 2013-17 is hereby rescinded and the Kodiak Fisheries Work Group is re-established as follows:

~~BE IT FURTHER RESOLVED THAT:~~

1. **Membership.** The Kodiak Fisheries Work Group (work group) shall be composed of ~~three~~ two representatives from the Kodiak City Council and ~~three~~ two representatives from the Kodiak Island Borough.
2. **Organization.** The work group shall designate two co-chairs at the first meeting of the calendar year and shall hold at least one meeting monthly. The co-chairs shall alternate presiding at the meetings. The ~~city manager, borough manager, and the~~ fisheries analyst shall serve as an ex-officio, non-voting members of the work group.
3. **Purpose, Scope, and Authority.**
 - a. Focus on overall impacts to the community and maintenance and growth of revenue streams.
 - b. Understand how various approaches will fundamentally impact fisheries and resources.
 - c. Frame benchmarks and objectives as positive statements.
 - d. Refrain from taking positions on allocation questions to the extent possible while understanding that many issues and decisions will have allocation implications.
 - e. Focus on broad-scale program features unless specific program elements threaten the goals for management programs as referenced within Resolution No. 2012-31 of the City of Kodiak.

f. Kodiak Fisheries Work Group will review the Kodiak Fisheries Analyst/Consultant written ~~quarterly~~monthly reports including background materials and analysis for fisheries issues of importance to the community pursuant to the contractual report schedule.

4. Administrative assistance. The City and Borough Clerk's office staff shall:

- a. Furnish the work group with copies of all requested documents and other information necessary or reasonably related to the work group's functions;
- b. Provide the work group with supplies, meeting space, and secretarial assistance;
- c. Refer to the work group, for their discussion, all nonemergency matters within the scope of its powers and duties prior to presenting those matters to the assembly for action; and
- d. Transmit all recommendations and other communications from the work group to the Council and Assembly.

5. Consensus/Quorum. The affirmative votes of ~~four (4)~~three (3) work group members shall be required for a quorum and to build consensus of the work group. Consensus shall be given at a public meeting of the work group. Work group members may participate telephonically in meetings, provided such participation is allowed by the ordinances and rules of their respective governing bodies.

6. Agenda. The co-chairs and the fisheries analyst shall determine items for the agenda. No business may be transacted nor any measure be considered that is not on the agenda. The clerk shall prepare an agenda and it shall be distributed to work group members, along with the meeting packet, one week prior to the regular meeting.

7. Meeting ~~Notes/Summary~~Recording. ~~Bulleated notes shall be taken and shall be filed as a part of the meeting packet.~~ The meeting shall be recorded and posted on the website.

8. Reporting. Work group members who are unable to attend a meeting shall advise the staff clerk of the contemplated absence to maximize attendance and participation of members at these meetings.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted:

Introduced by: KIB Assembly
Drafted by: KFWG
Introduced on: 12/21/2017
Adopted on:12/21/2017

**KODIAK ISLAND BOROUGH
RESOLUTION NO. FY2018-21**

**A RESOLUTION OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH AMENDING THE
KODIAK FISHERIES WORK GROUP SCOPE AND AUTHORITY**

WHEREAS, it is in Kodiak’s best interests for its City and Borough governments to be well informed regarding the potential impacts of state and federal fishery management actions on the Kodiak community; and

WHEREAS, the Kodiak City Council and the Kodiak Island Borough Assembly have determined that a Kodiak Fisheries Work Group can provide valuable assistance to the City Council and Borough Assembly by identifying fishery management actions that could affect Kodiak.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH by the Kodiak Island Borough Assembly that this resolution hereby amends the Kodiak Fisheries Work Group Scope and Authority.

BE IT FURTHER RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the following amendments are adopted:

1. **Membership.** The Kodiak Fisheries Work Group (work group) shall be composed of ~~three~~ **two** representatives from the Kodiak City Council and ~~three~~ **two** representatives from the Kodiak Island Borough.
2. **Organization.** The work group shall designate two co-chairs at the first meeting of the calendar year and shall hold at least one meeting monthly. The co-chairs shall alternate presiding at the meetings. The ~~city manager, borough manager, and the~~ fisheries analyst shall serve as **an** ex-officio, non-voting members of the work group.
3. **Purpose, Scope, and Authority.**
 - a. Focus on overall impacts to the community and maintenance and growth of revenue streams.
 - b. Understand how various approaches will fundamentally impact fisheries and resources.
 - c. Frame benchmarks and objectives as positive statements.
 - d. Refrain from taking positions on allocation questions to the extent possible while understanding that many issues and decisions will have allocation implications.
 - e. Focus on broad-scale program features unless specific program elements threaten the goals for management programs as referenced within Resolution No. FY2013–10 of the Kodiak Island Borough.

46 f. Kodiak Fisheries Work Group will review the Kodiak Fisheries Analyst/Consultant written
47 ~~quarterly~~ monthly reports including background materials and analysis for fisheries issues
48 of importance to the community pursuant to the contractual report schedule.
49

50 **4. Administrative assistance.** The City and Borough Clerk's office staff shall:

- 51 a. Furnish the work group with copies of all requested documents and other
52 information necessary or reasonably related to the work group's functions;
53 b. Provide the work group with supplies, meeting space, and secretarial assistance;
54 c. Refer to the work group, for their discussion, all nonemergency matters within the
55 scope of its powers and duties prior to presenting those matters to the assembly
56 for action; and
57 d. Transmit all recommendations and other communications from the work group to
58 the Council and Assembly.
59

60 **5. Consensus/Quorum.** The affirmative votes of ~~four (4)~~ three (3) work group members shall
61 be required for a quorum and to build consensus of the work group. Consensus shall be given
62 at a public meeting of the work group. Teleconference participation shall be established
63 by ordinance. Work group members may participate telephonically in meetings,
64 provided such participation is allowed by the ordinances and rules of their respective
65 governing bodies.
66

67 **6. Agenda.** The co-chairs and the fisheries analyst shall determine items for the agenda. No
68 business may be transacted nor any measure be considered that is not on the agenda. The
69 clerk shall prepare an agenda and it shall be distributed to work group members, along with
70 the meeting packet, one week prior to the regular meeting.
71

72 **7. Meeting Notes/Summary Recording.** ~~Bulleated notes shall be taken and shall be filed as a~~
73 ~~part of the meeting packet.~~ The meeting shall be recorded and posted on the website.
74

75 **8. Reporting.** Work group members who are unable to attend a meeting shall advise the staff
76 clerk of the contemplated absence to maximize attendance and participation of members at
77 these meetings.
78

79 **ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH**
80 **THIS TWENTY FIRST DAY OF NOVEMBER, 2017.**
81

82 KODIAK ISLAND BOROUGH

83 
84
85

86 Daniel A. Rohrer, Mayor
87

ATTEST:

88 
89
90

91 Nova M. Javier, MMC, Clerk

UNANIMOUS VOTES:

89 **AYES:** Crow, Kavanaugh, Schroeder, Skinner, Symmons, Van Daele

90 Absent: Smiley
91

**CITY OF KODIAK
RESOLUTION NUMBER 2012–31**

**A JOINT RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK AND
THE KODIAK ISLAND BOROUGH ASSEMBLY SUPPORTING COMMENTS TO THE
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL ON PENDING ACTIONS
REGARDING COMPREHENSIVE MANAGEMENT OF PROHIBITED SPECIES
CATCH BY THE TRAWL FISHERY IN THE CENTRAL GULF OF ALASKA**

WHEREAS, the North Pacific Fishery Management Council is considering the need for and beginning development of a comprehensive program to manage prohibited species catch by the trawl fleet of the central Gulf of Alaska; and

WHEREAS, any such comprehensive management program for fisheries in the central Gulf of Alaska will have major and direct effects on the economy and well-being of residents of the Kodiak region; and

WHEREAS, National Standards of the Magnuson-Stevens Fishery Conservation and Management Act require that federal fishery management decisions take into account the importance of fishery resources to fishing communities, in order to provide for the sustained participation of such communities and minimize adverse economic impacts on such communities; and

WHEREAS, the City of Kodiak and the Kodiak Island Borough represent the communities of the Kodiak region, rather than individual user groups or fishing interests; and

WHEREAS, the City of Kodiak and the Kodiak Island Borough have begun a program to participate directly in public processes for fishery policy decision-making as outlined in Resolution No. 2012–30 of the City of Kodiak.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Kodiak and the Assembly of the Kodiak Island Borough that these bodies support the Kodiak Fisheries Workgroup’s proposed overarching purpose for consideration of fishery management issues of interest and concern to the Kodiak region as follows:

Overarching Purpose:

1. Maintain healthy, sustainable resources in the central (and western) Gulf of Alaska.
2. Promote a sustainable, vigorous economy in the Kodiak region with healthy and competitive harvesting and processing sectors and support industries.
3. Maintain quality of life and social well-being in Kodiak.

BE IT FURTHER RESOLVED by the Council of the City of Kodiak and the Assembly of the Kodiak Island Borough that these bodies support the Kodiak Fisheries Workgroup's proposed goals for management programs as follows:

Goals for Management Programs:

1. Provide effective controls of prohibited species catch and other bycatch to provide for balanced and sustainable fisheries and healthy harvesting and processing sectors.
2. Maintain or increase target fishery landings and revenues to Kodiak.
3. Maintain or increase employment opportunities for vessel crews, processing workers, and support industries.
4. Provide increased opportunities for value-added processing.
5. Maintain opportunities for fishermen to enter the fishery.
6. Maintain opportunities for processors to enter the fishery.
7. Minimize adverse economic impacts of consolidation of the harvesting or processing sectors.
8. Maximize active participation by owners of harvesting vessels and fishing privileges.
9. Maintain the economic strength and vitality of Kodiak's working waterfront.
10. Establish methods to measure success and impacts of all programs, including collection and analysis of baseline and after-action data.



CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Adopted: September 27, 2012

**CITY OF KODIAK
RESOLUTION NUMBER 2013–17**

**A JOINT RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK AND
THE KODIAK ISLAND BOROUGH DOCUMENTING THE KODIAK FISHERIES
WORK GROUP’S SCOPE AND AUTHORITY**

WHEREAS, it is in Kodiak’s best interests for its City and Borough governments to be well informed regarding the potential impacts of state and federal fishery management actions on the Kodiak community; and

WHEREAS, the Kodiak City Council and the Kodiak Island Borough Assembly have determined that a Kodiak Fisheries Work Group can provide valuable assistance to the City Council and Borough Assembly by identifying fishery management actions that could affect Kodiak.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that this resolution hereby creates the Kodiak Fisheries Work Group.

BE IT FURTHER RESOLVED THAT:

1. **Membership.** The Kodiak Fisheries Work Group (work group) shall be composed of three representatives from the Kodiak City Council and three representatives from the Kodiak Island Borough.
2. **Organization.** The work group shall designate two co-chairs at the first meeting of the calendar year and shall hold at least one meeting monthly. The co-chairs shall alternate presiding at the meetings. The city manager, borough manager, and the fisheries analyst shall serve as ex-officio, non-voting members of the work group.
3. **Purpose, Scope, and Authority.**
 - a. Focus on overall impacts to the community and maintenance and growth of revenue streams.
 - b. Understand how various approaches will fundamentally impact fisheries and resources.
 - c. Frame benchmarks and objectives as positive statements.
 - d. Refrain from taking positions on allocation questions to the extent possible while understanding that many issues and decisions will have allocation implications.
 - e. Focus on broad-scale program features unless specific program elements threaten the goals for management programs as referenced within Resolution No. 2012–31 of the City of Kodiak.
 - f. Kodiak Fisheries Work Group will review the Kodiak Fisheries Analyst/Consultant written quarterly reports including background materials and analysis for fisheries issues of importance to the community pursuant to the contractual report schedule.

4. **Administrative assistance.** The City and Borough Clerk's office staff shall:
 - a. Furnish the work group with copies of all requested documents and other information necessary or reasonably related to the work group's functions;
 - b. Provide the work group with supplies, meeting space, and secretarial assistance;
 - c. Refer to the work group, for their discussion, all nonemergency matters within the scope of its powers and duties prior to presenting those matters to the assembly for action; and
 - d. Transmit all recommendations and other communications from the work group to the Council and Assembly.

5. **Consensus.** The affirmative votes of four (4) work group members shall be required to build consensus of the work group. Consensus shall be given at a public meeting of the work group.

6. **Agenda.** The co-chairs and the fisheries analyst shall determine items for the agenda. No business may be transacted nor any measure be considered that is not on the agenda. The clerk shall prepare an agenda and it shall be distributed to work group members, along with the meeting packet, one week prior to the regular meeting.

7. **Meeting Notes/Summary.** Bulleted notes shall be taken and shall be filed as a part of the meeting packet.

Reporting. Work group members who are unable to attend a meeting shall advise the staff clerk of the contemplated absence to maximize attendance and participation of members at these meetings.



CITY OF KODIAK

Pet Braun

MAYOR

ATTEST:

Delma Mondan
CITY CLERK

Adopted: June 27, 2013

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Mike Tvenge, City Manager and Debra Marlár, City Clerk
Date: January 11, 2018

Agenda Item: V. d. Appointment of City Representatives to Kodiak Fisheries Work Group

SUMMARY: Resolution No. 2018-02, which was adopted earlier in the meeting, re-established the scope and authority of the Kodiak Fisheries Work Group (FWG) and reduced the number of City and Borough representatives serving on the FWG from three to two. Mayor Pat Branson and Councilmembers John Whiddon and Randy Bishop are presently the City's representatives to the FWG. Mayor Branson and Councilmember Whiddon have agreed to continue to serve on the FWG.

PREVIOUS COUNCIL ACTION:

- 2011- 2015 the Council informally voiced a consensus at work sessions to designate members to serve on the Borough/City Fisheries Subcommittee that later became the Kodiak Fisheries Work Group.
- October 22, 2015, Mayor Branson and Councilmembers Whiddon and Bishop were formally appointed to the FWG until successors were appointed.
- January 11, 2018, the Council adopted Resolution No. 2018-02, which reduced the number of elected officials serving on the FWG from three to two.

DISCUSSION: A small working group was established in the summer of 2011 consisting of two Councilmembers, two Assemblymembers, and both the City and Borough managers to develop a Request for Proposals (RFP) for the services of a fisheries analyst. An analyst was hired in December 2011 and the informal group that developed the RFP continued to meet informally with the analyst as the Borough/City Fisheries Subcommittee to identify the best approach to take when dealing with fisheries management issues that affect Kodiak. In 2013 a joint resolution of the Council and Assembly was adopted that identified the group as the Kodiak Fisheries Work Group (FWG) consisting of three representatives from the Kodiak City Council and three representatives from the Kodiak Island Borough, as well as the City and Borough managers and fisheries analyst as ex-officio, non-voting members. The resolution also documented the FWG's scope and authority. Resolution No. 2018-02 was adopted earlier in the meeting, which changed the FWG's scope and authority. Mayor Branson and Councilmember Whiddon have served on the group since its inception.

CITY CLERK'S COMMENTS: I recommend that all appointments to the Fisheries Work Group be made by motion in order to preserve a documented record of appointments.

CITY MANAGER'S COMMENTS: The Fisheries Work Group has evolved over the years to a committee that provides assistance to the City Council and Borough Assembly by identifying fishery management actions that could affect Kodiak. The appointment of two City elected officials to the (FWG) is consistent with Resolution No. 2018-02, and I recommend the Council make these appointments.

PROPOSED MOTION:

Move to appointment Pat Branson and John Whiddon to the Kodiak Fisheries Work Group to serve until successors are appointed.

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EXECUTIVE SESSION

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager *WT*

Date: January 11, 2018

Agenda Item: **X. a. Discussion With the City Attorney About City Litigation Cases**

SUMMARY: The City Council will enter into executive session to discuss City litigation.

PROPOSED MOTION:

Move to enter into executive session pursuant to AS 44.62.310(c)(1) to discuss matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the City.

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