

KODIAK CITY COUNCIL

WORK SESSION AGENDA

Tuesday, January 9, 2018

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

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**CITY OF KODIAK
RESOLUTION NUMBER 2017-27**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK ADOPTING
A FY2019 STATE CAPITAL IMPROVEMENT PROGRAM LIST**

WHEREAS, the City of Kodiak uses a Capital Improvements Program planning process to identify the capital improvement project needs of the community; and

WHEREAS, this identification and planning process plays a vital role in directing the City's administration and is utilized as a long-range planning and policy setting tool for City infrastructure maintenance and enhancement; and

WHEREAS, the City of Kodiak is committed to paying its way to the greatest extent possible, but the cost of some of the City's capital project needs are greater than the resources available locally; and

WHEREAS, the Kodiak City Council has identified and prioritized capital improvement projects for submission to the Alaska State Legislature and Governor for funding consideration due to their significance and/or magnitude; and

WHEREAS, the National Marine Fisheries Service identified Kodiak as the second largest commercial fishing port in the United States in terms of volume and third largest in terms of value of product landed in their most recent national report, and the City requires a large infrastructure to support this commercial activity; and

WHEREAS, the City of Kodiak relies upon the State of Alaska's legislative and matching grant programs and the Community Assistance Program to continue to keep its economy strong.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that the following infrastructure replacement/improvement projects and issues are considered of primary importance and are hereby adopted as the City of Kodiak's FY2019 State capital improvement project and issues list:

1. New Fire Station, Phase II **\$ 4,000,000**

The City of Kodiak identified the need to replace its fire station and has been working toward a replacement plan since 2004. The building has clearly outlived its design life. The building is composed of three structures and sits on a site that is currently very limited as it abuts the tsunami inundation zone. The structure is built of cement block type construction built in the 1940s with two block and wood frame additions added in the 1960s and 1975. The structure poses a significant risk of failure in a seismic event. Cracks in the walls and initial separation of one of the additions from the rest of the structure occurred following the large 7+ earthquake in 2016. It has ongoing plumbing, drainage, and water infiltration issues. The facility houses personnel, fire and rescue apparatus, three ambulances, and many types of

specialty equipment and medical supplies that support the Advanced Life Support services offered to the entire Kodiak area well beyond the City boundaries. The building condition poses constant challenges and problems to the crews who work and live in the structure. Work to replace this building must continue because it is a key emergency response and life-safety facility for Kodiak and continues to require constant maintenance.

The City proposes completion of the project in three phases. Phase I of this project with a budget of \$1,110,000 and funded by the City was used to study the site, for a new facility once a derelict building is removed. It included the removal of the old building, site grading, and other work following the demolition of the old building. Phase I is 95% complete.

Phase II would include a new site acquisition and design completed prior to construction. Relocation would make the project more affordable to do in phases, would reduce the impact to the active fire station, and benefit the transition to a new building. Phase II costs would total \$4,000,000 with site acquisition and building design anticipated during FY2019. The remainder, an estimated \$10,000,000, would be required to complete construction and furnish the facility.

The City of Kodiak is requesting funding for Phase II of the New Fire Station project from the State in an amount of \$4,000,000 to ensure the project continues to move forward. This project may also be suitable for a GO Bond package in the event the legislature pursues bonds as a capital budget financing mechanism.

2. Community Assistance Program

As the cost of providing governmental services rise, the City of Kodiak must rely on and use all sources of revenue carefully to meet its obligations. The City is budgeted to receive \$109,300 this fiscal year, a substantial reduction from previous years.

\$249,981 in FY2017

\$377,926 in FY2016

\$397,792 in FY2015

\$402,490 in FY2014

The City urges the State to continue to provide revenue sharing to local governments through this program.

3. Shelikof Street Bulkhead Parking

\$1,100,000

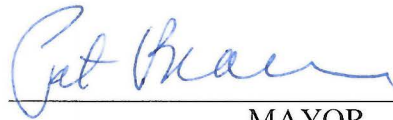
In 2009, the City identified the need for pedestrian improvements from Pier II to downtown Kodiak as the preferred pedestrian route for cruise ship passengers to safely walk the street into the town center and to improve facilities for local residents, workers, and businesses that use the pier, street, and access to the City's adjacent 250 slip boat harbor. The first phase of the project, construction of an ADA accessible sidewalk, new retaining walls, improved lighting and parking, and utility work was completed in 2013. The second phase of the project was completed in January 2017. This phase covered geotechnical investigation, design, permitting, mapping, preparation for permitting through the Army Corps of Engineers, and 95% completion of the design to accommodate a 30 space bulkhead parking

area on the south side of Shelikof Street adjacent to St. Paul Harbor. The roadway area adjacent to the proposed bulkhead parking is highly congested. Due to lack of adequate parking, vehicles block walkways, equipment operates in the ROW, and access to businesses is often blocked, forcing pedestrians into the roadway. Construction of additional off-road parking will direct pedestrian traffic out of the congested roadway. The net increase in parking will benefit harbor users and retail businesses along Shelikof Street. It will provide improved and safer pedestrian access from Marine Way to the fish processors in the immediate area. The task for this phase will be to complete construction of the bulkhead parking area, including curb and gutter, paving, lighting, and utility relocates.

The City of Kodiak is requesting state funding assistance for the final construction of this project, including administration, in the amount of \$1,100,000 to enhance pedestrian and vehicle safety. Funds are requested through the Cruise Ship Excise Tax program or through a legislative grant. This project may also be suitable for a GO Bond package in the event the legislature pursues bonds as a capital budget financing mechanism.



CITY OF KODIAK


MAYOR

ATTEST:



DEPUTY CLERK

Adopted: November 9, 2017

Alaska Research Consortium-ARC Request for Funding



*“ARC: Connecting science and industry in the
North Pacific”*

The Alaska Research Consortium

Mr. Jay Stinson, Board President

P.O. Box 1256

Kodiak, AK 99615

Email: pelagic@ptialaska.net

Phone: 907-654-6933

October 17, 2017

Mission Statement: *The Alaska Research Consortium's mission is to support and promote education, workforce development, technology development, training and service to sustain and increase the value of Alaska's marine resources and seafood industry.*

REQUEST FOR FUNDING:

Kodiak Island Borough	\$ 2,500.00
City of Kodiak	\$ 2,500.00
Kodiak based Seafood Processors and Harvesters	\$ 5,000.00

There are a number of discrete North Pacific regional needs that are driving the development of a new partnership model for the current Kodiak Seafood and Marine Science Center –such as new product development, improved utilization, technical innovations, understanding and adapting to changing environmental, ecological and climatic dynamics which together constitute the very “reason for being” that undergirds the Alaska Research Consortium foundation.

In August of 2015, the University of Alaska Fairbanks (UAF), facing steep budget cuts, was considering dissolving their commitment to serving the fishing industry and the coastal communities of Alaska at the Kodiak Seafood and Marine Science Center. Community and industry members, recognizing the importance and value of the seafood industry to the state and the unique resource that KSMSC represents, stepped up and protested that idea by communicating with University of Alaska (UA) leadership. They formed a non-profit named the Alaska Research Consortium (ARC) dedicated to operating and managing the KSMSC and growing the programs centered in the facility. The University of Alaska agreed to stop their plans of dissolving the program and agreed to work with the ARC on a new Public Private Partnership model for operations and management of KSMSC.

The Alaska Research Consortium is an Educational 501(c)3 corporation recognized by the State of Alaska and developed to operate and manage the Kodiak Seafood and Marine Science Center. Created by the Alaska Legislature and encoded in AK Statutes (AS Title 16, Chapter 52), KSMSC is a unique world class seafood research facility. ARC has been identified (through the attached Statement of Interest) by the University of Alaska Fairbanks as having the authority to develop such a public-private partnership.

The commitment to organize the ARC convinced UAF to keep KSMSC operating with UA funds through FY18. Benefits from the ARC work to date have resulted in the continuation of the programs similar to those outlined in the FY16 KSMSC annual report (attached) offered by Alaska Sea Grant and the

Fisheries department of the College of Fisheries and Ocean Sciences. They include workforce development training for seafood processing, training in marine safety for fishermen, applied research on PSP safety with local subsistence communities of Old Harbor, Ouzinkie and Kodiak, graduate studies by local fisheries students employed by ADF&G, marine education in Kodiak and outlying communities, K-12 schools and many other benefits provided by the faculty working from KSMSC. Currently 5 personnel, faculty and staff, live in Kodiak and work in the KSMSC and multiple community members and groups use the facility annually. Many people from off island are trained or come to the Center each year for meetings or technical assistance annually.

Responding to the announcement by UAF of their intent to close KSMSC, a group of Kodiak residents from a wide range of backgrounds--fisheries, workforce development, education, government and more—began the process of establishing a nonprofit organization, formed in 2016 as the Alaska Research Consortium. An initial board was formed for the ARC, with the following individuals:

- Jay Stinson, Chair, commercial fisherman, KSMSC Policy Council
- Alan Austerman, former Alaska State legislator
- Duncan Fields, commercial fisherman, former member North Pacific Fisheries Management Council (NPFMC)
- Pat Jacobson, Vice Chair, former University of Alaska Regent
- Larry Ledoux, former Alaska Commissioner of Education, current superintendent of KIBSD
- Matt Moir, plant manager North Pacific Seafoods, Kodiak
- Paul Lumsden, plant manager Trident Seafoods, Kodiak
- Jeff Stephan, fisheries advocate, Advisory Panel NPMFC
- Scott Smiley, Borough Assembly, Currently unfilled
- Unfilled seat to represent regional Alaska Native Organizations

Initial funding, in addition to countless volunteer hours, will provide resources to enable the ARC to move forward. We will work on four objectives during this year.

- 1) Complete the IRS filing of the 501 (c)(3).
- 2) Finish a business plan for the Kodiak Seafood and Marine Science Center.
- 3) Develop key communication tools including an ARC website and a compelling vision document.
- 4) Meet with prospective key partners in Anchorage (Rasmuson Foundation, industry groups) and in Portland/Seattle (Murdoch Foundation) and industry groups to explain the vision behind the ARC and the Kodiak Seafood and Marine Science Center.

Leadership for meeting these objectives will be carried out by Jay Stinson, chair of the ARC board with support from Pat Jacobson, vice chair of the ARC board and other ARC board members. With early support from Alaska Sea Grant, we have developed a relationship for guidance with the Foraker Group.

We anticipate that Foraker Group will continue to assist us by working with ARC on the further development of our business plan and assistance with filing IRS required documentation.

We intend to contract (hopefully locally) with a web designed and graphic designer/writer to develop communications products that we will use to develop key partnerships.

This project will provide the key building blocks to enable the ARC to develop as a non-profit and identify and build on new and continuing partnerships to keep the Kodiak Seafood and Marine Science Center active and growing. Some of these partnerships include but are not limited to ASMI, ADFG, NOAA and NMFS, NPRB, government agencies such as Dept. of Agriculture and FDA. We have been in communication with other universities including Washington State University, University of Idaho, and the University of Oregon. It's important that we develop strong partnerships with industry organizations and seafood companies.

The ARC is collaborating with the University of Alaska Fairbanks, Alaska Sea Grant, the City and Borough of Kodiak as well as numerous industry and trade organizations as they develop this public-private partnership. We have reached out to the Native community on Kodiak and will incorporate their input to the program and the board.

Longer term benefits from this project will be found in the ARC being able to ensure the long term sustainability of the KSMSC and programs that benefit Kodiak residents, bring statewide and national partners to Kodiak and support the sustainability of Alaska's fishing industry.

Our plan, developed by the ARC board has set the following priorities:

PRIORITY #1: Complete the application to the IRS for federal tax-exempt status as a 501 (c) (3). Work with The Foraker Group to complete a three to five-year "ARC Business Plan for Sustainability". Build a sustainable and financially robust ARC organization.

- With programs aligned with current and projected needs of the fisheries industry
- Identifying sustainable revenue from a variety of sources, with an "Anchor Tenant"
- Clarifying the human resources infrastructure required to manage and operate the facility
- Identifying ongoing facility and operations expenses, incorporating Maintenance/Operating Reserves
- Seek "start-up funding/"venture capital" to fund initial planning work, and an Executive Director

PRIORITY #2: A sustainable ARC Campus facility

Working with the University of Alaska Fairbanks as the current facility owner, and hopefully, with the Kodiak Island Borough as the potential future building owner, finalize sale and purchase of the building realizing that both the State of Alaska and Kodiak are experiencing a challenging fiscal environment.

Develop a MOA with the Kodiak Island Borough concerning ARC'S day-to-day management of the building and taking responsibility for determining the programs and offerings housed within the facility.

- Complete a Long-Term Facilities Plan identifying deferred maintenance issues
- Including laying the foundation for being able to grow a Building Maintenance Reserve Fund

PRIORITY #3: Maintain, reinvigorate and start new partnerships

- Clarify the UA partnership, with respect to long-term implications and realities. Engage more fully with regional tribal entities.
- Re-engage with the Alaska Seafood industry to develop new priorities, programs and partnerships

The outlined project will measure success by:

- 1) Completion of the ARC business plan (by December 31, 2017)
- 2) Completed filing with IRS of ARC non-profit status (by January, 2018)
- 3) A website and compelling description of the ARC vision and plan (by December 31, 2017)
- 4) Briefing of Rasmuson Foundation, Murdoch Foundation and at least 6 potential industry partners with a plan for support (by June 30, 2018).
- 5) The overall measure of success will be the ARC's incorporation of this progress into the creation of a successful public-private partnership with either the Borough or the University of Alaska for FY19.

Achieving the long-term goal requires positive progress in several related areas, constituting the ARC's operating priorities:

- 1) Building a financially self-sustaining 501(C)(3) ARC organization, resulting from a solid business plan.
- 2) Working with University of Alaska Fairbanks, the Kodiak Island Borough and the City of Kodiak to create a sustainable Public/Private Partnership facility.
- 3) Maintaining, reinvigorating and in some cases starting new partnerships with ARC's many stakeholders.

There are a number of discrete North Pacific regional needs that are driving the development of a new partnership model for the current Kodiak Seafood and Marine Science Center –such as new product development, improved utilization, technical innovations, which together constitute the very “reason for being” that undergirds the Alaska Research Consortium foundation. Food safety, both state and federal regulatory compliance training, and work force development training are critical to the future of the Alaska fishing industry.

ARC'S long-term goal is to support sustainable fisheries and marine sciences in Alaska through workforce training and development, improved utilization, and new product development, technology development, education and applied research programs and understanding and adapting to changing

environmental, ecological and climatic dynamics. This goal will be realized when the Kodiak Seafood and Marine Science Center serves as a catalyst and collaborator resulting in:

- Applied and academic researchers and educators from UA and beyond seeking to expand and improve fisheries industry knowledge and practice;
- K-12 schools offering fisheries-connected vocational programs to grow a strong fisheries workforce;
- Industry partners committed to enhancing the impact of improved technology and processes on their businesses;
- Tribal entities ensuring traditional food safety and dedicated to preserving the subsistence way-of-life;
- And most importantly, having regional North Pacific maritime communities realize long-term economic gain through a vibrant and sustainable seafood industry.

Summary:

The Alaska Research Consortium requesting specific funding from the Kodiak Island Borough and the City of Kodiak in the total amount of Five thousand (\$5,000). We are requesting \$2,500 each from the Kodiak Island Borough and the City of Kodiak. ARC will also be soliciting funds from seafood harvesters and processors.

We look forward to further communications and dialogue. Please call or email me if you have any questions or the need for clarification.

Signed:



Jay E. Stinson


President, Alaska Research Consortium, Inc.


Phone: 907-654-6933

Email: pelagic@ptialaska.net

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Thru: Matthew Van Daele, Deputy City Manager 

Date: January 9, 2018

Agenda Item: Update on Plastic Bag Ordinance

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 our 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: Draft Ordinance

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



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 reuseable 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

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Thru: Matthew Van Daele, Deputy City Manager 

Date: January 9 2018

Agenda Item: Review Final Near Island Development Plan

SUMMARY: In 2015, DOWL was contracted by the City of Kodiak to develop a Near Island Development Plan. After two “Technical Advisory Committee” meetings in early 2016, and two public meetings (also occurring in early 2016), the final plan was received on November 29, 2017. This memo will briefly discuss previous Near Island planning efforts and staff’s recommendations regarding next steps.

BACKGROUND: Initial planning efforts for Near Island development began in 1974. The City of Kodiak had recently acquired Near Island from the State of Alaska (six years earlier in 1968), and Near Island was seen as a logical expansion of development for the City, due to its proximity to town, developable land and natural resources, and the presence of protected coves that would lend themselves well to creation of new harbor facilities.

The impetus for the 1974 planning effort were plans for a new small boat harbor in Dog Bay (which ultimately became St. Herman Harbor). Six years later, this first development plan was completed, and included roughly 50% of the island being dedicated to Public/Institutional lands (effectively the entire east side), about 25% reserved as Park Lands (the northwest corner), and the remaining 25% being split between Medium/High Density Residential and Tourist Commercial (from where the current small boat launch sits south to the shipyard).

Aside from work completed in St. Herman Harbor, there was little development that occurred on Near Island before 1985, when the Fred Zharoff Memorial Bridge was completed. The City formed a Task Force to consider and make recommendations to the City Council for development of Near Island, and in 1987 a new Comprehensive Development Plan was created. This plan had similar aspects to the 1980 plan in that tracts of land were left undesignated to allow for future flexibility, but it also had areas specified for industrial and institutional use, in recognition of the unique attributes possessed by Near Island for support of Kodiak’s working waterfront.

There was a further planning effort in 1999, the Trails Development Plan, because of the marked increase in recreational use of Near Island by Kodiak’s residents. This importance of recreational use

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was noted as early as 1990, with City Council minutes indicating a desire that recreational trail systems and opportunities were of equal importance to economic development and resource extraction.

An additional “design workshop” that lasted four days was held in 2002 which focused on Near Island Development, but since that time there have been few occasions in which formal consideration or holistic planning has occurred regarding development of City assets on Near Island, or how Near Island development could positively influence greater economic development for Kodiak as a whole.

DEPUTY CITY MANAGER COMMENTS: Near Island offers excellent opportunities for multi-use responsible development; from natural resource extraction, preservation of green spaces and enhancement of non-motorized outdoor recreation, commercial tourism activities centered around both floatplane charters as well as charter vessels, maritime industry, office parks, and residential development, to name just a few potential opportunities.

Staff recommends that DOWL’s Near Island Development Plan be accepted by the City Council, and the contract closed. This would allow staff to research this development plan, and begin discussions and collaboration with the Kodiak Island Borough and public stakeholders regarding what elements of this plan would be beneficial to implement as written, what may need additional research or consideration, and if there are areas or opportunities not covered by this plan that have more recently become available, while keeping the City Council updated frequently with progress reports.

This approach would build on the foundation of a plan presented to the City Council by DOWL, while allowing the creation of a locally-developed and collaborative plan that considers new and pressing local needs and perspectives, and increased economic development possibilities for a diversity of sectors. Additionally, this approach will maximize the efficient use of our existing personnel resources by involving staff and our own Department Heads in the research and implementation process.

TO: City of Kodiak City Council members
FROM: Michelle McNulty, AICP – DOWL 
DATE: December 6, 2017
SUBJECT: Near Island Development Plan Update

Hi All,

Below is a list of all of the changes made to the Final Near Island Development Plan Update as requested by the City Council at your July 11, 2017 meeting. Also attached is a copy of the final plan for your review and approval.

Pages 23-25: Landscaping Requirements Section. The City Council requested that landscaping design standards be proposed as part of the Plan. Recommended design standards have been provided under plan recommendations and include design language as well as corresponding images and cross-sections to better relay the intent and applicability of the landscaping standards.

Page 26, Figure 14: Proposed Land Use Map Revision. The land use designation of a portion of the peninsula of land below the marine storage lot, identified as “Potential Viewing/Picnic Area”, has been changed from Water Dependent Marine Industrial to Open Space & Recreation.

All Figures: All figures had erroneously identified the GIS source as the City of Kodiak – all figures have been revised to reflect the correct GIS source as the Kodiak Island Borough.



Near Island Development Plan 2017

Near Island Development Plan

Prepared For:

The City of Kodiak

DECEMBER 2017

Prepared by:



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- Appendix A: Updated Conditional Use Permit
- Appendix B: Public Involvement Materials

Introduction

Near Island is part of the Kodiak Island Archipelago, which for over 7,500 years has been inhabited by the Alutiq people or Sugpiaq as they are known in their native language (Alutiqmuseum.org). The original inhabitants subsisted by hunting, fishing, farming, and gathering. The first known outsiders to settle on the island were Russian explorers in 1784. Following the 1867 Alaska purchase by the United States, the island became part of the United States.

Near Island was owned by the State of Alaska until 1968 when the City of Kodiak acquired it. Until 1974, there had been no development on Near Island, although there had been development on several of the other islands in the surrounding area. The island had been used for livestock grazing and some recreational uses, but these uses were relatively light as they were restricted by lack of a connection to the main island.

Since 1974, the island has been developed with a small boat harbor, Trident Basin Seaplane Base, the Kodiak Seafood and Marine Science Center (formerly the Fishery Industrial Technology Center (FITC)), commercial and office uses, a multi-family residential building, quarry operations, parks, and a recreational trail system. The Fred Zharoff Memorial Bridge (Near Island Bridge) was constructed in the Mid-1980's, connecting Near Island to the City of Kodiak. Utilities have also been extended across the island.



Image 1: Fred Zharoff Memorial Bridge



Image 2: Boats Docked at St. Herman's Harbor

Background

Various large-scale planning efforts addressing the future growth and development of Near Island have occurred since 1974. Each of these efforts has built off of the previous plans and has intended to provide flexibility so that development could be responsive to future growth and needs of the community.

1974 Near Island Comprehensive Development Plan

The first comprehensive development plan for Near Island was completed in 1974 in preparation of impending land demands associated with the proposed new small boat harbor in St. Herman's Harbor (formerly Dog Bay). The 1974 Near Island Comprehensive Development Plan (CDP) was adopted by the Kodiak Island Borough (KIB) in 1980. The next few years saw the development of the small boat harbor, the linking of Near Island and the City of Kodiak by bridge, and the siting for the proposed Kodiak Seafood and Marine Science Center. These new developments, paired with the proposal of other suggested uses on Near Island, demonstrated the need for a comprehensive strategy to manage future development on Near Island. The proposed 1974 Land Use Plan is shown in Figure 1.

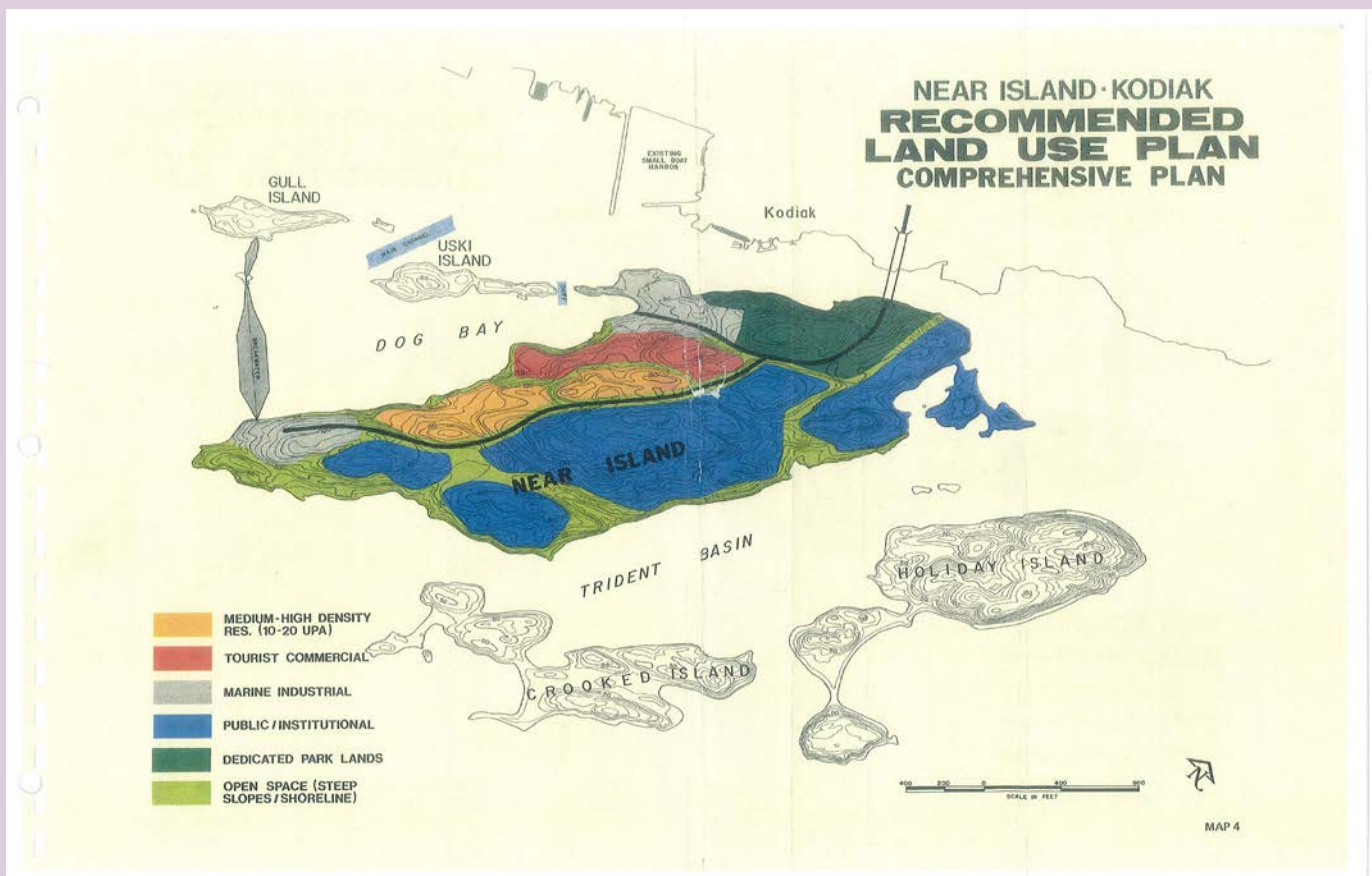


Figure 1: 1974 Recommended Land Use Map

1987 Near Island Comprehensive Development Plan

The most current CDP for Near Island was adopted by the Kodiak Island Borough in 1987. The City of Kodiak, as property owner of Near Island, recognized the need to manage future growth of the island and created the Near Island Task Force in 1985. Task Force Members were given the charge of making recommendations to the City Council for future development of Near Island.

The 1987 CDP provides a variety of land uses for specific areas of the island including commercial, industrial, residential, institutional, future development reserve, greenbelts, and parks (Figure 2). However, large portions of the island were left undesignated with the intent to allow future decision makers the flexibility of developing these portions of the island as the infrastructure and needs of the community grew. In addition, the 1987 CDP prioritized developing a plan for disposal of property.

The 1987 CDP also identified the need for a Near Island Recreational Trail that would circumnavigate the perimeter of the Island as well as a trail bisecting the island through various observation points which would later be identified in the 1999 Trails Development Plan. The intent of the trail was to allow community access to major portions of Near Island. The trail was intended for hiking, biking, and jogging. All motorized vehicles were proposed to be prohibited. Acknowledging the benefits of both the trail system and potential future development, the CDP stated that if a trail was to be interrupted by a specific development, then an alternative route should be established within reasonable proximity of the existing trail.

1999 Trails Development Plan

Recreational use of Near Island by residents of Kodiak rose considerably after the completion of the Near Island Bridge. Meeting minutes from the January 9, 1990 city council work session indicates that the City Council repeated the notion that the trail and development had equal priority. A trail committee was established to look at the concept of formalized trails on Near Island and to develop goals and objectives as part of a draft Trails Development Plan (TDP). During work sessions for this plan considerable discussion identified the need for Near Island development standards. The TDP ultimately identified a trail that circumnavigates Near Island and that provides connections to prominent observation points, to the small boat harbor, and the Kodiak Seafood and Marine Science Center (Figure 3).

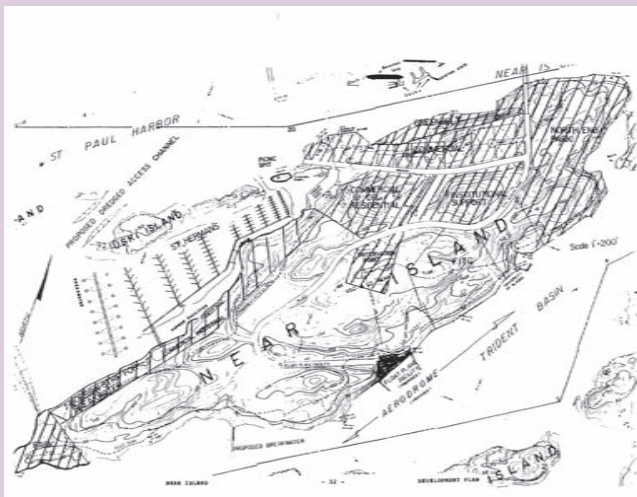


Figure 2: 1987 Recommended Land Use Map

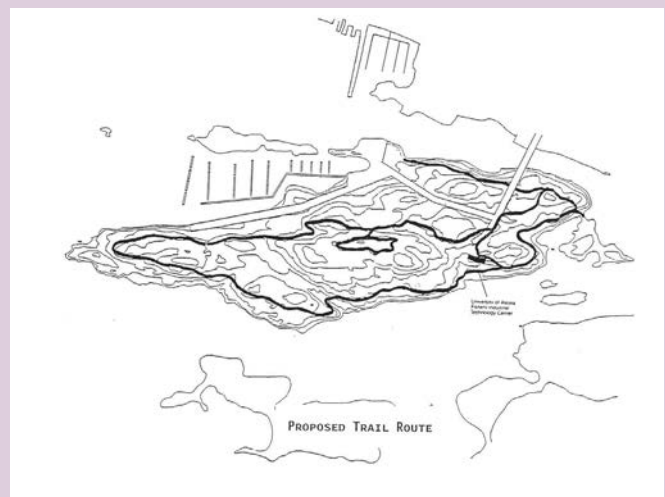


Figure 3: Trail Development Plan's Proposed Trail Route

2002 Design Workshop

In 2002, a group of design professionals from across the country hosted a four-day workshop where they spent two days learning as much as possible about the community and another two days to take a step back and provide fresh perspective on identified issues. The intent of the workshop was not to provide solutions but rather to identify avenues for further examination. Three general areas were examined, including: the selection of sites for facilities, the development of Near Island, and pedestrian circulation. Regarding Near Island, the areas examined included: recreational value of the island, St. Herman Harbor, Trident Basin, Near Island Housing, uses for Quarried Area adjacent to Dog Bay Road, and the area between Dog Bay Road and Trident Way.

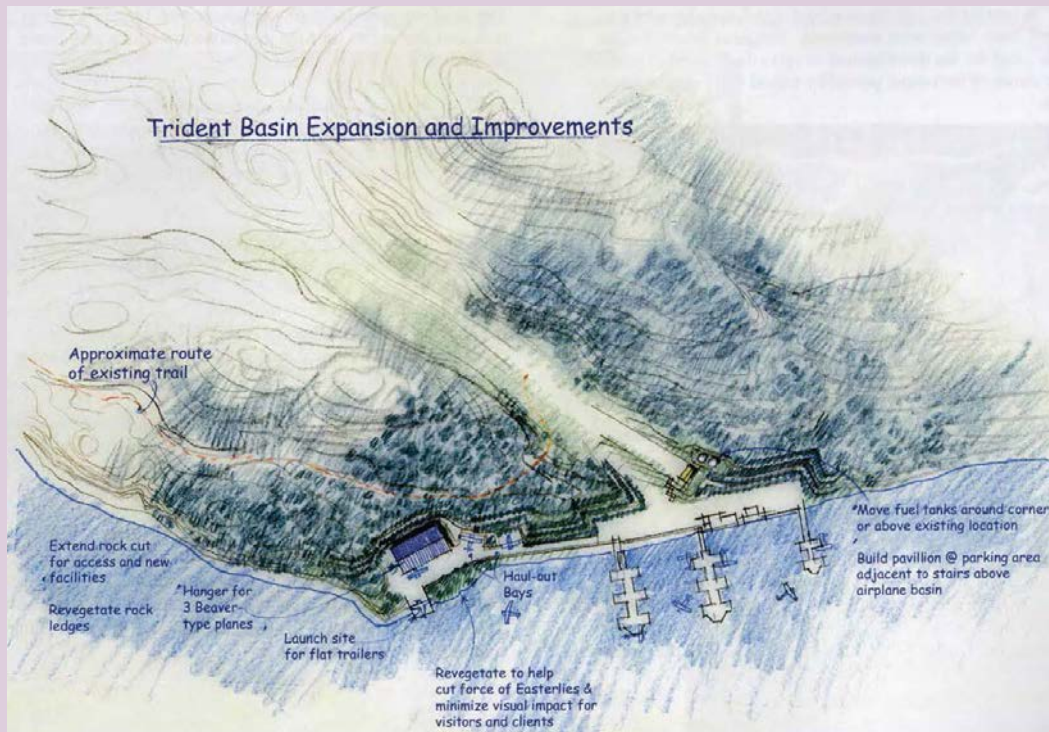


Image 3: Proposed Trident Basin Expansion from 2002 Design Workshop

Current Plan Objectives

Since the 1987 CDP was completed, the City of Kodiak has sold land to private entities, development has occurred along Alimaq Drive, and gravel extraction has occurred outside of the original approved Conditional Use Permit boundary at the St. Herman's Quarry which resulted in impacts to a portion of the trail system near South End Park. A new conditional use permit has been put into place (Appendix A). Once land is sold off to a variety of private interests it is more difficult to control development patterns, including protecting areas for non-development. The Near Island Development Plan update is intended to provide the City of Kodiak a plan that:

- Encourages revenue generation via balancing development and land conservation.
- Allows the City of Kodiak to anticipate and plan for the future development of Near Island. Specifically, which types of uses are desired and where areas of development and non-development should occur.
- Provides clear goals and recommendations with clear steps for implantation.

Existing Conditions

Near Island is approximately 1.5 miles long and has a land area of almost 280 acres. The island is connected to the City’s downtown area via the Near Island Bridge. Near Island has mixed land uses, zoning districts, and levels of development. The island is oblong-shaped and is oriented in a northeast-southwest direction.

Existing Soils

The soils on Near Island are similar to those typically found in the surrounding Kodiak area. They are relatively shallow, volcanic in origin and underlain by bedrock relatively close to the surface. New topsoil ranges in depth from 2- 6 inches in the area. This is underlain by 6- 10 inches of volcanic ash that was deposited as a result of the eruption of Katmai Volcano in 1912. Beneath this ash there is up to 2 feet of dark organic topsoil that was originally at the surface throughout the area. This topsoil is generally plastic and wet in nature and grades into leached fine grain clay. Beneath that is a thin layer of glacial till with rock fragments and highly compacted clay and silt. Tight soils and shallow bedrock on the island precludes the use of on-site sewage disposal systems.

Topography

Topography on the island varies from sea-level to slightly over 200 feet above sea-level. These topographic characteristics create challenging conditions relative to the development potential of the island (Figure 4). Industrial development requires relatively flat lands (0-3% slope). There are few large areas of naturally occurring “flat” areas on Near Island, most land suitable for industrial development has occurred through mining activities. Slopes from 3-5% can accommodate residential and commercial development; only a small portion of the island is within this range. Residential development can typically be constructed on slopes anywhere from 0% up to 25%, however, as slope increases creative design becomes necessary such as daylighting and removal of large cuts of lands which greatly increase the cost of development.



Image 4: Typical Coastline Along Near Island



FIGURE 4: Slope Analysis Map

Land Use

Much of the undeveloped lands are covered with natural vegetation and used for public recreation and a network of official and unofficial trails. Several roads provide access from the Near Island Bridge to the southern and eastern portions of the island. Some portions of the roads are not within platted right-of-ways. A few of the parcels adjacent to Alimaq Drive are used for commercial business, a multi-family residential building and an office building. However, many parcels remain undeveloped. Alimaq Drive also provides access to St. Herman Harbor and an area currently used for gravel extraction and marine industrial uses.

Trident Way provides access to the Trident Basin Seaplane Base on the east side of the island. Trident Basin Seaplane Base is a city-owned, public-use seaplane base that provides the only float plane access accessible year-round by road on Kodiak Island. This is an essential seaplane base given its sheltered location and year-round ice-free waters. The area adjacent to Trident Basin is used for light industrial land uses. Additionally, institutional land uses have been developed on the east side of the island including Kodiak Seafood and Marine Science.



Image 5: Seaplanes Docked at Trident Basin



Image 6: Entrance to Kodiak Seafood and Marine Science Center



Image 7: Trail (on Near Island) passing beneath the Near Island Bridge



Image 8: Trail Improvements on Near Island

Zoning

There are several zoning districts on Near Island. The zoning districts overlay areas that are intended for specific land uses and do not follow the property lines at all locations (Figure 4).

There are two commercial zoning districts on Near Island: Business District and Retail Business District. The intent of the Business District is to protect and encourage the development of community business core areas that function efficiently as centers of retail business and retail service activities. The Business District is mostly confined to the parcels along Alimaq Drive although a few of the parcels also front onto Trident Way. Some of the parcels in the Business District remain undeveloped and some have been cleared of natural vegetation and are being used for commercial purposes. Several of the parcels have been developed with office buildings

The Retail Business District is established for the purpose of providing for a wide range of retail and service businesses for the consumer population. Due to the potential for high traffic associated with these uses, the Retail Business District is limited to three parcels located near the intersection of Alimaq Drive and Trident Way. These parcels are currently undeveloped.

The Industrial District is established as a district in which the principal use of the land is for business, manufacturing, processing, fabricating, repair, etc. which may create some nuisance, but are neither properly associated nor compatible with residential land uses. The Industrial District is located adjacent to the Saint Herman Harbor and is currently used for a gravel extraction operation with the sole purpose of creating flat land to develop industrial lands to support the harbor and marine industrial uses.

The Light Industrial District is established for the purpose of providing for most commercial uses. It is intended specifically to provide land-intensive commercial uses, including some types of manufacturing, repairing, and assembling of goods, particularly those related to the fishing industry. The Light Industrial District on Near Island is located at the end of Trident Way and includes the Seaplane Base and surrounding parcels. The KIB Land Use Code requires airports to be with a Light Industrial zoning designation which is why this area was rezoned to Light Industrial.

The Public Use Lands District is established as a land use district for publicly owned land containing recreational, educational, and institutional uses. The district includes the South End Park, North End Park, and Rotary Park as well as the parcels on the east side of the island that have been developed with educational and institutional uses.

The Conservation District is established for the purpose of maintaining open space areas while providing for single-family residential, and limited commercial land uses. The Conservation District is located, primarily, on the southern portion of the island, and includes Trident Way, Alimaq Drive, and Near Island Bridge right-of-ways. The land is largely undeveloped apart from the roads and trails.

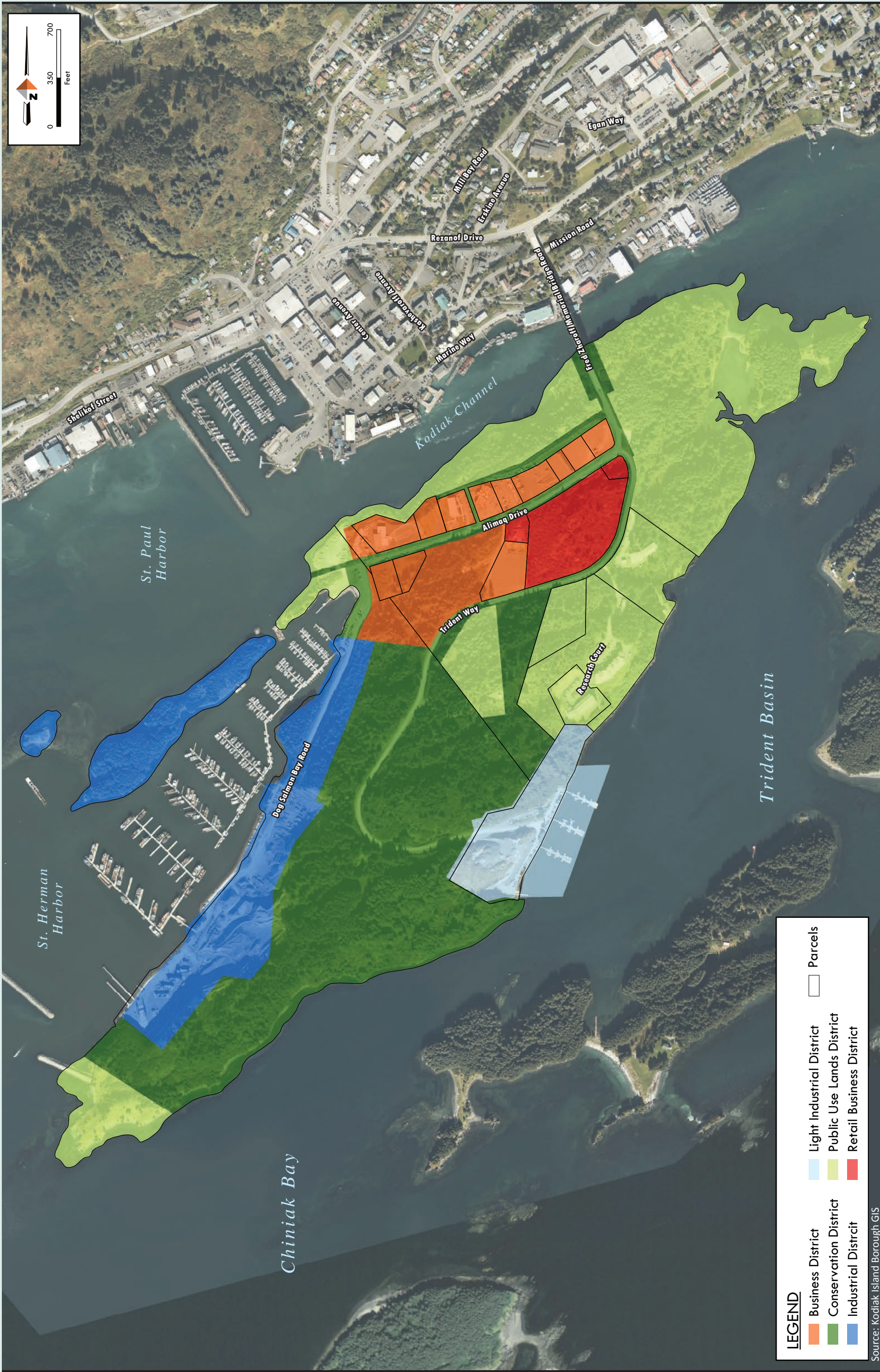


FIGURE 5: Existing Zoning Map

Ownership and Leases

The majority of the land on Near Island is owned by the City of Kodiak (Figure 5). This includes the public parks, right-of-ways, Trident Basin Seaplane Base, St. Herman's Harbor, and several of the parcels along Trident Way and Alimaq Drive. All of the parcels along the west side of Alimaq Drive are privately owned as are a few of the parcels on the east side. The KIB owns the parcels occupied by the Kodiak Seafood and Marine Science Center.

The City of Kodiak leases two areas to private entities consisting of one property within the Light Industrial District adjacent to the Trident Basin Seaplane Base. Within the Trident Basin Airport there are leases to Island Air, Andrew Air, and Seahawk Air. The quarry is not a lease. A small area adjacent to Afognak Near Island, LLC's office building.

Utilities

Over the years a range of utilities have been extended to Near Island (Figure 6).

Electrical Service

Kodiak Electric Association (KEA) provides electric service to Near Island via two main feeds, one feed extends from Rezanof Drive, across the Near Island Bridge and the second feed consists of a submarine cable extending from downtown Kodiak and across the channel. After crossing the bridge the first feed extends, through a combination of above and below ground facilities, southeast along Trident Basin Way and provides electrical service to the University of Alaska Fishery Industrial Technology Center buildings, the Alaska Department of Fish and Game Building as well as the Float plane facilities located at the end of Trident Basin Way. After crossing the channel by submarine cable the second feed extends via above and below ground facilities northeast along Alimaq drive feeding the existing business and housing development. It also branches southwest and feeds the small boat harbor and harbor master office. There is an existing 15kV junction between the two main feeder circuits creating a looped circuit on the island.

After discussions with KEA it is anticipated that the existing electric system on Near Island is sufficient for substantial growth on Near Island.

Communications Service

Both Alaska Communications (AC) and GCI own buried and overhead telecommunication cable and fiber on Near Island. AC's facilities run from the main island of Kodiak across the bridge and branch at the intersection of Alimaq Drive and Trident Basin Way. The system extends south along the length of Alimaq Drive and provides service to the small boat harbor and several businesses. The feed which extends along Trident Basin Way feeds the research court and the float plane facilities at the end of Trident Basin Way.

GCI owns a cable communications system extending from the City of Kodiak and across the bridge. At the intersection of Alimaq Drive and Trident Basin Way the system branches with one feed extending southwest along Alimaq drive to feed Afognak Native Corporation near the small boat harbor and the other extending south to feed University of Alaska Fishery Industrial Technology Center and the Alaska Department of Fish and Game buildings.

It is anticipated that any additional development on Near Island which will require communication services could be accommodated by installing service feed from the already existing facilities located on the island.



LEGEND

- ▭ Parcels
- ▭ Leased Areas

Source: Kodiak Island Borough

FIGURE 6: Land Use and Ownership

Water System

The existing water system consists of a 16- inch ductile iron pipe extending from City of Kodiak running along the underside of the bridge to Near Island. At the intersection of Alimaq Drive and Trident Basin Way the water line reduces in size to a 12- inch ductile iron pipe, with one branch continuing southwest along Alimaq Drive and another 12- inch branch continuing south and running the entire length of Trident Basin Way. Along Alimaq Drive there are several water services feeding existing buildings and the small boat harbor as well as 6 service line stubs for future development. Approximately 10 fire hydrant assemblies provide fire protection along Alimaq drive and to the boat harbor, existing industrial activities and businesses. The 12- inch water line in Trident Basin Way feeds the research court and the float plane facilities at the end of the road. There are also existing fire hydrants along the length of Trident Way providing protection to existing development as well as any potential future development along the roadway. The existing water pipes are buried a minimum of 6 feet below existing grades.

The water system ranges in age from 22 to 28 years old with some individual service lines installed more recently. Watermains have sufficient capacity to meet existing demands. Ductile iron pipe has a very long life expectancy, approximately 50 years or more, as a result it is anticipated that the water system will be in good service condition for many years to come. It appears that during design the pipes were sized to accommodate future development and it is anticipated that they can provide sufficient water service capacity to Near Island and most future developments.

Sanitary Sewer System

There are two existing sanitary sewer basins on Near Island. The northern half of Trident Way and Alimaq Drive flow via gravity through a system of manholes and ductile iron pipes, ranging from 8 to 10 inches, to a lift station adjacent to the St. Herman's Harbor harbormaster's office. The southern portion of Trident Way gravity drains through 8-inch ductile iron pipes southwest to the float plane facilities where it is then pumped back to the northeast 4-inch HDPE force main and discharges to a manhole. The sanitary sewer flow generated on the island is pumped via a 6-inch HDPE force main to the northeast below Alimaq Drive and across the bridge where it is discharged into an 8 inch ductile iron pipe below the northwest end of the bridge and the old KEA substation.

The sanitary sewer system was constructed at the same time as the water system. The City of Kodiak has confirmed that the existing collection system has sufficient capacity to handle current demands as well as future growth. However, the lift station next to the Harbor Office was placed by the City from another location. The capacity is unknown in regards to future development.

Stormwater Drainage System

Kodiak is located in a coastal rainforest zone and receives more than 77 inches of precipitation annually. The storm drainage system on Near Island consists of a system of culverts and roadside ditches used to adequately convey surface water from the developed areas and roadways to several pipes that outfall directly to the surrounding ocean where dilution and dispersion quickly occurs.

It should be recognized that any future development or removal and replacement of pervious areas with impervious surfaces would trigger the need to determine the capacity of the existing culvert and ditch system and if it can handle additional runoff from newly developed impervious areas. If significant development is proposed capacity upgrades will likely be required. An adequate drainage plan should be completed so that sidewalks along the rights-of-way can be constructed with future development.

Lighting

Street Lighting is limited to only a few locations on Near Island. Light poles illuminate the bridge as well as Trident Basin Way to the Research Court driveway. The only other existing lighting along Trident Basin Way exists at the float plane facility. Alimaq Drive does not have any existing lighting, although both parking areas for the small boat harbor and the harbor floats are illuminated.



Image 9: Light poles on St. Herman Harbor Floats



Public Involvement & Project Process

Technical Advisory Committee

A Technical Advisory Committee (TAC) was established as part of this project and included representatives from the: Kodiak Island Borough, Community Development Department, Alaska Fish & Game, City of Kodiak Public Works Department, Kodiak City Council, Parks & Recreation, Island Trails Network, and the Ports & Harbor Advisory Board. The role of this committee was to provide technical feedback regarding existing conditions, the practicality of moving forward specific ideas, and to provide insight to any known conflicts and/or opportunities. Two TAC meetings were held. The first meeting was on the morning of February 1, 2016 and was the first opportunity to introduce the project to the TAC, review the work done-to-date, and to get feedback on the accuracy of the existing conditions as presented. Comments from the TAC included suggestions for future presentation materials and addressed issues, opportunities and constraints. Meeting notes and list of attendees are included in Appendix A.

The second TAC meeting was held on the morning of May 5, 2016. The group discussed the three proposed Land Use Concepts and some feedback was provided. The majority of the conversation was in regards to recent trail disturbance and how the restoration would be completed and by whom.

Public Meetings

Two public meetings were held. Both followed a mixed format beginning with an open house, followed by a presentation, and ended with a question and answer period. The first public meeting was on the evening of February 1, 2016. This meeting was the first opportunity to introduce the project to the public, review the work done-to-date, and listen to the public's preferred areas for development. Project representatives worked with the 26 attendees to collect information on existing conditions, preferred areas for development, desired types of development, and areas reserved for conservation.

A second public meeting was held the evening of May 5, 2016 and followed the same format as the first. There were 33 attendees, many of whom had attended the first public meeting. The results from feedback at the first TAC and public meeting, online/e-mail comments, site investigations, and stakeholder discussions were used to develop three draft land use concepts. The three draft concepts were presented at the second TAC and public meetings. Figures 6, 7 & 8 represent each proposed Land Use Concept. A description for each concept is also provided. Each concept depicted various levels of land use designation changes to encourage feedback from the public.

Common themes derived from the findings and recommendations from past planning efforts were carried through on each concept. Each concept provided circular trail connections around Near Island, and promoted a vegetated buffer

between the roadways and development (images 10 & 11). A proposed coastal trail along the harbor is also included, which would allow for a vegetated buffer between the roadway and the water (Image 12). Additionally, the retail business (red designation) was increased to encourage tourism related business.

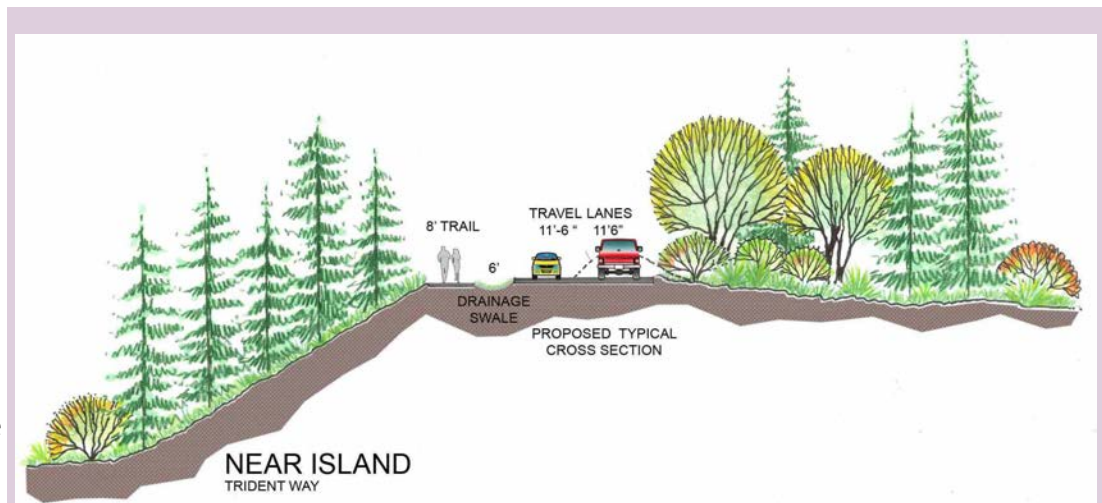


Image 10: Trident Way Proposed Typical Cross-Section Looking Northeast

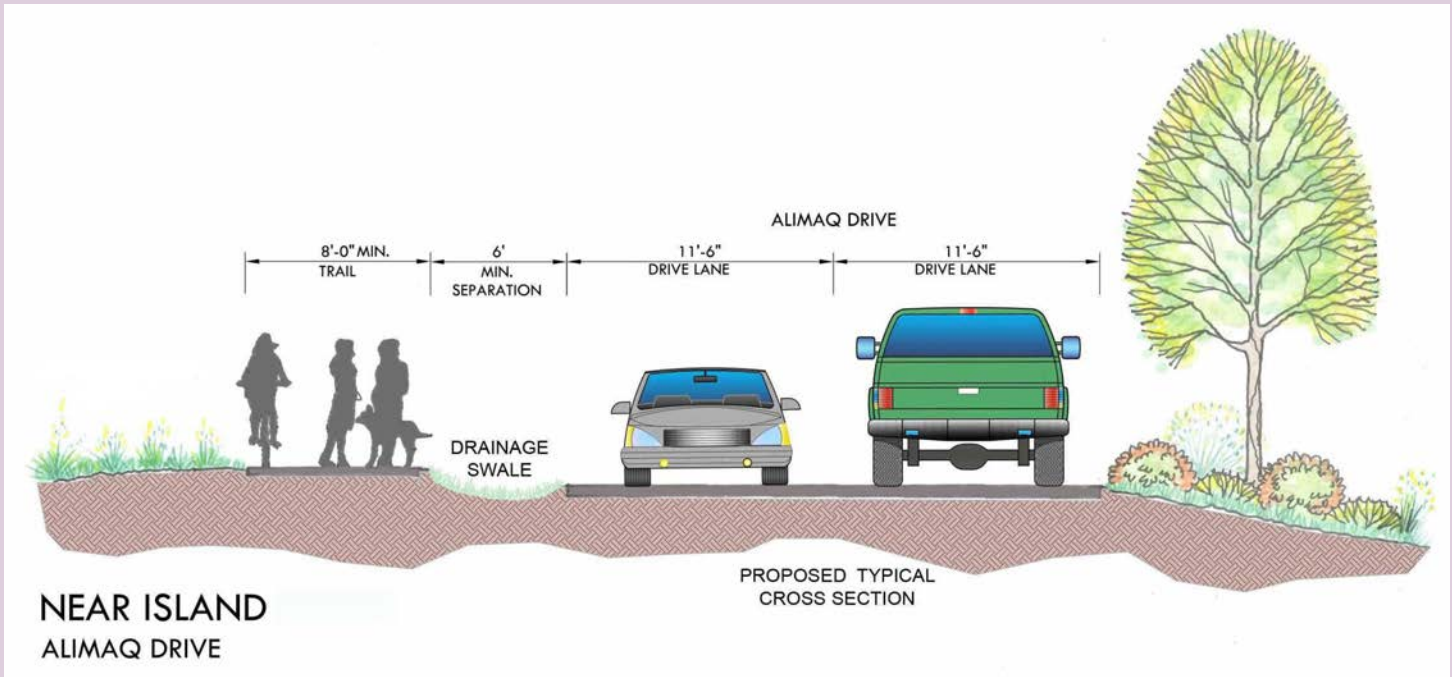


Image 11: Alimaq Drive Proposed Typical Cross-Section Looking Northeast

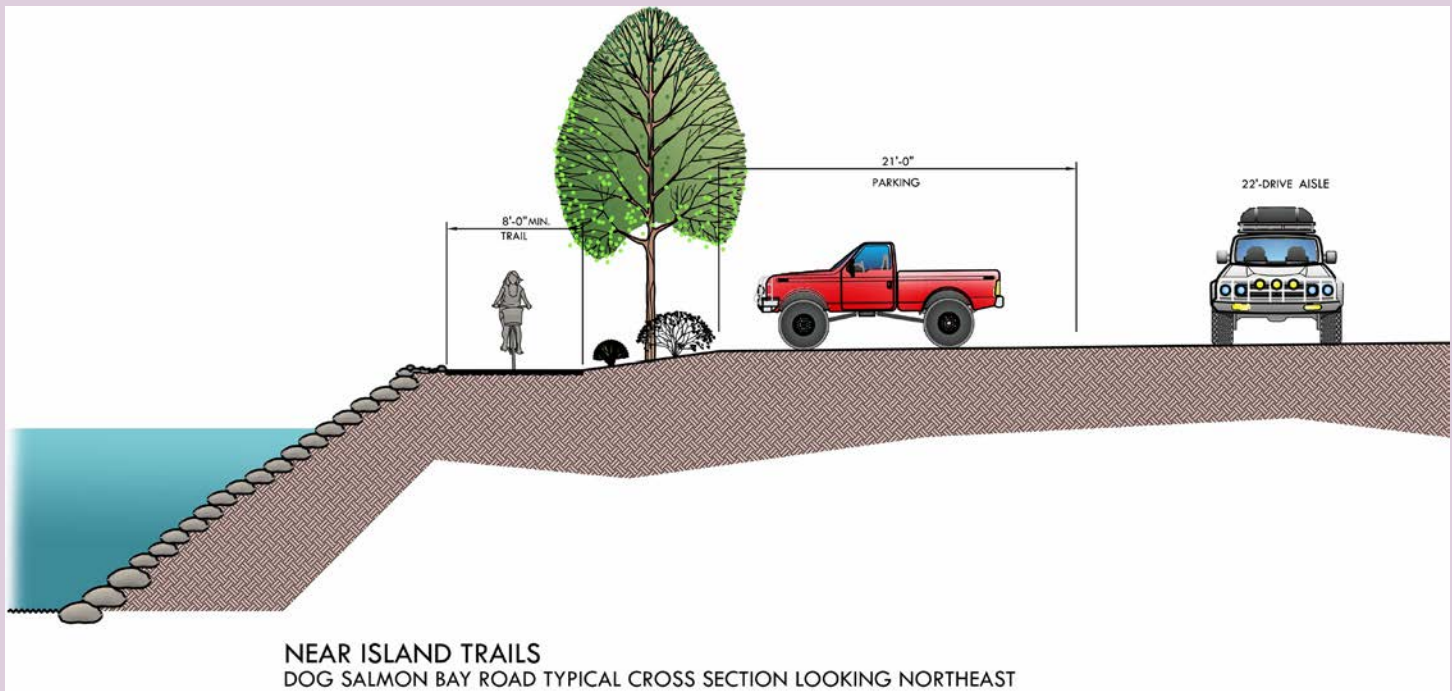


Image 12: Dog Salmon Bay Road Proposed Typical Cross-Section Looking Northeast

Concept A Minimized Development

This concept reflects public feedback to not expand the industrial area the original conditional use permit and recent amended boundary. Specifically it limits both the industrial area supporting the harbor and the float plane basin to their current areas of disturbance. This concept does not add any new commercial or institutional land uses.

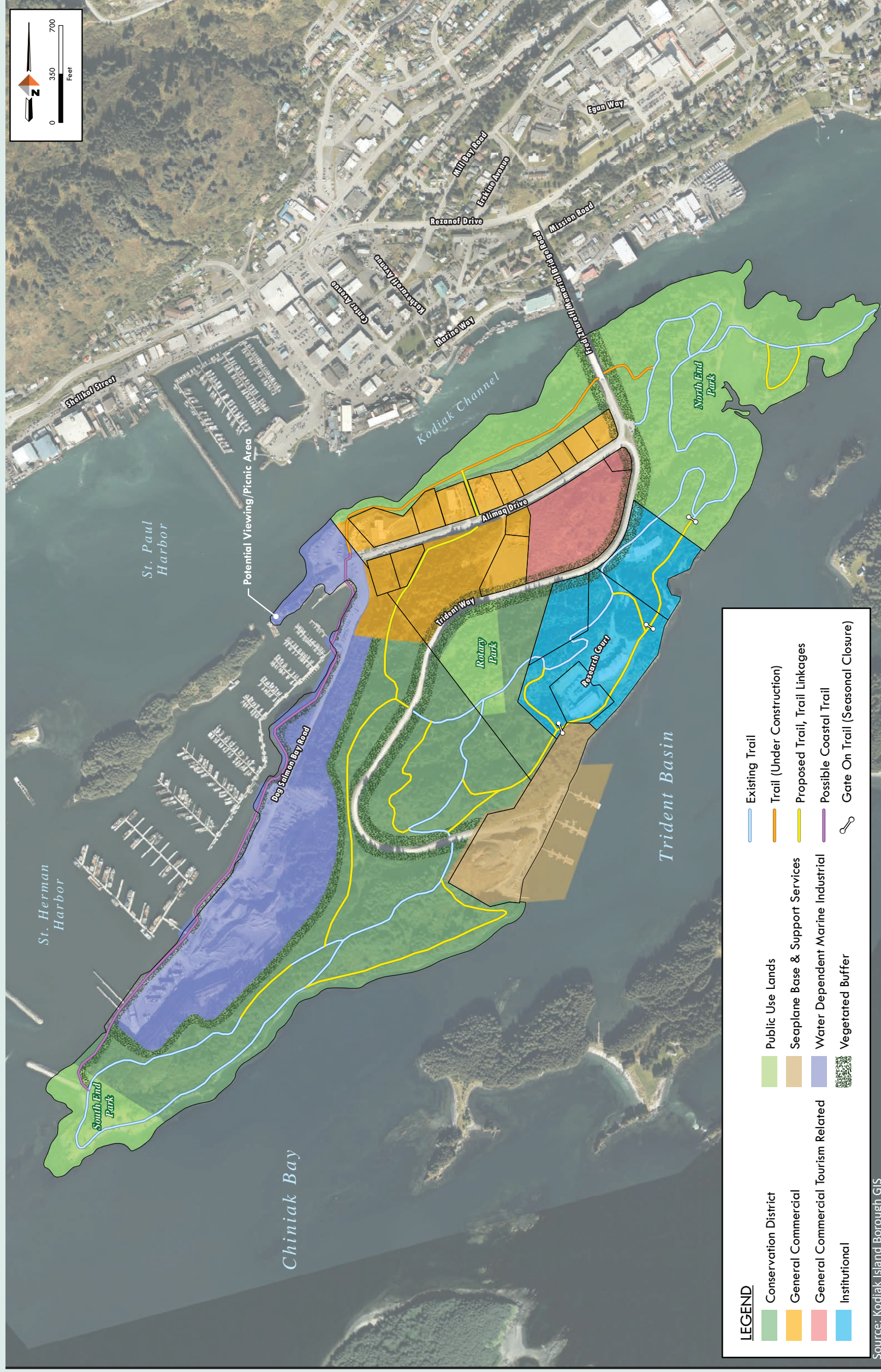


FIGURE 8: Concept A – Minimized Development

Concept B Moderate Development

This concept reflects public feedback to not expand the industrial area the original conditional use permit and recent amended boundary. The concept also considers concerns that there are limited industrial lands elsewhere. It was noted several times during public outreach that this may be the opportunity to secure additional industrial land needed to support the small boat harbor into the future but limits the area around the float plane basin to its current area of disturbance. This concept also looks at taking advantage of existing infrastructure by expanding general commercial southwest (towards Trident Basin) along Trident Way. This additional commercial land could provide tourism supported and/or enhanced business opportunities. This concept also extends the institutional land use designation to the east.

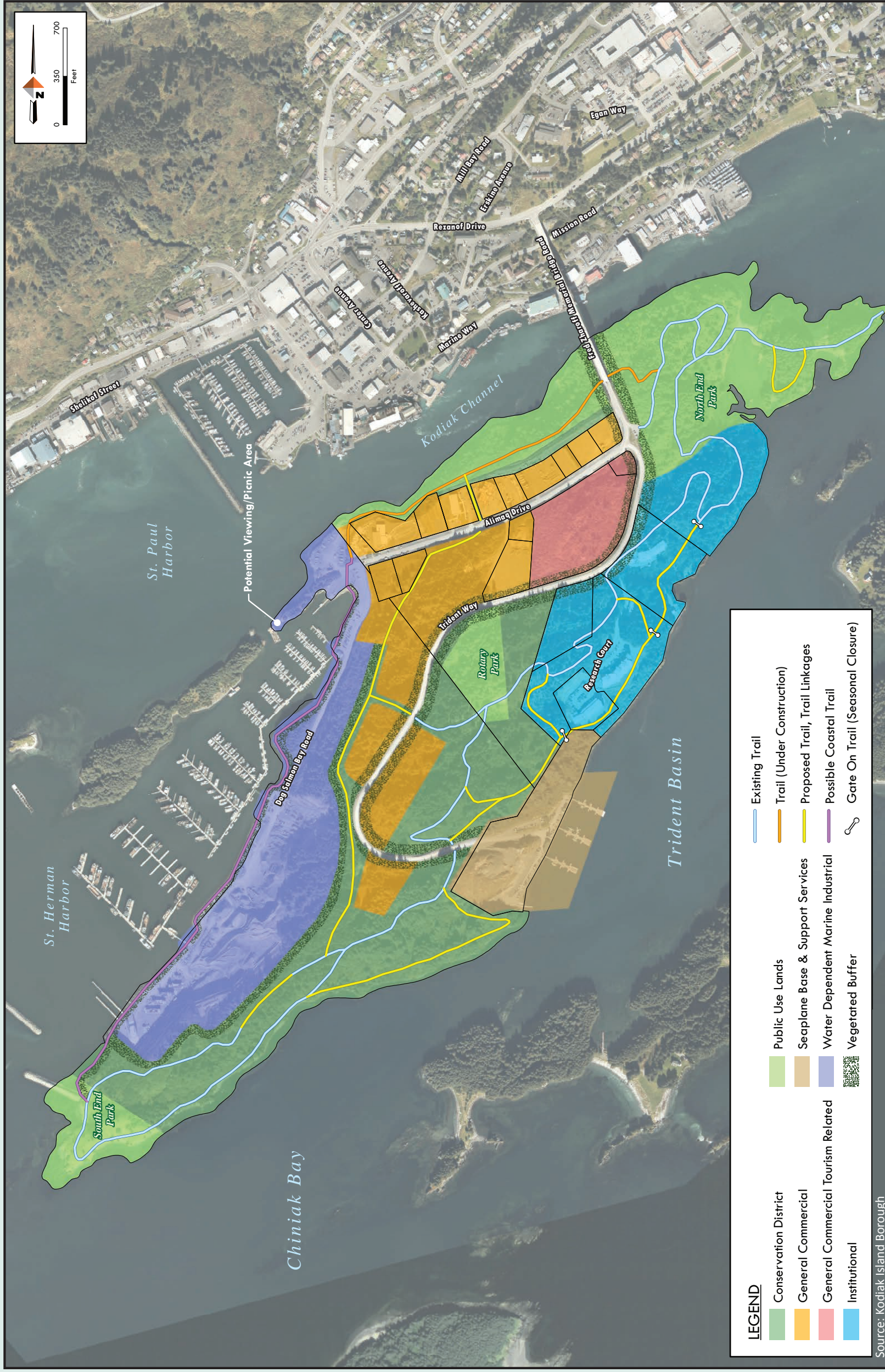


FIGURE 9: Concept B – Moderate Development

Concept C Maximum Development

This concept reflects public feedback to not expand the industrial area the original conditional use permit and recent amended boundary. The concept also reflects concerns heard that there are limited industrial lands elsewhere and that this may be the opportunity to secure additional water dependent marine and related industrial lands needed to support the small boat harbor into the future as well as providing tourism-related opportunities. This concept extends the industrial area supporting the harbor to the north and east (which would require approval of a conditional use permit), and adds additional general commercial along Trident Way, as well as provides general commercial (tourism related) adjacent to the float plane base and the institutional lands which could be developed to support either use. This concept also extends the institutional lands to the east.

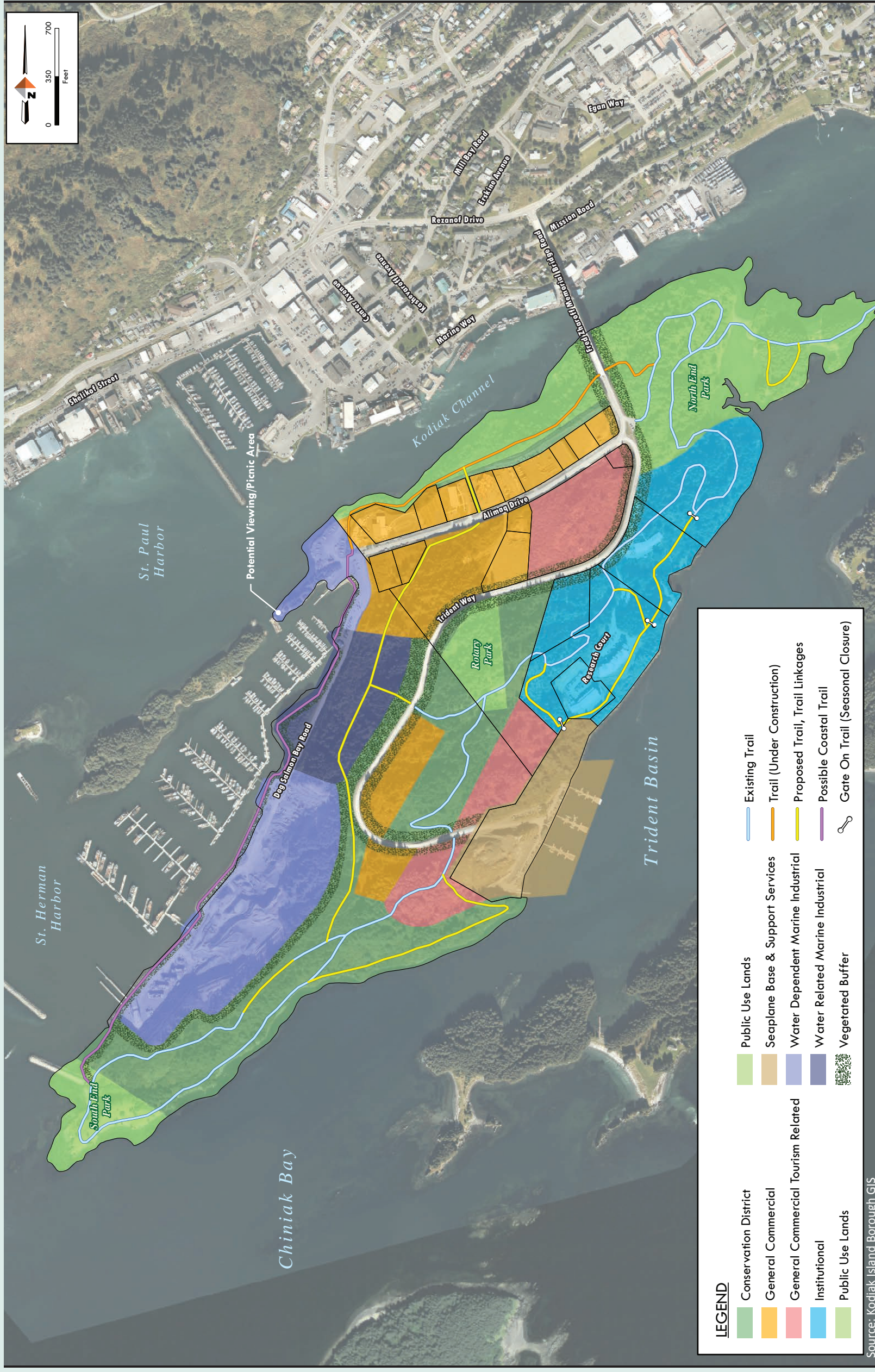


FIGURE 10: Concept C – Maximum Development

During the second public meeting attendees were given the opportunity to comment on each of the concepts. The following figures show consolidated comments on each concept (Figures 11, 12 & 13).

Public Comments - Minimum Development

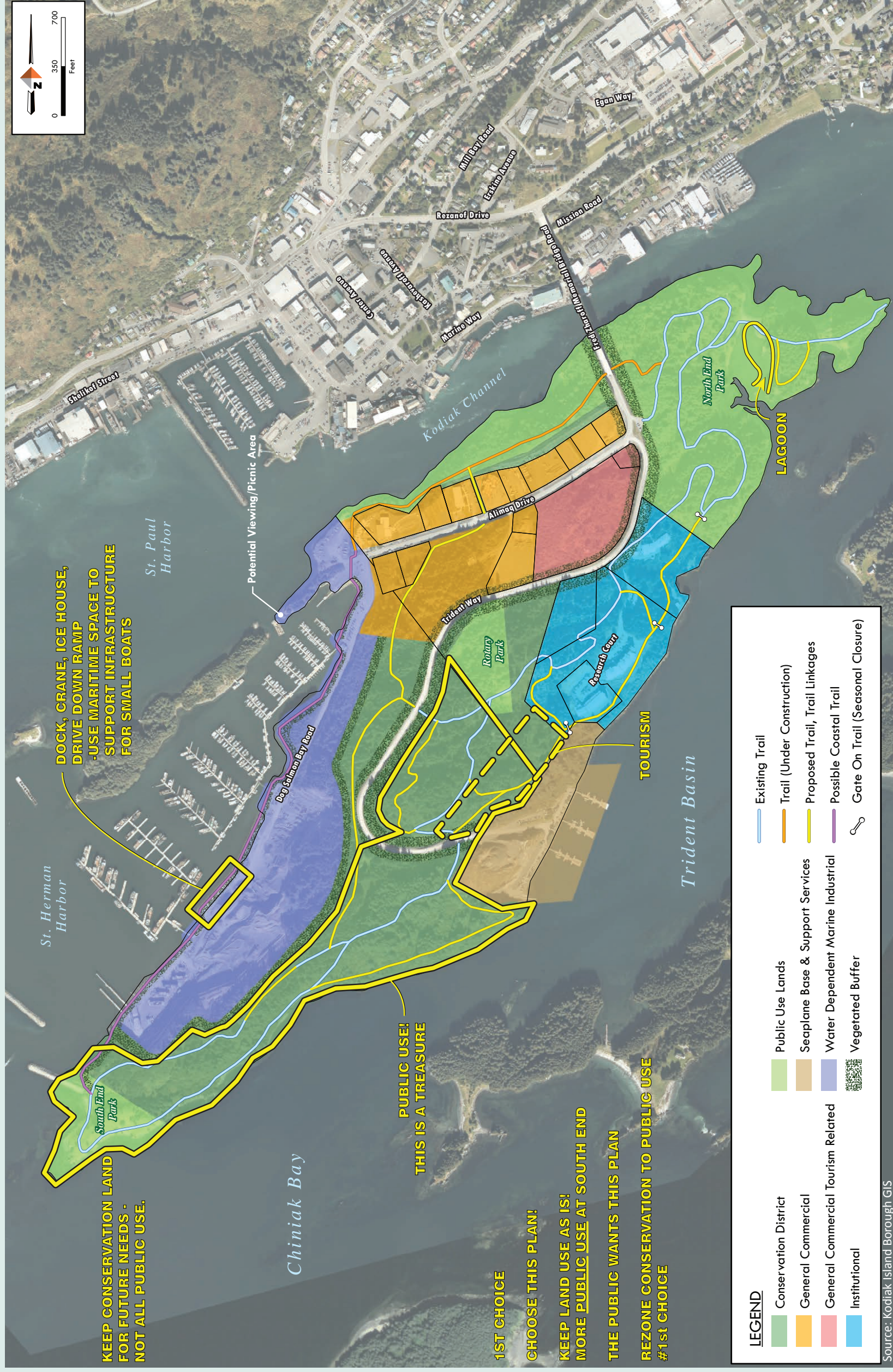
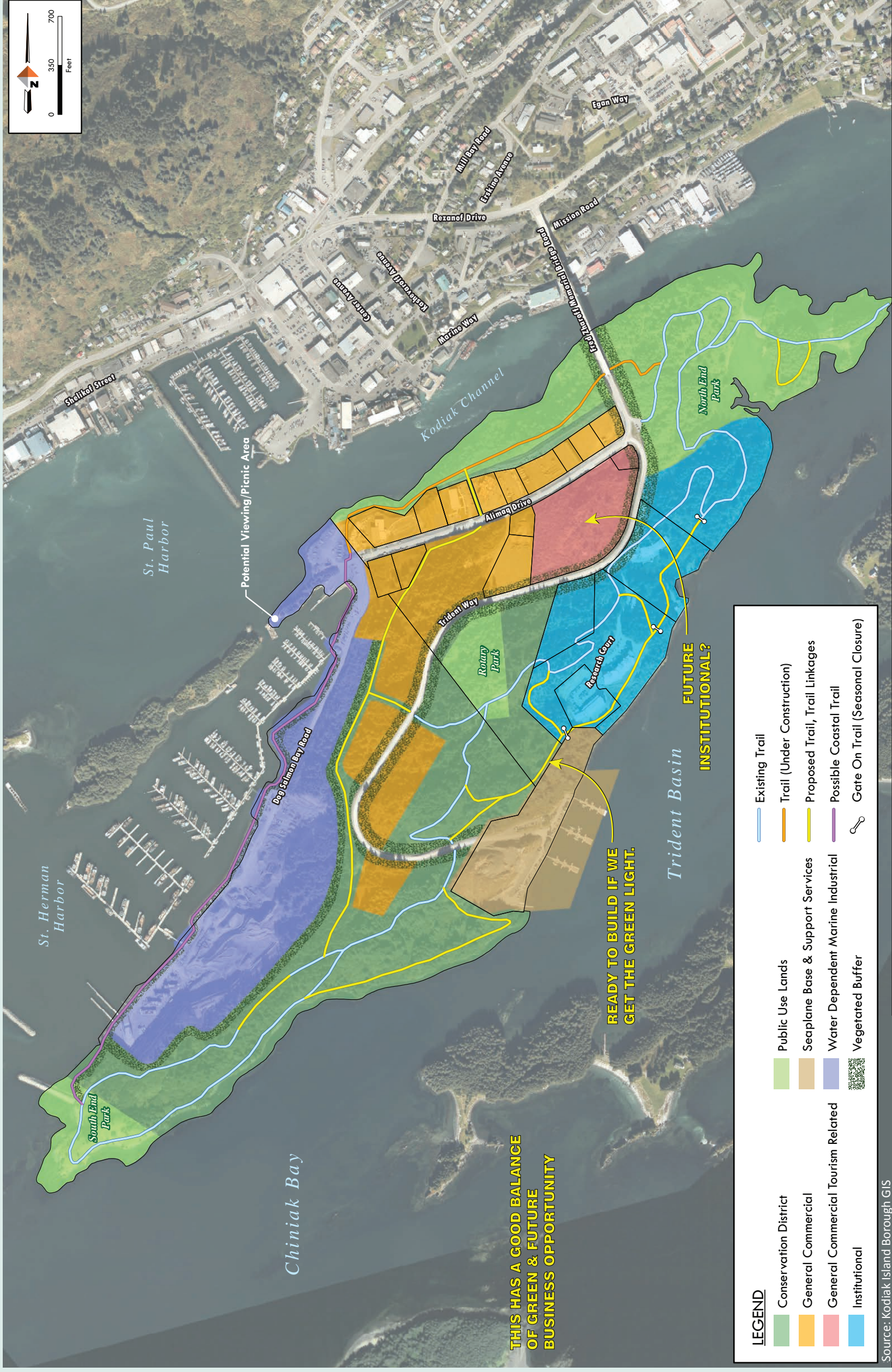


Figure 11: Concept A - Public Comments

Public Comments - Moderate Development



Source: Kodiak Island Borough GIS

Figure 12: Concept B - Public Comments

Public Comments - Maximum Development

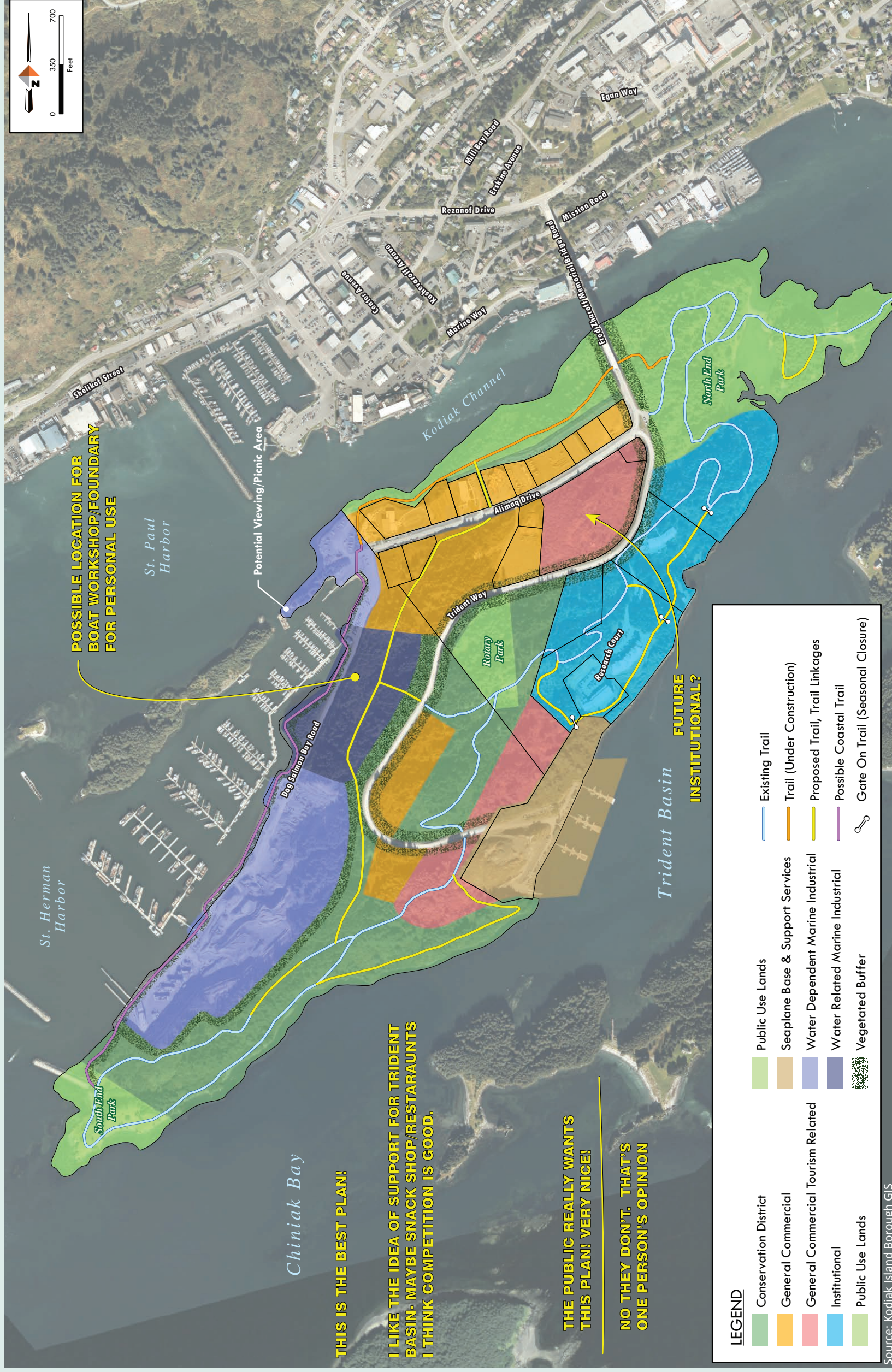


Figure 13: Concept C – Public Comments

Recommendations

A proposed Draft Land Use Plan Map (Figure 13) and Proposed Zoning Map (Figure 14) have been developed based off of public comment and our understanding of the City's goal to have balanced growth that provides economic opportunities.

Proposed Land Use Plan Map: BALANCED GROWTH

The proposed land use plan map (Figure 13) reflects a balanced growth approach to developing Near Island. Specific items of emphasis include:

- Takes advantage of existing infrastructure by focusing expansion of industrial and commercial development adjacent to existing utilities and roadways.
- Extends the industrial area supporting the harbor to the east, to the end of Almaq Drive.
- Conservation land adjacent to South End Park is recommended to be converted to public use lands for open space/recreational resources. This area should remain undeveloped as it provides both recreational opportunities and important vegetation providing weather protection of the small boat harbor.
- Provides for completion of the looped trail system around the island.
- Allows for tourism related commercial opportunities near Trident Basin Seaplane Base.
- Allows for the institutional land use designation to be expanded to the northeast as necessary, contingent upon completion of a study justifying the need. This study is intended to demonstrate a need (i.e. house new program, deficient, outdated facilities, etc.), identify potential funding source(s) for construction and maintenance of the facility and, if applicable, for operating the new program).
- Allows for the commercial land use designation to be expanded to the southwest of Trident Basin Seaplane Base as necessary, based upon completion of a study justifying the need. This study is intended to include a market analysis demonstrating demand for commercial use and provide a business plan that demonstrates a feasible project and expected tax revenue generation).

Landscaping Requirements

A concern raised throughout the public outreach process was retaining the natural and recreational feel of Near Island as development occurs. In response to this, landscaping should be included as part of the design of all future development projects.

Visual Enhancement Landscaping

Visual enhancement landscaping should be required along Alimaq Drive. Visual enhancement landscaping is intended to integrate new or renovated development into the surrounding environment and should be required along property perimeters that abut Alimaq Drive. A visual enhancement landscaping bed requirement of a minimum average of 8 feet should be required, with no more than one-half the property line length having a planting bed width less than 8 feet. The minimum bed width at any given point should be no less than 5 feet and the maximum width should be no greater than 12 feet. Landscaping should consist of 1 tree and 6 shrubs per 20 lineal feet of the property line. All areas within the planting bed should be covered with living ground cover, turf, or mulch. Native plant species should be selected and all plant materials should be chosen for suitable hardiness and length of season for the specific area to be planted. Landscaping should be organized to the best advantage of property development.

Trident Way

In this example, a 100-foot buffer should be required on the left side of the road due to the fact that only alders are within the first 50-foot. The coniferous trees on the right of the image would suggest a 50-foot buffer dimension due to their size and proximity.



Image 13: Trident Way



Image 14: Valley or Swale Topography

Valley or Swale Topography

This is an example of a swale/valley condition. In this instance, a wider, deeper buffer should be required than in the example above where terrain of the development parcel is more or less at the same elevation as the pedestrian facility or road.

Marina Parking Lot

In this example, where there is a steep slope, a 100-foot buffer on the uphill side of the marina parking lot should be provided. A deeper buffer would include the coniferous trees that are at the top of the slope rather than leaving only the alders the bottom.



Image 15: Marina Parking Lot

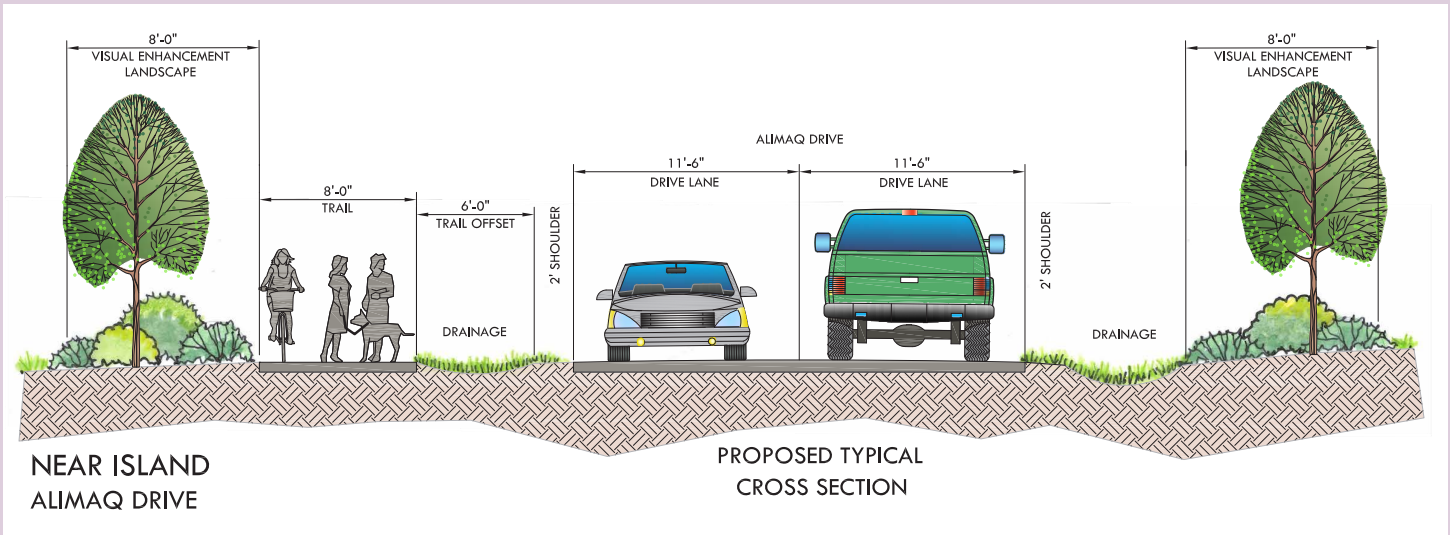


Image 15: Alimaq Drive Cross-Section

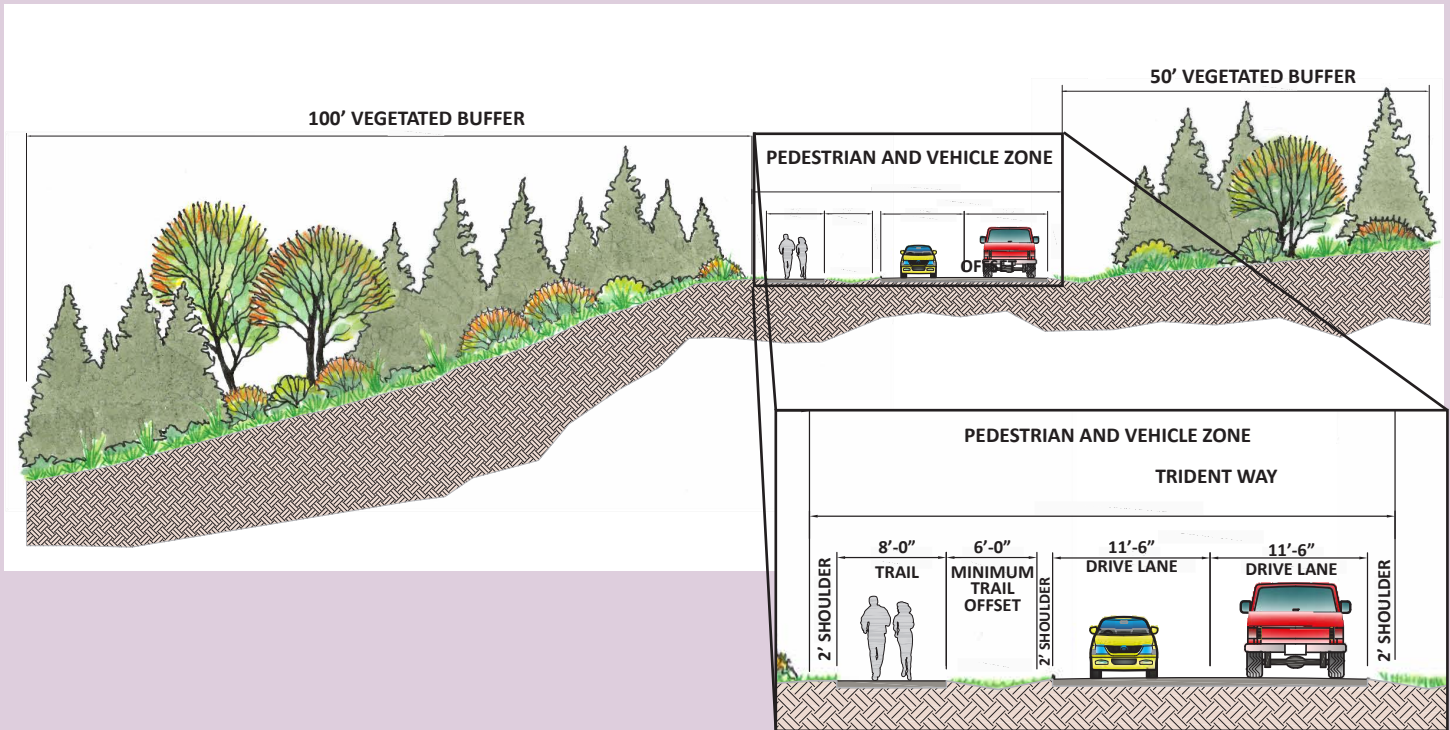
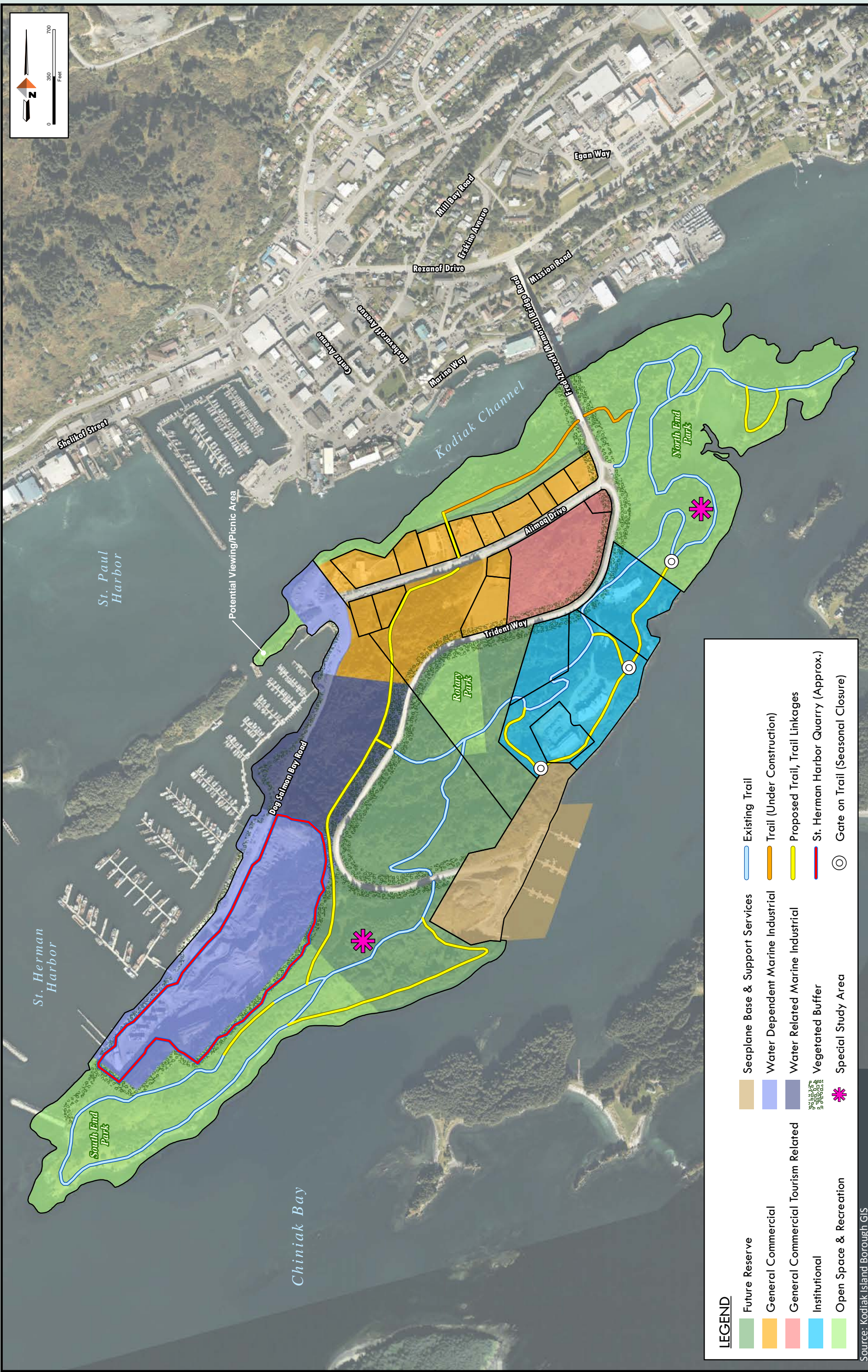


Image 16: Trident Way Cross-Section



LEGEND

 Future Reserve	 Seaplane Base & Support Services	 Existing Trail
 General Commercial	 Water Dependent Marine Industrial	 Trail (Under Construction)
 General Commercial Tourism Related	 Water Related Marine Industrial	 Proposed Trail, Trail Linkages
 Institutional	 Vegetated Buffer	 St. Herman Harbor Quarry (Approx.)
 Open Space & Recreation	 Special Study Area	⊙ Gate on Trail (Seasonal Closure)

Source: Kodiak Island Borough GIS

FIGURE 14: Proposed Land Use Map

Buffer Landscaping

Vegetated buffer landscaping should be required along St. Herman's Harbor Quarry and Trident Way as development of adjacent parcels occurs. The intent of the buffer landscaping is to preserve existing mature and healthy coniferous trees in a manner that protects the natural character of the existing/proposed trail system and proposed pedestrian facilities along the roadways. The existing character is a mature coniferous rainforest that provides a softening of existing and proposed industrial developments. Given the variability of existing vegetation and topography it is not conducive to a fixed buffer width. However, a variable buffer with a 50-foot minimum and maximum of 100 feet, dependent on topography, existing vegetation, proximity to pedestrian facilities (including trails), and intensity of land use. When existing vegetation does not meet the intent of the buffer landscaping, it shall be augmented with additional coniferous tree plantings to achieve the minimum 50- to 100-foot vegetated buffer. The following page demonstrates various situations and how buffer landscaping should be applied.

Land Use Districts

The following land use designations and their intent are taken from the 1987 Near island Development Plan.

Future Reserve

This designation is intended to identify future reserve areas for development or preservation as the need arises. At present, no development other than the trail around the island would be allowed. Decisions on the appropriate use of reserve areas will be made in the future.

General Commercial

Areas designated for commercial development are intended to allow a broad range of retail and commercial activities. These activities could be oriented to the needs of the fishing fleet and the visitor industry. Specifically excluded from the commercial designations are all industrial land uses and residential development. Commercial and industrial activities carry the definitions of the existing KIB Zoning Code. Commercial areas should be designed to accommodate adequate off-street parking, limit the visibility of structures from Kodiak through height restriction, and provide sidewalks for pedestrians.

General Commercial Tourism Related

Areas designated for general commercial – tourism related development are intended to allow a broad range of retail and lodging oriented to the needs of the visitor industry. Specifically excluded from the commercial designations are all industrial land uses and residential development. Commercial and lodging activities carry the definitions of the existing KIB Zoning Code.

Institutional

This designation is intended to support the Fishery Industrial Technology Center by related development. This may include, but is not limited to, a museum, a convention center, mutli-family residential, student-related activity buildings, and a possible area for commercial development.

Greenbelt Areas

Greenbelt designations are areas where no structural development is permitted and natural vegetation and landforms are left undisturbed. These are essentially natural areas with human activities limited to passive recreation, picnics, and the like. Possible exceptions to leaving greenbelt areas undisturbed would be the trail system around Near Island.

Open Space and Recreational

This designation is intended to be limited to park areas, greenbelts, and minor structural developments. Development would be limited to picnic facilities, restrooms, and recreational facilities such as a basketball hoop, volleyball net, horseshoes, etc.

Seaplane Base & Support Services

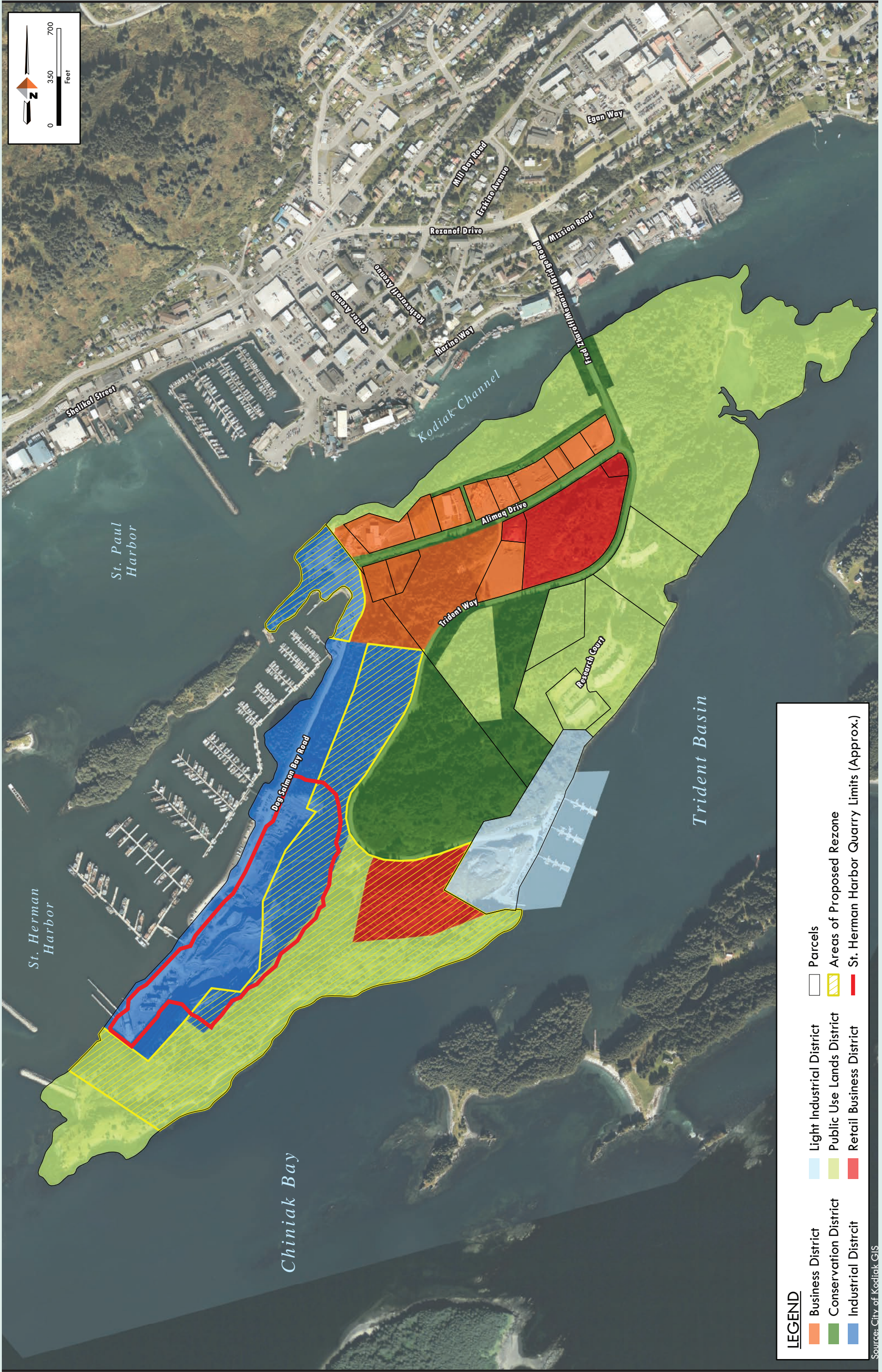
Areas identified as possible float plane facilities would include docking and tie-down areas, a shore-based haul out area for maintenance, and parking areas as identified in the Airport Layout Plan that was developed for Trident Basin as part of the Airport Master Plan.

Water Dependent Marine Industrial

The intent of this designation would be for the development of water dependent marine industrial land use. Development in this area should give priority to those types of businesses and services that are most affected by or dependent on their proximity to the water and harbor.

Water Related Marine Industrial

The intent of this designation would be for the development of water related marine industrial land use. This area could accommodate a variety of commercial marine related uses such as hardware and tackle, electronic shops, fishing gear supply outlets (both commercial and sport), net hanging and repair facilities, etc. Businesses such as welding and engine repair and sales should be considered. Restaurants, grocery and supply stores, and other public sales and services could help to maximize visitor attraction to the waterfront, while providing a convenience area for the users of the harbor.



Source: City of Kodiak GIS

FIGURE 15: Proposed Zoning Map

Implementation Plan

Implementation is an essential component of the planning process and is necessary for achieving the desired outcomes of this Near Island Development Plan. This plan includes goals in the form of proposed studies, policies, and projects. Some of these might be achievable in the near-term while others may require more time and/or funding to complete. As such, recommendations have been broken out into timeframes consisting of near-, mid-, and long-term.

The near-term timeframe is within the next 0 to 5 years and includes those projects that the City should consider focusing on first, as these goals emerged from the public participation process as most important to residents. They also tend to be low-cost and easily achievable.

The mid-term timeframe is within the next 5 to 10 years. These goals are important to the City and to residents and should be addressed as time, money and other resources allow.

The long-term timeframe is 10 years or more. These are goals that require more funding and time to complete. However, opportunities for funding or other factors such as political motivation may make long-term goals more feasible or desirable in the near- or mid-term. If such an opportunity arises, the City should not hesitate to shift the goal time frame.

Table 1: Implementation Plan

#	Goal	Priority-Level	Project Leader	Next Steps
1	Adopt the Near Island Development Plan. Update as part of the Kodiak Island Borough Comprehensive Plan.	Short-term	City Manager	<ul style="list-style-type: none"> City Council approves 2017 Near Island Development Plan. Coordinate with the KIB Planning Department.
2	Formalize relationship with Island Trails Network (ITN) through a Memorandum of Agreement (MOA) which would allow for streamlined execution of trail construction as grant funding becomes available. The MOA should also provide guidance for roles and responsibilities of each organization.	Short-term	Parks & Recreation/ ITN	<ul style="list-style-type: none"> Parks & Recreation investigate legal issues and considerations of entering into an MOA with a non-City entity. Determine best framework for agreement.
3	Adopt standards for road improvements that consider drainage and trails along roadways.	Short-term	Public Works	<ul style="list-style-type: none"> Develop concept road design standards for City Council and public review (concepts provided in this plan). Incorporate public comments into proposed design standards. City Council approves and adopts design standards and incorporates into City Code, Title 12 Streets and Sidewalks.
4	Pursue revenue stream that would support trail maintenance on Near Island.	Short-term	Parks & Recreation / Island Trails Network	<ul style="list-style-type: none"> Investigate possible revenue making opportunities. These might include a public-private partnership, user fees, implementing a special tax, creation of an assessment district, or other alternatives.
5	Enhance entrance onto Near Island.	Short- to Mid-term	Parks & Recreation / City Engineer	<ul style="list-style-type: none"> Develop landscape design plan for entrance onto Near Island. Incorporate project (materials and labor) into the City capital improvement plan (CIP). Hire a landscaping company to install improvements.
6	Evaluate if highest return of investment is through retaining land ownership and providing long-term leases for development, or selling property and taxing.	Mid-term	City Manager	<ul style="list-style-type: none"> Incorporate project into the City CIP. Hire an economist to complete study that includes a land disposal plan.
7	Provide (1) light duty crane for small boats at the harbor.	Mid-Term	Ports & Harbors	<ul style="list-style-type: none"> Incorporate project into the City CIP.

#	Goal	Priority-Level	Project Leader	Next Steps
8	Analyze lighting levels at the transition from the Near Island Bridge onto Near Island to determine if adequate levels exist.	Mid-term	Public Works / City Engineer	<ul style="list-style-type: none"> • Incorporate project into the City CIP. • Hire an electrical engineer to complete an analysis which should include recommendations for improvements as necessary. • Depending on where deficiencies are found in relation to the ROW line, coordination with DOT&PF may be required to establish responsibility for providing improvements.
9	Replat island so that property lines follow zoning designations, and establish City of Kodiak right-of-way along road corridors.	Mid-term	City Engineer	<ul style="list-style-type: none"> • Incorporate project into the City CIP. • Contract out a surveyor to complete boundary survey and platting process.
10	Rezone lands to reflect the Land Use Plan Map, as necessary.	Mid-term	City Manager	<ul style="list-style-type: none"> • After replat of Near Island is complete coordinate with the KIB on an area-wide zoning amendment that reflects the 2017 Land Use Plan Map.
11	Complete study, as previously discussed, demonstrating the need for additional Institutional Land prior to development.	Long-Term	City Manager	<ul style="list-style-type: none"> • Incorporate project into the City CIP. • If study determines there is a need for additional Institutional Land, an amendment to the 2017 Land Use Plan Map and Zoning Map should be approved by the City Council and the KIB.
12	Complete a storm drain master plan for Near Island.	Long-Term	Public Works / City Engineer	<ul style="list-style-type: none"> • Incorporate project into the City CIP. • Hire an engineering consultant to complete plan which should include an implementation plan.
13	Develop a managed parking and/or dry storage plan for the land at the bottom of Alimaq Drive. This could include the relocation of storage to provide parking closer to the harbor.	Long-term	Public Works / City Engineer	<ul style="list-style-type: none"> • Incorporate project into the City CIP. • Hire a land use or transportation planner to develop plan which should include an implementation plan.

#	Goal	Priority-Level	Project Leader	Next Steps
14	After quarrying activities have been completed, a needs analysis or similar study demonstrating the need for a waterfront trail should be completed.	Long-Term	Ports & Harbors	<ul style="list-style-type: none"> Following completion of quarrying near St. Herman Harbor, incorporate project into the City CIP.
15	Provide an additional (1 to 2) light duty cranes for small boats at the harbor.	Long-Term	Ports & Harbors	<ul style="list-style-type: none"> Incorporate project into the City CIP.

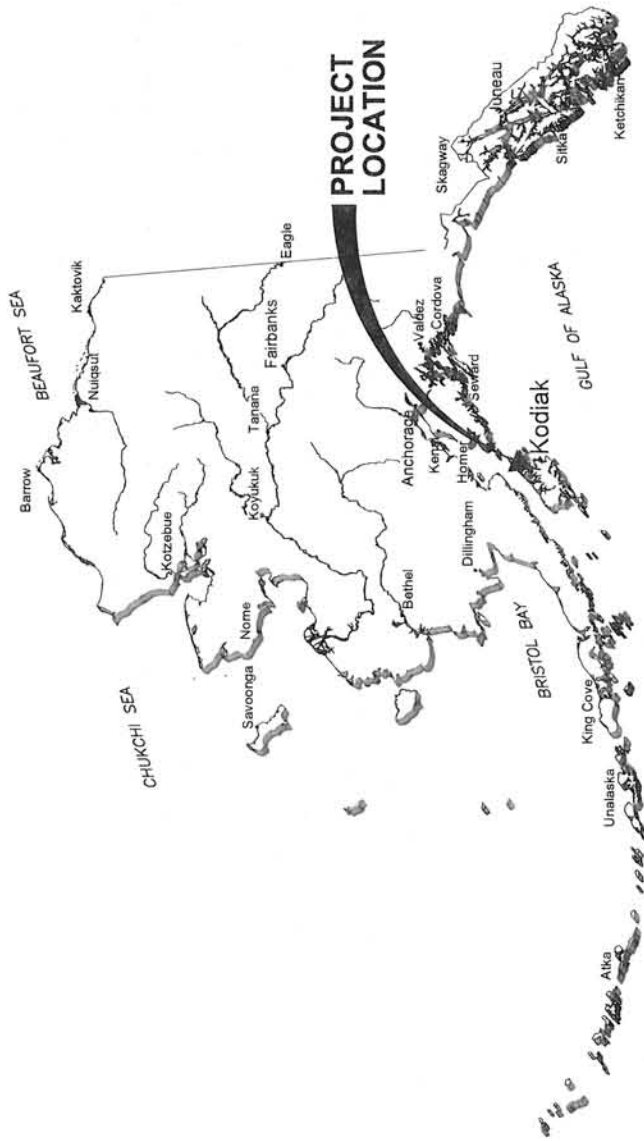


Appendix A

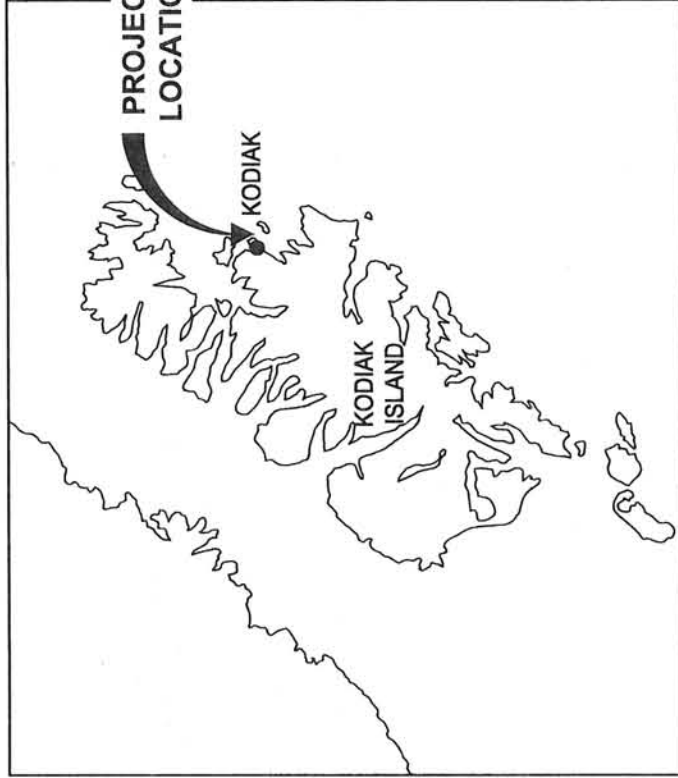
Updated Conditional Use Permit

ST. HERMAN HARBOR QUARRY EXPANSION

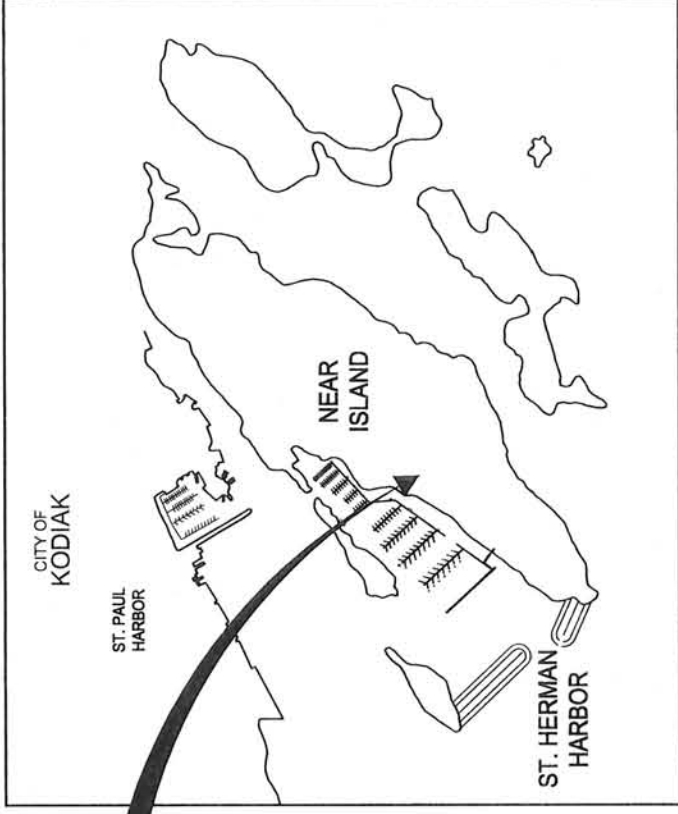
KODIAK, ALASKA FEBRUARY 2010



STATE OF ALASKA



KODIAK ISLAND



ST. HERMAN HARBOR VICINITY

SHEET INDEX	
TITLE SHEET & INDEX	1
SUMMARY & PROJECT CONTROL	2
SECTIONS AND DETAILS	3
QUARRY EXPANSION LAYOUT (1 OF 2)	4
QUARRY EXPANSION LAYOUT (2 OF 2)	5
GRADING PLAN (1 OF 2)	6
GRADING PLAN (2 OF 2)	7

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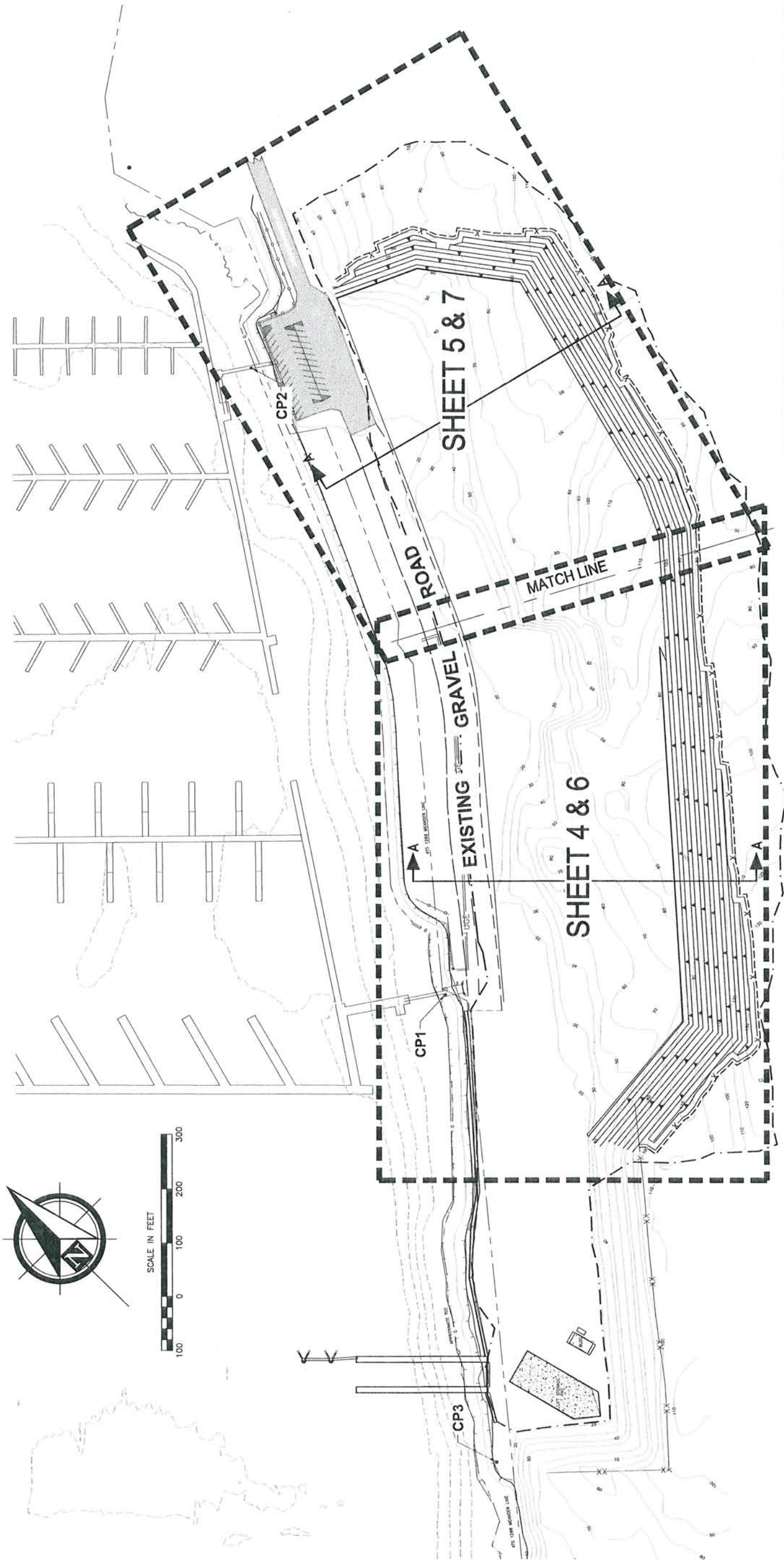
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**KODIAK ST HERMAN HARBOR
QUARRY EXPANSION**

TITLE SHEET AND INDEX

DESIGNED BY:	ZC	DATE:	2/09/10	SHEET NO.	1	OF	7
CHECKED BY:	KB	PROJECT NO.:	091114				



PROJECT CONTROL				
POINT	NORTHING	EASTING	ELEVATION	DESCRIPTION
CP1	1382897.332	1950302.766	16.83	SET NAIL & SHINER
CP2	1383963.989	1950873.474	23.96	SET NAIL & SHINER
CP3	1382222.667	1949758.384	16.08	SET REBAR W/ YPC

- NOTES:**
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 - THE ELEVATION FOR THE C.O.E. CONTROL MONUMENT "SYLVA" IS 21.62' MLLW (SEE NOTE 1). FOR LOCATION AND DESCRIPTION REFER TO THE CORPS OF ENGINEERS JUNE 2002 CONDITION SURVEY OF THE ST. HERMAN'S HARBOR. A TIE WAS MADE TO SEVERAL BENCH MARKS WITHIN THE AREA INCLUDING "HARBOR MASTER" LOCATED AT THE BASE OF THE FLAG POLE NEAR THE HARBOR MASTER BUILDING. THE ELEVATION FOR "HARBOR MASTER" BASED ON THIS DATA IS 20.18'
 - BATHYMETRY SHOWN ON THIS DRAWING WAS TAKEN FROM THE C.O.E. JUNE 2002 CONDITION SURVEY. NO ATTEMPT WAS MADE BY PND SURVEYORS TO VERIFY THE C.O.E. DATA. EXPANSION OF THE UPLANDS AFTER THE 2002 CONDITION SURVEY REQUIRED MODIFYING THE BATHYMETRY IN ORDER TO BEST FIT THE EXISTING CONDITIONS.

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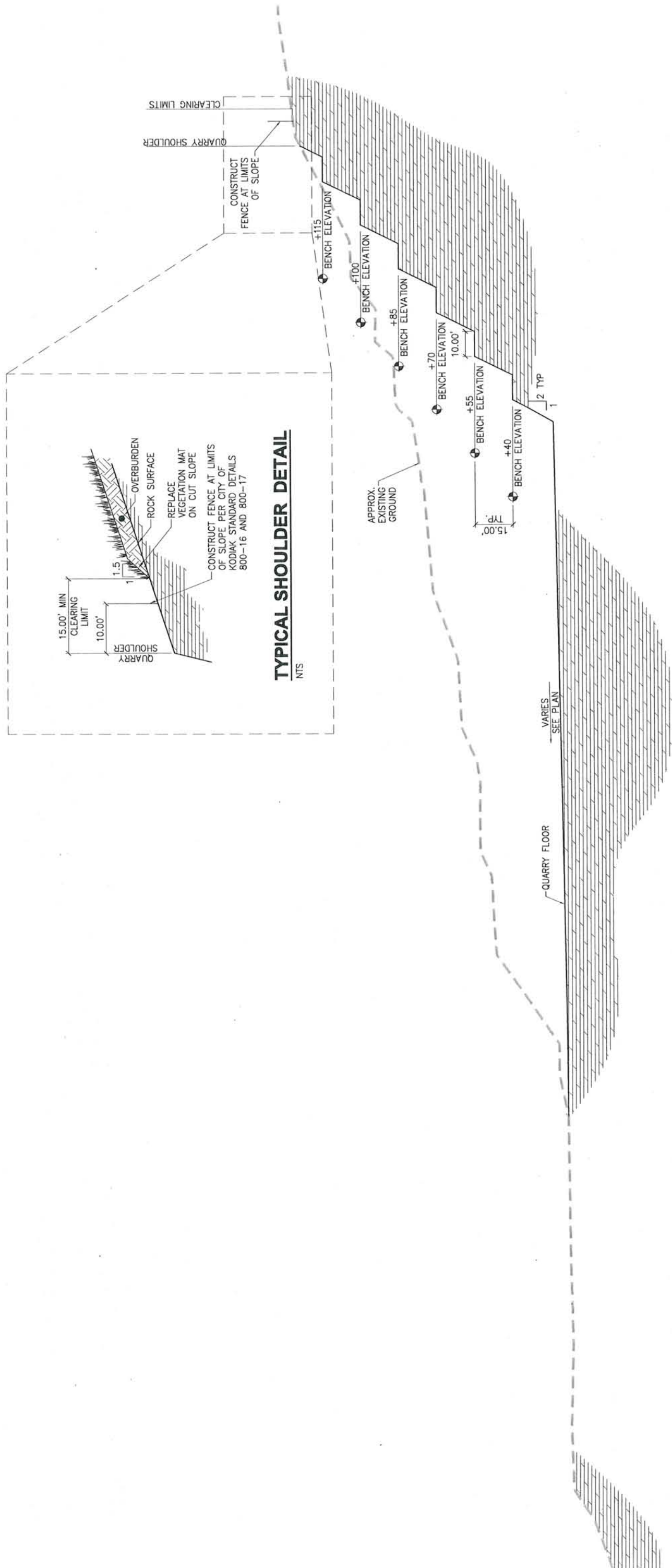
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**KODIAK ST HERMAN HARBOR
QUARRY EXPANSION**

**SUMMARY AND
PROJECT CONTROL**

DESIGNED BY:	ZC	DATE:	2/09/10	SHEET NO.:	2	OF	7
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QUARRY SECTION A-A
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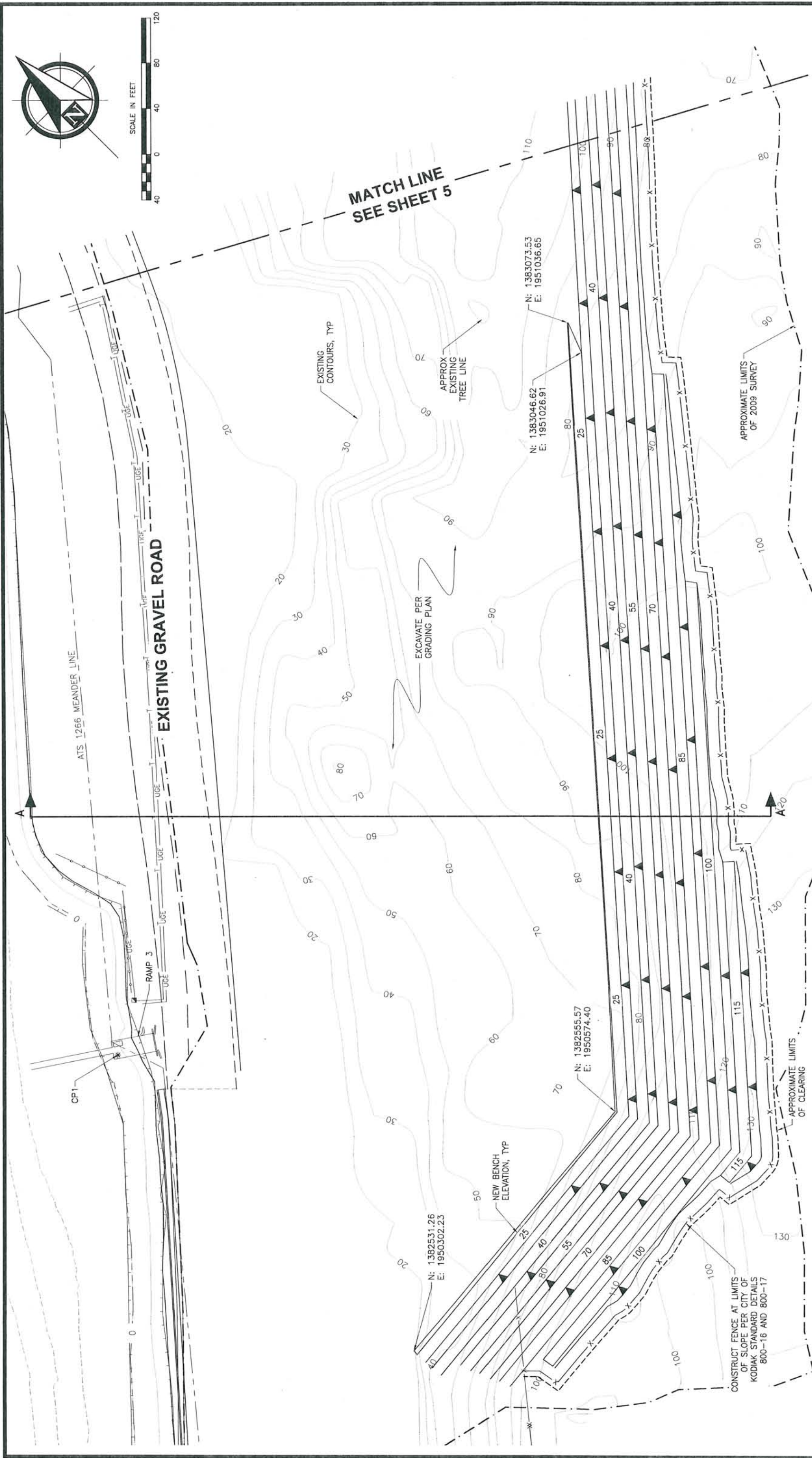
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**KODIAK ST HERMAN HARBOR
QUARRY EXPANSION**

SECTIONS AND DETAILS

DESIGNED BY: ZC	DATE: 2/09/10	SHEET NO. 3	OF 7
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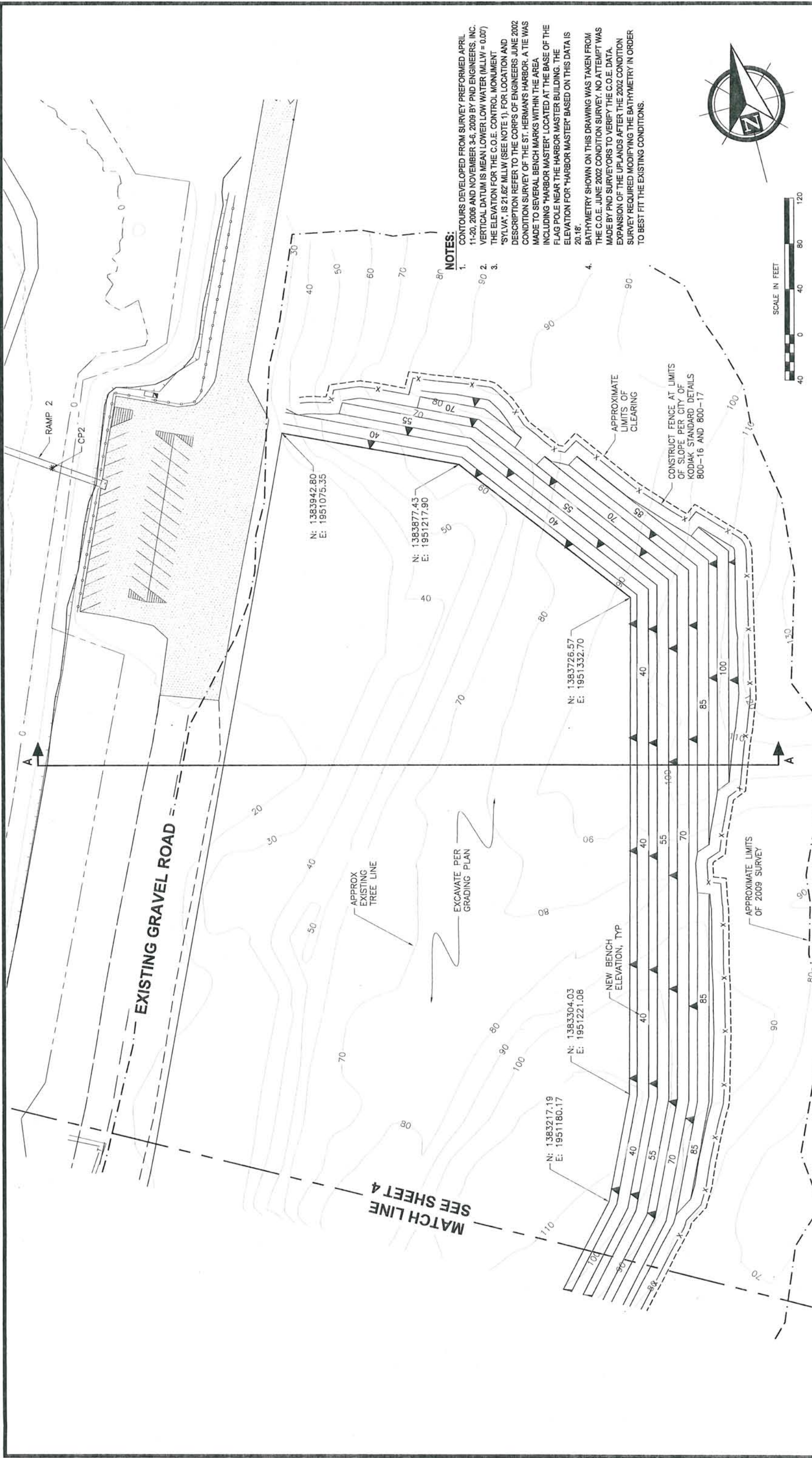
KODIAK ST HERMAN HARBOR QUARRY EXPANSION

QUARRY PLAN AND LAYOUT

PROJECT: _____
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SHEET NO. **4** OF **7**



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 - 4.



**KODIAK ST HERMAN HARBOR
QUARRY EXPANSION
LAYOUT**

DESIGNED BY: ZC DATE: 2/09/10
CHECKED BY: KB PROJECT NO: 091114

PROJECT: KODIAK ST HERMAN HARBOR
TITLE: QUARRY PLAN AND LAYOUT

DESIGNED BY: ZC DATE: 2/09/10
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5 OF 7

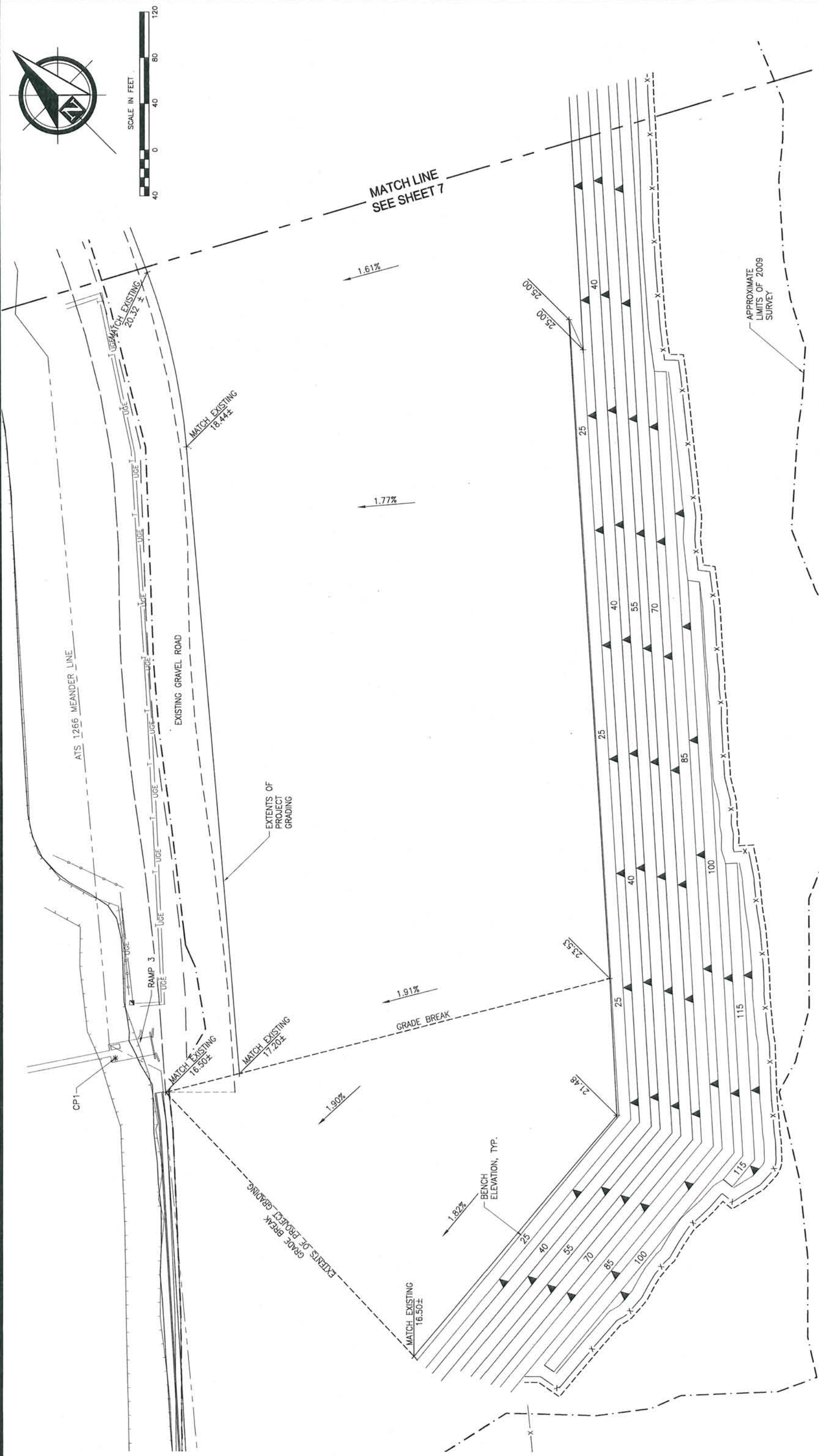
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**KODIAK ST HERMAN HARBOR
QUARRY EXPANSION**

FINISH GRADING PLAN

DESIGNED BY: ZC DATE: 2/09/10
 CHECKED BY: KB PROJECT NO: 091114

SHEET NO: **6** OF **7**

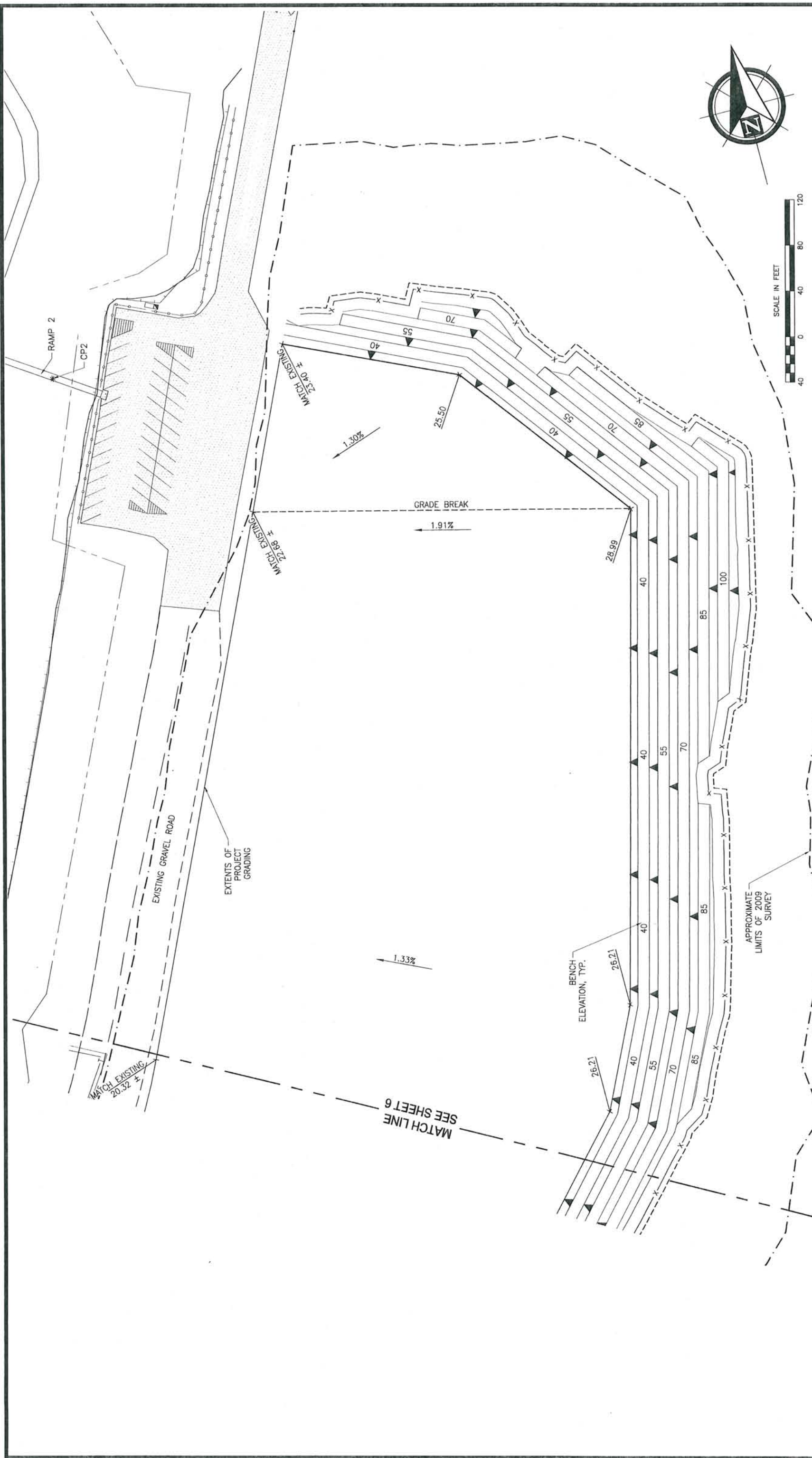
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REV	DATE	DESCRIPTION



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QUARRY EXPANSION**

FINISH GRADING PLAN

DESIGNED BY: ZC DATE: 2/09/10
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SHEET NO: **7** OF **7**

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REV	DATE	DESCRIPTION



Appendix B - Public Involvement Material- Available Separately

Appendix B

Public Involvement
Materials

Appendix B - Public Involvement Material- Available Separately



MEMORANDUM OF AGREEMENT
Between the
KODIAK ISLAND BOROUGH and the CITY OF KODIAK

BUILDING INSPECTION PROGRAM

On April 15, 1988, the Kodiak Island Borough and the City of Kodiak established a single program for the inspection of buildings within the jurisdiction of both governments. This memorandum of agreement (MOA) reestablishes the parameters of the shared building inspection program that serves the residents of both jurisdictions.

Objectives

1. To provide for a single building inspection program for the City of Kodiak and the Kodiak Island Borough.
2. To ensure a consistent application of building regulations in the City of Kodiak and the Kodiak Island Borough.
3. To reduce the total cost of building inspection services in the Kodiak Island Borough and the City of Kodiak.
4. To provide an economical, efficient, and effective building inspection program for residents of the Kodiak Island Borough and the City of Kodiak.

Points of Agreement

1. The Kodiak Island Borough (hereinafter "Borough") hereby contracts with the City of Kodiak (hereinafter "City") for building inspection services. Personnel aspects of the program are the responsibility of the City, and the building official and deputy building official shall be employees of the City.
 - A. This service will include the following:
 - (1) a full-time building official;
 - (2) a full-time deputy building official;
 - (3) all other necessary and typical functions associated with an operational building inspection program;
 - (4) administration and enforcement of Borough Code Title 15, Buildings and Construction, including issuing permits, checking plans, performing field inspections, maintaining records of each permit, and maintaining statistical records;
 - (5) records will be kept on each building permit and will include at a minimum, the following applicable information: building permit applications, approved plans and specifications; the as-built site plan; compaction report on engineered fills; and inspection reports on all inspections performed; and
 - (6) issuance of a certificate of occupancy and/or final inspection report when construction, for which a permit was issued, is completed. The borough assessor shall be provided with a copy of all certificates of occupancy and/or final inspection reports on a monthly basis.
 - B. The Borough will supply the office space for building inspection program.
 - C. The City will supply the vehicle for the building inspection program.

D. Monthly and annual reports of building permit activities will be submitted on forms agreed to by the Borough and the City.

2. In all cases, the building official will be responsible for ensuring that all structures are in compliance with adopted codes. The Borough or the City may, on a case-by-case basis, request from the building official approval to use alternative personnel for ensuring that public construction projects meet adopted codes. The building official may deny approval for the use of alternative personnel based on the lack of appropriate qualifications of the personnel. All code compliance inspection reports or similar records generated for public construction projects shall become part of the building file maintained in the building inspection program office.

If approval is granted by the building official for the use of alternative personnel, a permit fee will not be charged for the portion of the project inspected by the alternative personnel; however, the value of any portion of a public construction project inspected by alternative personnel will be included in the project owner's portion of the permit value calculations for building inspection program operations. If building inspection program staff perform code compliance inspections for a public construction project, then the project will be charged the applicable building permit, electrical permit, or plumbing permit fees, and the project or portion of the project inspected will not be included in the permit value calculations for building inspection program operations.

The cost of the building inspection program will be split equally between the City and the Borough. Payments by the Borough shall be made promptly upon billings submitted by the City.

3. The Community Development Department will work with the building inspection program office to ensure adherence to this MOA is implemented. This MOA is not intended to replace current day-to-day communications between staff, which are encouraged to continue. All policy issues, whether City, Borough, or joint, will be referred to the Borough Mayor and City Manager for joint resolution.
 - A. The MOA for zoning compliance is incorporated, in total, in this MOA and is labeled Appendix A.
 - B. The MOA for the building fire safety inspection program for the Kodiak road system is incorporated, in total, in this MOA and is labeled Appendix B.
4. The Borough and the City shall review and revise their respective Building Codes and maintain identical regulations that include, but are not limited to, the following:
 - A. Building Code;
 - B. Electrical Code;
 - C. Plumbing Code;
 - D. Mechanical Code;
 - E. Fuel Gas Code;
 - F. Fire Code;
 - G. Driveway permits;
 - H. Ordinances providing for fire safety review and approval of plans and specifications, and the enforcement of state fire statutes and regulations;
 - I. Building Valuations and Fee Schedules; and
 - J. Standard plans to address the common projects most often requiring engineering.

K. The Borough shall adopt an ordinance that requires the identification of lot corners in the field prior to commencement of construction.

6. Insurance

A. The City shall provide liability insurance. Upon request the City shall provide the Borough with evidence of the insurance coverage in force. If the Borough should conclude that the insurance coverage obtained by the City is inadequate to protect its interest, the Borough shall give the City written notice of its concerns and shall request that the insurance coverage maintained by the city be broadened or increased in certain particulars.

B. Any liability insurance policy obtained by either the City or the Borough shall contain a waiver of all subrogation claims against the other party.

C. The Borough agrees to indemnify and hold the City harmless from any and all uninsured claims or damages arising out of actions or omissions of the staff of the building inspection program which are associated primarily with implementation of this agreement with respect to property lying outside of the City and the City agrees to indemnify and hold harmless the Borough from any and all uninsured claims or damages arising out of actions or omissions of the staff of the building inspection program which are associated primarily with implementation of this agreement with respect to property lying within the City.

7. The Borough and the City shall separately assume any legal costs associated with building inspection program enforcement within their respective jurisdictions.

8. It is the responsibility of the building inspection program staff to initiate Borough and City building and related code updates. All Borough and City code revisions that may affect the building inspection program shall be provided to the building official for review and comment.

9. This agreement may be terminated by either party upon ninety (90) days advance written notice to the other party.

Term of Agreement

This agreement shall remain in effect from the date of signing until June 30, 2018.

Dated this day of , 2017

KODIAK ISLAND BOROUGH

CITY OF KODIAK

Michael Powers, Borough Manager

Mike Tvenge, City Manager

ATTEST:

ATTEST:

Nova Javier, Borough Clerk

Debra Marlar, City Clerk

ZONING COMPLIANCE PROGRAM

Appendix A of the Building Inspection Program MOA

On March 1, 1984, the Kodiak Island Borough (Borough) and the City of Kodiak (City) established a coordinated procedure for the enforcement of zoning regulations within the city limits. This Appendix replaces the original Zoning Compliance MOA of 1984, and provides a procedure for the inspection of zoning requirements through the building inspection program.

Objectives

1. To provide zoning compliance inspections in conjunction with building inspections as stated in the points of agreement.
2. To ensure a coordinated and consistent zoning compliance inspection program.
3. To provide a specific and acceptable process that defines the responsibilities of the Borough and the City for implementing zoning compliance inspections as a function of the building inspection program.

Points of Agreement

1. No building permit will be issued without written zoning authorization from the Borough, except as may be otherwise provided for in the Borough Code.
2. Written zoning authorization by the Borough will be on a form provided by the Borough and printed in a format mutually agreed to by the City and the Borough. The format shall include a minimum the following information:
 - A. property corner markers with identification or other acceptable markers must be in place and available for verification of setback distances; and
 - B. applicant acknowledgment that the information provided on the authorization is correct, and that the applicant agrees to comply with all ordinances and laws regulating zoning compliance.
3. The written zoning authorization will be specific in its identification of regulations that require compliance, including any approvals or conditions specified by the Borough Planning and Zoning Commission.
4. While conducting site inspections as part of the building permit process, it will be the responsibility of the building inspection program staff to note all violations of the written zoning authorization and to inform both the applicant and the Borough Community Development Department of any violations including, but not limited to, the following:
 - a. setback requirements;
 - b. height restrictions;
 - c. off-street parking requirements and development standards; and
 - d. permitted uses.
5. In cases of confusion or conflict between the applicant and the building inspection program staff over either the written zoning authorization or the imposition of specific zoning regulations, the issue will be brought to the Community Development Department for resolution.

6. In cases when there are violations of both the zoning and building codes, the Community Development Department and Building Inspection Program staff shall engage in joint signatures on violation letters and joint site inspections.

BUILDING FIRE SAFETY INSPECTION PROGRAM

Appendix B of the Building Inspection Program

The Kodiak Island Borough and the City of Kodiak wish to establish a coordinated building fire safety inspection program throughout each respective jurisdiction.

Objective

To enforce State fire safety laws as established in AS 18.70 and AS 18.72 and all regulations adopted pursuant to these statutes through a local building fire safety program.

Points of Agreement

1. It will be the responsibility of the City of Kodiak Fire Department to administer and enforce the requirements of the building fire safety program on the contiguous Kodiak road system.
2. Additional inspections requested by the Borough will be scheduled in as timely a manner as possible by the City Fire Department.
3. The Borough shall be financially responsible for the building fire safety inspection program outside the boundaries of the City.
4. This agreement will adhere to the requirements of the City of Kodiak's deferment from the State of Alaska Fire Marshall and as outlined in AS 18.70 and 18.72

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Objectives

1. To provide for a single building inspection program for the City of Kodiak and the Kodiak Island Borough.
2. To ensure a consistent application of building regulations in the City of Kodiak and the Kodiak Island Borough.
3. To reduce the total cost of building inspection services in the Kodiak Island Borough and the City of Kodiak.
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1. The Kodiak Island Borough (hereinafter "Borough") hereby contracts with the City of Kodiak (hereinafter "City") for building inspection services. Personnel aspects of the program are the responsibility of the City, and the building official and assistant building official shall be employees of the City.
 - A. This service will include the following:
 - (1) a full-time building official;
 - (2) a full-time assistant building official;
 - (3) a half-time administrative assistant;
 - (4) all other necessary and typical functions associated with an operational building inspection program;
 - (5) administration and enforcement of Borough Code Title 15, Buildings and Construction, including issuing permits, checking plans, performing field inspections, maintaining records of each permit, and maintaining statistical records;

whether City, Borough, or joint, will be referred to the Borough Mayor and City Manager for joint resolution.

- A. The MOA for zoning compliance is incorporated, in total, in this MOA and is labeled Appendix A.
 - B. The MOA for the building fire safety inspection program for the Kodiak road system is incorporated, in total, in this MOA and is labeled Appendix B.
4. The Borough and the City shall review and revise their respective Building Codes and strive to maintain identical regulations that include, but are not limited to, the following:
- A. ~~ICBO Uniform Building Codes;~~
 - B. National Electrical Code;
 - C. Uniform Plumbing Code;
 - D. Driveway permits;
 - E. Ordinances providing for fire safety review and approval of plans and specifications, and the enforcement of state fire statutes and regulations; and
 - F. Building Valuations and Fee Schedules.

5. The Borough shall adopt an ordinance that shall require the identification of lot corners in the field prior to commencement of construction.

6. Insurance

- A. The City shall provide liability insurance. Upon request the City shall provide the Borough with evidence of the insurance coverage in force at any time. If the Borough should conclude that the insurance coverage obtained by the City is inadequate to protect its interest, the Borough shall give the City written notice of its concerns and shall request that the insurance coverage maintained by the City be broadened or increased in certain particulars. If the City fails to agree to the Borough's request and obtain the broadened, increased coverage within thirty (30) days after receipt of the request, then the Borough may either obtain such additional insurance coverage as it has requested and deduct the proven cost thereof from any payments otherwise due to the City or terminate this agreement in accordance with Section 9.
- B. Any liability insurance policy obtained by either the City or the Borough shall contain a waiver of all subrogation claims against the other party.
- C. The Borough agrees to indemnify and hold the City harmless from any and all uninsured claims or damages arising out of actions or omissions of the staff of the building inspection

ZONING COMPLIANCE PROGRAM

Appendix A of the Building Inspection Program MOA

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Objectives

1. To provide zoning compliance inspections in conjunction with building inspections.
2. To ensure a coordinated and consistent zoning compliance inspection program.
3. To provide a specific and acceptable process that defines the responsibilities of the Kodiak Island Borough and the City of Kodiak for implementing zoning compliance inspections as a function of the building inspection program.

Points of Agreement

1. No building permit will be issued without written zoning authorization from the Borough, except as may be otherwise provided for in the Borough Code.
2. Written zoning authorization by the Borough will be on a form provided by the Borough and printed in a format mutually agreed to by the City and the Borough. The format shall include at a minimum the following information:
 - A. property corner markers with identification or other acceptable markers must be in place and available for verification of setback distances; and
 - B. applicant acknowledgment that the information provided on the authorization is correct, and that the applicant agrees to comply with all ordinances and laws regulating zoning compliance.
3. The written zoning authorization will be specific in its identification of regulations that require compliance, including any approvals or conditions specified by the Borough Planning and Zoning Commission.
4. While conducting site inspections as part of the building permit process, it will be the responsibility of the building inspection program staff to note all violations of the written zoning authorization and to inform both the applicant and the Borough Community Development Department of any violations including, but not limited to, the following:
 - a. setback requirements;

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2. Inspections requested by the Borough will be scheduled in as timely a manner as possible by the City Fire Department.
3. The Borough shall be financially responsible for the building fire safety inspection program outside the boundaries of the City.