

City of Kodiak Regular Council Meeting Agenda for May 10, 2018
7:30 p.m., at 710 Mill Bay Road, Assembly Chambers (Room 232)

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

- II. Previous Minutes**
 - Approval of Minutes of the April 26, 2018, Regular Council Meeting.....1

- III. Persons to Be Heard**
 - a. Proclamation: Police Week and Peace Officers Memorial Day.....8
 - b. Proclamation: EMS Week.....10
 - c. Presentation of Funding From Sun’aq Tribe of Kodiak to the City for Maintenance of Routes for Mission Road and Shelikof Street.....12
 - d. Public Comments (limited to 3 minutes) (486-3231)

- IV. Unfinished Business**
 - a. Continued Second Reading and Public Hearing, Ordinance No. 1375(SUB), Levying Taxes in the Amount of 2 Mills and Appropriating Funds for the Expenses and Liabilities of the City of Kodiak for the Fiscal Year Commencing on the First Day of July 2018 and Ending on the Thirtieth Day of June 2019.....16
 - b. Second Reading and Public Hearing, Ordinance No. 1376, Amending Chapter 3.28 of the Kodiak City Code to Condition Future Deposits Into the City Enhancement Fund on the Existence of a Minimum Fund Balance of Six Months of General Fund Operating Expenditures28

- V. New Business**
 - a. First Reading, Ordinance No. 1377, Amending the Senior Citizen Sales Exemption and Ordinances Relating to the Procedure for Verifying Exempt Buyers.....34
 - b. Authorization of Bid Award for FY2019 Petroleum Products40
 - c. Appointment to Parks and Recreation Advisory Board.....46
 - d. Appointment of Applicant to Fill Vacant Council Seat.....50

- VI. Staff Reports**
 - a. City Manager
 - b. City Clerk

- VII. Mayor’s Comments**

- VIII. Council Comments**

- IX. Audience Comments** (limited to 3 minutes) (486-3231)

- X. Executive Session**
 - a. City-Ocean Beauty Lease Agreement – Post-Termination Issues.....54

- XI. Oath of Office to Newly Appointed Councilmember.....56**

- XII. Adjournment**

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**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, APRIL 26, 2018
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

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

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

II. PREVIOUS MINUTES

Councilmember Whiddon MOVED to approve the minutes of the April 12, 2018, regular meeting.

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

III. PERSONS TO BE HEARD

a. Oath of Office to Incoming Chief of Police Timothy Putney

City Charter Article IV-7 stipulates all officers of the City and such employees as the Council may designate shall take and subscribe to the oath or affirmation of office prescribed by the Alaska constitution, Article XII, Section 5. Historically, the Chief of Police has taken the oath of office prior to taking command. Tim Putney will take over as Chief of Police on May 2, 2018.

Clerk Marlal administered the oath of office to the incoming Chief of Police Timothy Putney. Manager Tvenge, Chief of Police Wallace, and Michella Putney participated in the pinning ceremony.

The incoming Chief of Police Putney thanked Manager Tvenge for his support and the Kodiak Police Department for attending the meeting to show their support. He commented that he has appreciated Chief of Police Wallace's leadership and he will do his best to keep the department moving forward.

b. Proclamation: Municipal Clerks Week

Mayor Branson read this proclamation, which recognizes the Municipal Clerks for the vital services they perform and their dedication to their community.

Clerk Marlal and Deputy Clerk Shuravloff-Nelson accepted the proclamation.

c. Public Comments

Mary Ruskovich said there was good public feedback at the Mayors summit. She thanked Councilmember Saravia for his service, dedication, and the duration of his service. She expressed her appreciation for Chief of Police Wallace and her level of integrity. She said Lt. Putney and Daniel Mckenna-Foster bring great attributes to the City.

Ronda Wallace thanked the Council for their support during her years of service. She thanked the community for making Kodiak a wonderful place. She thanked her staff and she thanked City Manager Tvenge for his support and guidance. She wished the Mayor and Council the best of luck.

Mayor Branson said Chief of Police Wallace's leadership has been admirable and wished her and her husband the best of luck in retirement.

IV. UNFINISHED BUSINESS

a. Second Reading and Public Hearing, Ordinance No. 1375, Levying Taxes in the Amount of 2 Mills and Appropriating Funds for the Expenses and Liabilities of the City of Kodiak for the Fiscal Year Commencing on the First Day of July 2018 and Ending on the Thirtieth Day of June 2019

Ordinance No. 1375 provides for the adoption of the City of Kodiak's FY2019 budget. The budget document, which supports the ordinance, estimates all sources of revenue the City anticipates receiving between July 1, 2018, and June 30, 2019. The budget document also establishes an operating and capital expenditure plan for FY2019 that is based on staff's assessment of operational and community needs, and the Council's FY2019 budget goals. Staff made the FY2019 budget presentation to Council and the public during a special budget work session on March 10, 2018.

Councilmember Arboleda MOVED to adopt Ordinance No. 1375.

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

Councilmember Whiddon MOVED to substitute for the pending ordinance, Ordinance No. 1375(SUB), which includes budget Option No. 3 as presented at the April 2, 2018, work session.

The roll call vote on amendment to substitute was Councilmembers Arboleda, Bishop, Davidson, Saravia, Walker, and Whiddon in favor. The motion passed.

Councilmember Whiddon MOVED to postpone the final vote until the next regular or special meeting following another public hearing.

The roll call vote on the postponement was Councilmembers Arboleda, Bishop, Davidson, Saravia, Walker, and Whiddon in favor. The motion passed.

V. NEW BUSINESS

a. First Reading, Ordinance No. 1376, Amending Chapter 3.28 of the Kodiak City Code to Condition Future Deposits Into the City Enhancement Fund on the Existence of a Minimum Fund Balance of Six Months of General Fund Operating Expenditures

This ordinance amends Chapter 3.28 Enhancement Fund deposits and adds additional criteria for inflation-proofing the Enhancement Fund. City of Kodiak Municipal Code Chapter 3.28 provides that at the completion of the prior year audit and issuance of the financial statements, should the general fund have a surplus, then one half of this surplus is transferred to the Enhancement Fund in the succeeding fiscal year. This ordinance amends the code to only transfer one-half of the general fund surplus when the fund balance of the General Fund reaches six months of budgeted operating expenses.

Councilmember Walker MOVED to pass Ordinance No. 1376 in the first reading and advance to second reading and public hearing at the next regular or special Council meeting.

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

b. Authorization of Janitorial Services Contract for Kodiak Police Department

The Kodiak Police Department is requesting that Council authorize a contract with MH Island Cleaning Services to provide regular janitorial services at the Kodiak Police Department for a period of three years commencing on July 1, 2018, and expiring on June 30, 2021.

Councilmember Walker MOVED to authorize a three-year janitorial services contract for the Kodiak Police Department to MH Island Cleaning Services in the amount of \$42,900 annually, with the first year funds coming from the FY2019 Kodiak Police Department, Operational Budget, Janitorial Services and authorize the City Manager to execute the necessary documents on behalf of the City.

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

VI. STAFF REPORTS

a. City Manager

Manager Tvenge provided an update indicating that Ocean Beauty has moved off the property at Gibson Cove. He said Public Works and the Kodiak Fire Department have secured the building, and there are no trespassing signs placed on the structure and no moorage signs placed on the main dock and the icehouse dock. He said KEA has disconnected power to the building, and the Kodiak Police Department will provide security patrol of the facility.

He said the new E911 system is functioning as planned. He stated the next step is to complete the Phase II portion, which GCI is working to provide the latitude and longitude of the cell callers. He announced the Computer Aided Dispatch (CAD) program would follow sometime in June and commented that KPD staff has been pleased with the system transition.

He shared that staff has been interviewing applicants for the Finance Director position. He indicated that Finance Director Mayes' last day is May 25. He said the Birch Street Project is underway and the utility and repaving project from Mill Bay Road to Thorsheim Street has begun and will run through October. He said the section from Mill Bay Road to Larch Street is now open and indicated it will close when school ends this spring. He asked the public to use caution in these areas and to obey the traffic flow signs. He said Pillar Mountain service road is now open to the public and said with the Birch street project underway, there will truck loads of dirt and gravel material going to the Pillar Mountain fill site. He shared that there will be a dust mitigation spray to keep the road dust under control. He urged the public to drive with caution.

b. City Clerk

Clerk Marlar gave an overview of the upcoming regular Council May meetings, which included the Economic Development meeting and the joint work session. She expressed her appreciation to Councilmember Saravia for his integrity, honesty, transparency, and support of staff and wished him the best.

VII. MAYOR'S COMMENTS

Mayor Branson thanked the staff for their work on the budget; she is pleased with the budget and moving forward with option three. She thanked Chief of Police Wallace for her exemplary service and stated she is happy to have Lt. Putney progress into the leadership position. She thanked the Municipal Clerks for their skills and contributions. She shared the news from Senator Sullivan's office that Kodiak is getting two new USCG cutters. She thanked Councilmember Saravia for his service and leadership, and she wished him the best in his future endeavors.

VIII. COUNCIL COMMENTS

Councilmember Saravia congratulated Lt. Putney and he thanked Chief of Police Wallace for her service. He said over the years he has seen the Manager, Clerk, and Department Heads work each day all year long and commented that they have done a lot over the years. He thanked the Mayor and stated he will miss the Council.

Councilmember Bishop thanked Chief of Police Wallace for her service and dedication. He congratulated the new Chief of Police Putney and he thanked the Clerks for their service. He said he appreciates Manager Tvenge's focus to address the downtown problems. He thanked Councilmember Saravia for his leadership. He said he was blessed to learn from him and he will be missed on the Council.

Councilmember Whiddon expressed his sincere appreciation for Chief of Police Wallace and said she has continually displayed compassion for her staff and the public. He congratulated Lt. Putney on his promotion and he thanked the Manager, staff, and the Council for their work to obtain a sustainable budget. He said the Fisheries Work Group met yesterday and they are using local professionals to add perspective during the meetings. He said he would forward a report to the Clerk's office to be sent out to the Council. In summary, he said the work group is self-directed and it is working well. He feels they are moving in a positive direction and the group would continue to monitor the salmon and trawl issues. He stated he was appointed to serve on Alaska Civilian-Armed Services Team. This team was established by the Governor to facilitate collaboration amongst military, civilian, and State government leaders. He expressed his grati-

tude to Councilmember Saravia and said he has spoken with intellect and from the heart over the years.

Councilmember Walker wished Chief of Police Wallace well as she enters into retirement. He thanked the Finance Director for the work on the budget and expressed appreciation for the work of Manager Tvenge and the Clerk's Office. He said he was pleased that the fast cutters were coming to Kodiak. He wished new Chief of Police Putney a great future; he said he is proud to have him. He wished the fisherman luck and hoped for a successful season. He shared that he has been blessed to serve with Councilmember Saravia.

Councilmember Davidson thanked the Clerks for their work, and he thanked Chief of Police Wallace for her service. He congratulated Lt. Putney, stating he knows the trials and tribulations of the department, which will be useful in his transition to Chief of Police. He said is grateful for the E911 system. He said Councilmember Saravia is one of the most dedicated, honest, hard-working, and caring individuals that he knows, and he will miss him. Councilmember Davidson thanked former Library Director Baxter for her service.

Councilmember Arboleda commented that "thank you" demonstrates all the jobs well done throughout the City. She thanked Chief of Police Wallace for her service and dedication, sharing the Chief has displayed a caring disposition to community members, including herself. She congratulated incoming Chief of Police Putney for demonstrating his dedication by taking on the new role and responsibility. She thanked the Clerks for their work and for Clerk Marlar's baking to celebrate special occasions. She expressed her gratitude for a completed budget and thanked Finance Director Mayes. She said she has known Councilmember Saravia her whole life and she appreciates his perspective and the value he adds to the decision making process. She said she is grateful for the nice weather.

IX. AUDIENCE COMMENTS

None

X. PRESENTATION TO OUTGOING COUNCILMEMBER

Councilmember Gabriel Saravia has served on the City Council since 2003. Mayor Branson presented him with a token of the City's appreciation for his service.

Councilmember Saravia thanked the Council for the artwork. He confirmed that he has known Councilmember Arboleda for a long time and has valued the friendship of all the Councilmembers. He said the Council may agree or disagree on issues, but they keep their focus on the best service for the City and always remain amicable. He thanked Clerk Marlar for baking him 15 cheesecakes throughout the years and said he appreciates the work she does. He encouraged citizens to continue to get involved to do their civic duty. He said he believes in supporting and valuing one another. He shared that he hopes people continue to volunteer and citizens offer appreciation for those volunteers.

XI. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

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

The meeting adjourned at 8:24 p.m.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Minutes Approved:

PERSONS TO BE HEARD

MEMORANDUM TO COUNCIL

Date: May 10, 2018

Agenda Item: III. a. Proclamation: Police Week and Peace Officers Memorial Day

SUMMARY: This proclamation urges all citizens and patriotic, civic, and educational organizations to recognize police officers, past and present, who by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their community and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens. And encourages all citizens to honor those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

ATTACHMENTS:

Attachment A: Proclamation: Police Week and Peace Officers Memorial Day

PROCLAMATION

Declaring May 13 through 19, 2018, Police Week and May 15, 2018, Peace Officers Memorial Day

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police Week; and

WHEREAS, the members of the Kodiak Police Department play an essential role in safeguarding the rights and freedoms of Kodiak citizens; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of the Kodiak Police Department, and that members of the Department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the Kodiak Police Department unceasingly provide a vital public service, and it is appropriate that we recognize their accomplishments and sacrifices.

NOW, THEREFORE, I, Pat Branson, Mayor of the City of Kodiak, do hereby proclaim the week of May 13 through 19, 2018, as

POLICE WEEK

in Kodiak and urge all citizens and patriotic, civic, and educational organizations to recognize police officers, past and present, who by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their community and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I further proclaim May 15, 2018, as

PEACE OFFICERS' MEMORIAL DAY

in Kodiak and encourage all citizens to honor those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

Dated this 10th day of May 2018.

City of Kodiak

Pat Branson, Mayor

MEMORANDUM TO COUNCIL

Date: May 10, 2018

Agenda Item: III. b. Proclamation: Emergency Medical Services Week

SUMMARY: This proclamation urges residents to recognize the value and the accomplishments of emergency medical services providers.

ATTACHMENTS:

Attachment A: Proclamation: Emergency Medical Services Week

PROCLAMATION

Declaring Emergency Medical Services Week May 20 – May 26, 2018

WHEREAS, emergency medical services are a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, first responders, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW, THEREFORE, I, Pat Branson, do hereby proclaim the week of May 20 through May 26, 2018, as

EMERGENCY MEDICAL SERVICES WEEK

in Kodiak and with the theme, “EMS STRONG: Stronger Together” I encourage the community to observe this week with appropriate programs, ceremonies, and activities.

Dated this 10th day of May 2018.

City of Kodiak

Pat Branson, Mayor

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager *MT*

Date: May 10, 2018

Agenda Item: **III. c. Presentation of Funding From Sun'aq Tribe of Kodiak to the City for Maintenance of Routes for Mission Road and Shelikof Street**

SUMMARY: The Sun'aq Tribe of Kodiak and the City of Kodiak have entered into multiple agreements to include various City roads into the Bureau of Indian Affairs (BIA) Tribal Transportation Program. Beginning in 2007, a portion of Mill Bay and Mission Road were included. On May 25, 2016, Shelikof Street was included, which was extended for three years by Council on August 10, 2017. These agreements with Sun'aq Tribe of Kodiak could bring Federal funding to Kodiak for street improvements.

On April 17, 2018, the City Manager entered into maintenance of routes agreement with the CEO of Sun'aq Tribe for these roads, which outlined the eligible maintenance activities under the Tribal Transportation Program (Attachment A). On April 26, 2018, the City was notified that the Sun'aq Tribe of Kodiak received federal funding in the amount of \$7,500 for Mill Bay and Shelikof Road. Sun'aq Tribe of Kodiak's staff will present the \$7,500 check to the City of Kodiak.

ATTACHMENTS:

Attachment A: Tribal Transportation Program List of Eligible Maintenance Activities per 25 CFR Part 170

Attachment 1

25 CFR Part 170 - TRIBAL TRANSPORTATION PROGRAM**Appendix to Subpart G- List of Eligible Maintenance Activities Under the Tribal Transportation Program**

The following maintenance activities are eligible for funding under the TTP. The list is not all-inclusive.

1. Cleaning and repairing ditches and culverts.
2. Stabilizing, removing, and controlling slides, drift sand, mud, ice, snow, and other impediments.
3. Adding additional culverts to prevent roadway and adjoining property damage.
4. Repairing, replacing or installing traffic control devices, guardrails and other features necessary to control traffic and protect the road and the traveling public.
5. Removing roadway hazards.
6. Repairing or developing stable road embankments.
7. Repairing parking facilities and appurtenances such as striping, lights, curbs, etc.
8. Repairing transit facilities and appurtenances such as bus shelters, striping, sidewalks, etc.
9. Training maintenance personnel.
10. Administering the BIA transportation facility maintenance program.
11. Performing environmental/archeological mitigation associated with transportation facility maintenance.
12. Leasing, renting, or purchasing of maintenance equipment.
13. Paying utilities cost for roadway lighting and traffic signals.
14. Purchasing maintenance materials.
15. Developing, implementing, and maintaining a BIA Transportation Facility Maintenance Management System (TFMM S).
16. Performing pavement maintenance such as pot hole patching, crack sealing, chip sealing, surface rejuvenation, and thin overlays (less than 1 inch).
17. Performing erosion control.
18. Controlling roadway dust.
19. Re-graveling roads.
20. Controlling vegetation through mowing, noxious weed control, trimming, etc.
21. Making bridge repairs.
22. Paying the cost of closing transportation facilities due to safety or other concerns.
23. Maintaining airport runways, heliport pads, and their public access roads.
24. Maintaining and operating BIA public ferry boats.
25. Making highway alignment changes for safety reasons. These changes require prior notice to the Secretary.
26. Making temporary highway alignment or relocation changes for emergency reasons.
27. Maintaining other TTP intermodal transportation facilities provided that there is a properly executed agreement with the owning public authority within available funding.

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UNFINISHED BUSINESS

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager *MT*

Thru: Kelly Mayes, Finance Director

Date: May 10, 2018

Agenda Item: **IV. a. Continued Second Reading and Public Hearing, Ordinance No. 1375(SUB), Levying Taxes in the Amount of 2 Mills and Appropriating Funds for the Expenses and Liabilities of the City of Kodiak for the Fiscal Year Commencing on the First Day of July 2018 and Ending on the Thirtieth Day of June 2019**

SUMMARY: Ordinance No. 1375(SUB) provides for the adoption of the City of Kodiak's FY2019 budget. The budget document, which supports the ordinance, estimates all sources of revenue the City anticipates receiving between July 1, 2018, and June 30, 2019. The budget document also establishes an operating and capital expenditure plan for FY2019 that is based on staff's assessment of operational and community needs, and the Council's FY2019 budget goals. Staff made the FY2019 budget presentation to Council and the public during a special budget work session on March 10, 2018. Staff recommends Council adopt Ordinance No. 1375(SUB) after the second reading and public hearing.

PREVIOUS COUNCIL ACTION:

- Prior to the start of each fiscal year, the City Council adopts the City's operating and capital budget by ordinance.
- Council reviewed projected FY2019 revenues and the FY2019 budget calendar on January 2, 2018.
- Council adopted Resolution No. 2018-04, establishing budget goals for FY2019, on January 25, 2018.
- Staff presented the proposed FY2019 budget to the Mayor and Council at a special work session on March 10, 2018.
- Council passed Ordinance No. 1375 in the first reading and advanced to second reading and public hearing on April 12, 2018.
- On April 26, 2018, Council substituted Ordinance No. 1375 with Ordinance No. 1375(SUB), Levying Taxes in the Amount of 2 Mills and Appropriating Funds for the Expenses and Liabilities of the City of Kodiak for the Fiscal Year Commencing on the First Day of July 2018 and Ending on the Thirtieth Day of June 2019 and postponed the vote on the substituted ordinance until the next regular or special meeting. The substituted ordinance incorporated budget option 6, instead of budget option 3.

DISCUSSION: The FY2019 budget funds the services provided by the City of Kodiak to residents and visitors: law enforcement (including animal control and contract jail services), fire and emergency

medical services (including ambulance services), public works (public water system, wastewater system, street and property maintenance, building inspections), engineering, port and harbor facilities, parks and recreation facilities and programs, public library, and general administrative functions (municipal recordkeeping, financial management and information technology).

The proposed FY2019 budget was developed as a maintenance level budget and will attempt to provide the same level of services as the current year's budget with a reduction in expenses. This is a prudent approach since revenues are expected to remain static as expenses continue to increase. The City Council adopted FY2019 budget goals by resolution in January of this year (Attachment B), and staff used the goals to develop and evaluate the proposed operating budget. The proposed budget is consistent with the Council's FY2019 budget goals.

Combined Revenues and Expenses for All Funds

The FY2019 budget projects combined revenues from all funds, excluding capital projects, to be \$38,349,360, which is an increase of 6.5 percent from FY2018's combined budgeted revenues of \$35,981,156. Revenues are forecasted based on the current fiscal year even though some sources may fluctuate slightly. Expenses for all City funds, excluding capital projects, is expected to also be \$38,349,360, an overall increase of 6.5 percent from FY2018. Increases are due to changes to the maximum taxable sale for sales tax purposes and increased capital outlays and infrastructure requirements.

Operating Budget

The FY2019 operating budget is primarily a maintenance budget as it has been for at least the past nine years. As directed, City staff developed a conservative budget. The City, like everyone in the community, continues to face rising costs, but the departments are careful to absorb cost increases whenever and wherever possible. As outlined in the City Council FY2019 goals, a review of all categories of General Fund expenditures was conducted to identify ways to decrease expenses. General fund expenses in professional services, contributions, support goods and services, repairs and maintenance, public utility services, and administrative services resulted in a combined decrease of 8.05 percent in general fund expenses as compared to FY2018 while increased capital outlays and transfers for infrastructure projects is the primary driver for the increase to the general fund expenses for a total increase of 9.7 percent.

General Fund

The General Fund provides funding for those City services that aren't required to be accounted for differently, like the enterprise funds. The General Fund uses revenues from sources such as sales and property taxes to fund the City's administrative functions such as tax collection and audits, billing, emergency preparedness, information technology, and management of all City functions. It also funds services such as municipal recordkeeping functions, law enforcement, fire and ambulance, library and recreational services and facilities, and public works and engineering services.

General Fund revenues for FY2019 are projected at \$21,685,779, an increase of approximately four percent from FY2018 revenue projections presented on January 2, 2018, with the largest changes due to an increase in the appropriation of the fund balance, which was required in FY2019 to fund capital equipment and infrastructure needs. The General Fund is projected to recognize a deficit in the amount of \$368,400. These budget figures are consistent with Council's FY2019 goal that the General Fund would be budgeted without a deficit with appropriations from the fund balance when/if necessary, and that General Fund operating expenses (non-personnel) will be consistent with those of FY2018.

Fund Balance

The City's General Fund balance has been accumulated from various revenue sources, large and small. Even with conservative budgeting, this fund no longer takes in more revenues than it must spend for expenses to operate the General Fund departments and to provide the necessary services. The FY2018 budget is projected to have \$5.8 million remaining in the fund balance. The FY2019 budget is projected to have an estimated \$5.4 million remaining in the fund balance after the FY2019 deficit of \$368,400 and transfers in the operating budget. The estimated FY2019 fund balance, if projections are correct, will be needed to offset capital expenditures and provide the City with approximately three months of future operating reserves. Of course, there are many budget variables, so this is only a projection and cannot be guaranteed so early in the budgeting process. The proposed FY2019 budget anticipates less use of fund balance than the FY2018 budget because sales tax projections are increasing due to the change in the maximum taxable sale amount that drives sales tax revenues.

Personnel

Salaries, wages and benefits are the single largest expense in the City's annual budget, totaling 51 percent. Salaries and wages for FY2019 are estimated to total \$9.8 million or 26 percent of the City's overall expenses. This is less than one percent change from FY2018 citywide salaries and wages and reflects the Personnel Rules and Regulations scheduled salary increases. Employee benefit costs are projected at \$9.4 million, 25 percent of the City's overall expense budget, which is a two percent increase from FY2018.

The FY2019 budget reflects an increase of one full-time maintenance technician for parks and recreation; one full-time fiscal specialist for the finance department; two part-time maintenance personnel for parks and recreation, a reduction in temporary staff in parks and recreation; and a reduction of one part-time personnel in the Harbor. This increases the number of City employees from 129.15 to 133.20 for FY2019. The City's work force for FY2019 includes 127 regular full-time employees and 6.20 regular part-time positions working from 20-30 hours per week for a total of 133.20 FTEs.

These changes to the FY2019 budget meet Council's personnel goals. The tracking of part-time personnel is a necessary step in meeting Council's goal to complete an analysis of the need, costs, and hiring process for the City's use of temporary or seasonal employees.

Enterprise Funds

The City has eight separate enterprise funds; the Harbor Department's Cargo Terminal, Boat Harbor, Harbor Electric Utility, and the Boat Yard/Vessel Lift funds, the Water, Sewer, and Trident Basin funds managed by Public Works, and the E911 Fund. The FY2019 budgets for these funds reflect a balance of revenues to expenses.

The E911 Fund was established in FY2010 in preparation for the transfer of E911 extraterritorial authority from the Borough to the City. This transfer has not yet taken place, but the Borough staff has agreed to work toward the transfer of authority or find another way to fairly share in the expenses and responsibilities of providing the service to Kodiak.

Enhancement Fund

The FY2019 budget proposes no use of Enhancement Fund monies. Enhancement Fund monies have not been used since FY2013, so the fund balance can build up, per Council's budget goals. The projected fund balance for the Enhancement Fund in FY2019 is estimated to be \$4.3 million, which is an increase of \$58,900 from the FY2018 balance.

Capital Projects

The FY2019 budget recommends \$3.4 million in capital project expenditures. This includes six new capital projects in FY2019 ranging in size from \$2,000 to \$400,000. It also includes additional funding for established or ongoing capital projects such as annual curb and sidewalk repairs, maintenance projects, and the vehicle replacement fund. Costs for the projects will be covered through use of capital project fund balances and a transfer from the General fund. Staff presented the capital projects in detail at the budget work session on March 20, 2018.

ALTERNATIVES:

- 1) Adopt Ordinance No. 1375(SUB) in the second reading after the public hearing. This is staff's recommendation.
- 2) Council may also amend Ordinance No. 1375(SUB).

FINANCIAL IMPLICATIONS: The City Council must make appropriations and adopt an annual budget. As presented, this budget retains ongoing service levels while meeting maintenance level budgetary criteria established by Council. The budget meets operational needs and estimates an adequate retention of fund balance in the General Fund.

LEGAL: The Kodiak City Charter and Kodiak City Code grant Council the authority to make appropriations and adopt and amend budgets as required. Article V, Section 2 of the City Charter states the City Manager will prepare and present a proposed budget to the City Council in advance of the fiscal year, which begins on July 1st and ends on June 30th. Article V, Section 4 of the City Charter gives the City Council the authority to make appropriations for the next fiscal year and may approve or amend the budget. Appropriations must be made and the budget approved by a majority vote of the City Council no

later than the third day before the beginning of the new fiscal year, and if the Council fails to approve the budget by that date, the budget as submitted shall go into effect and be considered adopted by the Council.

STAFF RECOMMENDATION: Staff recommends Council adopt Ordinance No. 1375(SUB) after the public hearing.

CITY MANAGER'S COMMENTS: We have managed to provide Council with another lean budget without affecting services provided, per Council's FY2019 budget goals. The task becomes more challenging as costs continue to rise and other sources of governmental funding become more limited. We do expect to have a modest amount of projected revenues for use on capital project needs, many of which are critical. The preparation of this document and the presentations at the March 10, 2018, budget work session reflect a great deal of work by the City staff, including an assessment of operational and community needs necessary to create this annual financial plan. I want to thank our management team for their serious commitment to meeting Council's goals and for their fiscal responsibility, not just in preparation of this draft budget, but throughout the year.

ATTACHMENTS:

Attachment A: Ordinance No. 1375(SUB)

Attachment B: Resolution No. 2018-04, FY2019 Council Budget Goals

{Clerk's Note: the motion to adopt Ordinance No. 1375 as substituted by Ordinance No. 1375(SUB) is on the floor}.

**CITY OF KODIAK
ORDINANCE NUMBER 1375(SUB)**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK LEVYING TAXES IN THE AMOUNT OF 2 MILS AND APPROPRIATING FUNDS FOR THE EXPENSES AND LIABILITIES OF THE CITY OF KODIAK FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JULY 2018 AND ENDING ON THE THIRTIETH DAY OF JUNE 2019

BE IT ORDAINED by the Council of the City of Kodiak as follows:

Section 1: A tax in the amount of 2.0 mills is hereby levied against all taxable real property within the City of Kodiak for the fiscal year commencing on the first day of July 2018 and ending on the thirtieth day of June 2019.

Section 2: The following sums of money are hereby appropriated for corporate purposes and objects of the City of Kodiak for the fiscal year commencing on the first day of July 2018 and ending on the thirtieth day of June 2019 to defray expenses and liabilities of the City during the fiscal year.

FY2019 BUDGET SUMMARY

GENERAL FUND

	Anticipated Revenues	
Taxes	\$ 16,827,500	
Licenses & Permits	58,800	
Intergovernmental Revenues	1,052,800	
Charges for Services	1,661,217	
Fines & Forfeitures	3,000	
Interest	20,000	
Rents & Royalties	81,900	
Miscellaneous	4,500	
Interfund Charges	1,607,662	
Appropriation from Fund Balance	368,400	
Total Anticipated Revenues	21,685,779	
		Planned Expenditures
Legislative		\$ 259,869
Legal		75,000
Executive-Administration		830,555
Executive-Emergency Preparedness		38,000
City Clerk-Administration		379,101
City Clerk-Records Management		193,877

GENERAL FUND EXPENDITURES CONTINUED

Finance	1,898,688
Police	7,481,641
Fire	2,697,735
Public Works	2,132,191
Engineering	297,225
Parks & Recreation	1,616,880
Library	907,992
Non-Departmental	2,877,025
Total Planned Expenditures	21,685,779

SPECIAL REVENUE FUND

	Anticipated Revenues	Planned Expenditures
Tourism Fund	\$ 170,500	\$ 170,500
City Enhancement Fund	-	-
Total Anticipated Revenues	170,500	170,500

CAPITAL PROJECTS FUND

	Anticipated Revenues
General Capital	\$ 860,062
Street Improvements	450,000
Building Improvement Fund	121,693
Water Capital Fund	660,000
Sewer Capital Fund	390,000
Cargo Development Fund	-
Harbor Development Fund	500,000
Parks & Recreation Fund	50,000
Vehicle Replacement Fund	262,086
Total Anticipated Revenues	3,293,841

CAPITAL PROJECTS FUND CONTINUED

	Planned Expenditures
General Capital	\$ 860,062
Street Improvements	450,000
Building Improvement Fund	121,693
Water Capital Fund	660,000
Sewer Capital Fund	390,000
Cargo Development Fund	-
Harbor Development Fund	500,000
Parks & Recreation Fund	50,000
Vehicle Replacement Fund	262,086
Total Planned Expenditures	3,293,841

ENTERPRISE FUNDS

	Anticipated Revenues
Cargo Fund	\$ 1,247,287
Harbor Fund	3,939,637
Boat Yard Lift	1,146,794
Harbor Electric Fund	626,680
Water Utility Fund	3,427,535
Sewer Utility Fund	4,105,618
Trident Basin Fund	303,555
E-911 Services	450,350
Total Anticipated Revenues	15,247,456

	Planned Expenditures
Cargo Fund	\$ 1,247,287
Harbor Fund	3,939,637
Boat Yard Lift	1,146,794
Harbor Electric Fund	626,680
Water Utility Fund	3,427,535
Sewer Utility Fund	4,105,618
Trident Basin Fund	303,555
E-911 Services	450,350
Total Planned Expenditures	15,247,456

INTERNAL SERVICE FUNDS

	Anticipated	
	Revenues	
Insurance Fund	\$	675,718
Total Anticipated Revenues		675,718
		Planned
		Expenditures
Insurance Fund	\$	675,718
Total Planned Expenditures		675,718
Grand Total Anticipated Revenues	\$	41,073,294
Grand Total Planned Expenditures	\$	41,073,294
	Non- Projects	37,779,453
	Non- Projects	37,779,453
	Projects	3,293,841
	Projects	3,293,841
	Total	41,073,294
	Total	41,073,294

Section 3: All unexpended appropriation balances, with the exception of capital project fund appropriations, shall lapse to the appropriate fund as of June 30, 2019.

Section 4: This ordinance shall go into effect July 1, 2018.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

First Reading: April 12, 2018
 Second Reading and Amendment: April 26, 2018
 Continued Second Reading:
 Effective Date:

**CITY OF KODIAK
RESOLUTION NUMBER 2018-04**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK APPROVING
THE CITY COUNCIL'S BUDGET GOALS FOR FY2019**

WHEREAS, budget guidelines help ensure that the City's budget is prepared in a manner consistent with City Council desires; and

WHEREAS, the City Council discussed and selected the list of budget goals at their January 6, 2018, planning meeting; and

WHEREAS, management will use the listed budget goals as a framework when developing the FY2019 budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that the following budget goals will be used in the development of the City of Kodiak's FY2019 budget:

Revenue

Revenues will continue to be estimated conservatively using an analytical and objective approach.

One-time revenues will be used only for one-time expenditures. The City will avoid using temporary revenues or grants to fund routine City services or positions.

Charges for Fees and Services will be reviewed and updated annually to ensure quality service delivery and adequate revenues.

Operating Expenses

General Fund operating (non-personnel) expenses for FY2019 will endeavor to match FY2019 projected revenues. Increases will be justified to the City Manager in writing and, if approved, presented by department heads to the City Council for final consideration during budget presentations.

Review existing programs and services to assess how well budgeted performance indicators met goals and objectives.

City management will continue to examine ways to maintain efficiencies of expenditures without significant impact to level and quality of services provided to residents.

Personnel Goals

The City will maintain adequate staffing in accordance with the approved FY2019 budget. FTEs will not increase unless new operational needs or mandates require additional employee positions.

Sections of the PR&R will continue to be reviewed and amended to improve practices that reflect recognized Human Resources standards.

General Fund

Council will review ways to increase revenues in the General Fund to help offset increases in operating expenses, meet infrastructure needs, and increase the fund balance, per the plan outlined in "Setting the Course for the Future," 1/14/12.

General Fund revenues will be forecast conservatively and take into consideration possible state funding policies that may affect City revenues such as community assistance program, shared fisheries and other shared business taxes, pension costs and liabilities, and the required allocation of sales tax.

The General Fund will be budgeted without a deficit and with a goal to maintain up to three months' operating reserves in fund balance. Council may appropriate additional funds for capital projects.

Enterprise Funds

The major enterprise funds will develop long-term plans to include maintenance and repairs, needed facility replacement or expansion, and a schedule for rate reviews.

Enterprise Funds will continue to conduct rate studies every five years and present them to the City Council for implementation.

The Shipyard will strive to maintain positive cash flows through charges for services to meet debt service payments and maintain facilities operations and maintenance costs. The Shipyard will highlight the services offered by developing a business plan and marketing campaign to maximize revenues. This plan will be reviewed annually for marketing effectiveness.

Ensure adequate revenues are established to continue to maintain and improve Harbor facilities that support fisheries and support sector services and activities.

Community Support

The total cash amount available to fund non-profit requests will continue to follow the Council established level of funding which shall not exceed 1% of budgeted General Fund revenues. In-Kind contributions shall be subject to Council approval.

Capital

Within resources available, the City will maintain capital assets and infrastructure at a level that is adequate to protect its investment, to minimize future replacement and maintenance costs, and to maintain existing service levels.

The City Manager and management staff developed the City’s first formal five-year capital improvement plan (CIP) that identifies and ranks projects for capital and major maintenance projects. The plan has additional information for ten-year expense projections for all departments and funds. The City will utilize the planning document and develop policies and procedures identifying criteria and steps for implementation. The capital budget will link to, and flow from, the multi-year capital improvement plan.

Debt Service

The City will not incur new debt without appropriate analysis to:

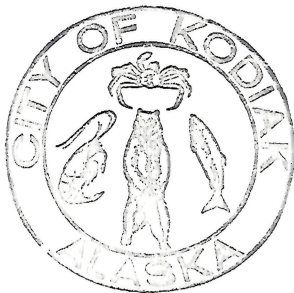
- Show impacts on rates or taxpayers, or
- Analyze financial capacity for proposed capital projects, or
- Determine if the debt is required for projects mandated by the state or federal government, needed for economic development, environmental, aesthetic or quality of life, or health and safety improvements.

Quality of Life

The City will provide adequate services that meet the community needs, priorities, challenges and opportunities with consideration given to the condition of the economy, the composition of the population, technology, legal or regulatory issues, intergovernmental issues, and physical or environmental issues.

Economic Development

The City will continue to promote and support economic development to help ensure a diverse, sustainable, and healthy economy for Kodiak.



CITY OF KODIAK

[Handwritten signature]

 MAYOR

ATTEST:


[Handwritten signature]

 DEPUTY CLERK

Adopted: January 25, 2018

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Thru: Kelly Mayes, Finance Director

Date: May 10, 2018

Agenda Item: **IV. b. Second Reading and Public Hearing, Ordinance No. 1376, Amending Chapter 3.28 of the Kodiak City Code to Condition Future Deposits Into the City Enhancement Fund on the Existence of a Minimum Fund Balance of Six Months of General Fund Operating Expenditures**

SUMMARY: This ordinance amends Chapter 3.28 Enhancement Fund deposits and adds additional criteria for inflation-proofing the Enhancement Fund. Over the most recent two fiscal periods, the City has been reviewing ways to provide services in a more efficient manner and to rebuild the fund balance of the General Fund. The City of Kodiak's Municipal Code Chapter 3.28 provides that at the completion of the prior year audit and issuance of the financial statements, should the general fund have a surplus, then one half of this surplus is transferred to the Enhancement Fund in the succeeding fiscal year. This ordinance amends the code to only transfer one-half of the general fund surplus when the fund balance of the General Fund reaches six months of budgeted operating expenses.

Other additional changes to this code section relate to inflation-proofing. A section was added to further clarify the transfers between the Enhancement Fund and the General Fund to ensure that inflation-proofing was achieving the desired results.

PREVIOUS COUNCIL ACTION:

- On March 6, 2018, Council discussed this ordinance at the work session and directed staff to proceed.
- On April 26, 2018, Council passed in the First Reading, Ordinance No. 1376, Amending Chapter 3.28 of the Kodiak City Code to Condition Future Deposits Into the City Enhancement Fund on the Existence of a Minimum Fund Balance of Six Months of General Fund Operating Expenditures

ALTERNATIVES: Council may amend, fail, or adopt Ordinance No. 1376.

CITY MANAGER'S COMMENTS: The use of fund balance is used to balance the operating budgets. One must maintain a balanced budget; however, one must also replenish that fund balance when possible, this way it is again available in the future. A conservative practice is to build back the fund whenever possible. This ordinance is meant to do just that until the fund balance of the General Fund

reaches an accumulation of six months of operating expenditures. Council can review this ordinance each year during the planning meeting.

ATTACHMENTS:

Attachment A: Ordinance No. 1376

MOTION:

Move to adopt Ordinance No. 1376.

**CITY OF KODIAK
ORDINANCE NUMBER 1376**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK AMENDING CHAPTER 3.28 OF THE KODIAK CITY CODE TO CONDITION FUTURE DEPOSITS INTO THE CITY ENHANCEMENT FUND ON THE EXISTENCE OF A MINIMUM FUND BALANCE OF SIX MONTHS OF GENERAL FUND OPERATING EXPENDITURES

WHEREAS, the City of Kodiak Enhancement fund was established from appropriations to be maintained separate and apart from all other funds and accounts of the City; and

WHEREAS, the Enhancement fund receives deposits through general fund surplus, gross proceeds from the sale and/or lease of municipal property, or other Council approved appropriations; and

WHEREAS, the unassigned fund balance of the General Fund has been reduced slowly over time; and

WHEREAS, it is a goal of the Council to strive for an accumulation of unassigned fund balance of the General fund to equal or exceed six months of General fund operating expenditures.

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

Section 1: Section 3.28.020 Deposits, of the Kodiak City Code, is hereby amended to add the following language to subsection (a) to read as follows [new language is underlined]:

3.28.020 Deposits

- (a) If the unassigned fund balance of the general fund equals or exceeds six months of general fund operating expenditures as of July 1 of the current fiscal year, fifty percent of the prior fiscal year's general fund surplus shall be deposited in the city enhancement fund by January 1 of the succeeding year. For purposes of this subsection, a "general fund surplus" is defined as the excess of revenues and other financing sources over expenditures and other financing uses, plus any residual equity transfers in less any residual equity transfers out, as identified in the audited general fund statement of revenues, expenditures, and changes in fund balance.
- (b) Fifty percent of the gross proceeds from the sale or lease of municipal real property will be deposited in the city enhancement fund; provided, however,

that proceeds allocated to enterprise funds and proceeds from the lease of property with an annual income of less than \$10,000 shall be exempt from these deposit requirements.

- (c) Any actual earnings from the fund shall be deposited in the city enhancement fund until the reconciliation of the inflation proofing at the end of each fiscal year.
- (d) The council may, by ordinance, make additional appropriations to the fund at any time.

Section 2: Section 3.28.040 Inflation Proofing, of the Kodiak City Code, is hereby amended to add a new subsection (c) to read as follows;

3.28.040 Inflation Proofing

- (a) Each fiscal year, the funds shall be inflation proofed from the earnings of the city enhancement fund as calculated by multiplying the city enhancement fund balance at the beginning of each fiscal year by an inflation factor. The inflation factor will be determined by calculating the average percentage increase in the U.S. Department of Commerce Consumer Price Index for U.S. city average, all items' indices, January index, for the five-year period ending with the current fiscal year.
- (b) Earnings in excess of the inflation-proofing amount shall be deposited in the general fund by the close of each fiscal year.
- (c) If the unassigned fund balance of the general fund equals or exceeds six months of general fund operating expenditures as of July 1 of the current fiscal year, and earnings of the city enhancement fund are not in excess of the inflation-proofing amount, the general fund shall transfer to the enhancement fund the amount by which earnings do not equal the inflation-proofing amount by the close of each fiscal year.

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 be effective one month after final passage and publication.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

First Reading: April 26, 2018


Second Reading:

Effective Date:

NEW BUSINESS

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Thru: Kelly Mayes, Finance Director

Date: May 10, 2018

Agenda Item: V. a. **First Reading, Ordinance No. 1377, Amending the Senior Citizen Sales Exemption and Ordinances Relating to the Procedure for Verifying Exempt Buyers**

SUMMARY: Since May 2016, City staff has been providing updates regarding the City's fiscal outlook, which has included reviewing each sales tax exemption offered by the City. During this review of sales tax exemptions, the City recommended to the Council a closer look at strengthening the requirements for the senior sales tax exemption. Ordinance No. 1377 provides for the following changes to this exemption: lengthening residency requirements from 30 days to 365 days; requiring a power of attorney for certified use on behalf of the senior; not allowing exemptions for tobacco, alcohol, or marijuana purchases; written warnings and civil penalties for failure to appropriately collect taxes; and a requirement that the seller shall confirm the eligibility by checking the names on the certificate and government issued identification card. All previously issued senior exemption cards are valid through December 31, 2018.

Staff recommends Council pass Ordinance No. 1377 in the first reading and advance to the second reading and public hearing.

PREVIOUS COUNCIL ACTION: The Council has held twenty-nine work sessions directly relating to the City's fiscal outlook, budgeting, revenue projections, alternative revenue sources, and sales tax exemptions. These began in May 2016 and were held approximately once per month culminating in the most recent work session held on April 24, 2018. During the April 24, 2018, work session, the Council directed City staff to move forward with the ordinance noted above.

ALTERNATIVES:

- 1) Pass Ordinance No. 1377 in the first reading and advance to the second reading and public hearing, which is staff's recommendation, because it is consistent with Council's direction at the work session on April 24, 2018.
- 2) Postpone, amend, or do not pass Ordinance No. 1377.

FINANCIAL IMPLICATIONS: Financial implications would be minimal. With increased strengthening of this ordinance, additional staff, which has been included in the upcoming FY2019

budget, would be considered necessary to administer this program (along with other previously passed changes to sales tax and sales tax exemptions).

LEGAL: This ordinance has been reviewed by the City's attorney.

STAFF RECOMMENDATION: Staff recommends Council pass Ordinance No. 1377 in the first reading and advance to second reading and public hearing.

ATTACHMENTS:

Attachment A: Ordinance No. 1377

MOTION:

Move to pass Ordinance No. 1377 in the first reading and advance to second reading and public hearing at the next regular or special Council meeting.

**CITY OF KODIAK
ORDINANCE NUMBER 1377**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK AMENDING
THE SENIOR CITIZEN SALES EXEMPTION AND ORDINANCES RELATING TO
THE PROCEDURE FOR VERIFYING EXEMPT BUYERS**

WHEREAS, the City of Kodiak grants exemption from City sales tax to certain buyers;
and

WHEREAS, under the existing ordinances these exemptions are subject to abuse by
ineligible persons; and

WHEREAS, the Council continues to support the policy of exempting certain buyers City
sales tax;

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

Section 1: Sections 2, 3 and 4 of this ordinance are of a permanent and general nature and
shall be included in the Kodiak City Code.

Section 2: Section 3.08.055 Senior citizen exemption, of the Kodiak City Code, is hereby
amended to read as follows: [deleted text is ~~struck through~~; added text is
underlined]

3.08.055 Senior citizen exemption

(a) A person 65 years of age or older who has resided in the Kodiak Island Borough for a
continuous period of ~~30~~ 365 days or more may obtain a senior citizen sales tax exemption
certificate by submitting a completed application to the finance director on a form
provided by the city. The application must be signed by the applicant under oath and shall
contain information relating to the applicant's residence, marital status, rental or
ownership of occupied dwelling, persons occupying the dwelling, and other information
reasonably necessary to determine the applicant's eligibility and monitor the use of the
exemption certificate. The applicant shall also submit for inspection and copying a birth
certificate, or other evidence determined by the finance director to be adequate, to
establish the applicant's age. The exemption certificate shall be issued without charge in
the name of the applicant and shall be valid for a period of three years.

~~(b) An exemption certificate issued to a person who is prevented or impaired from
personally making purchases or payments by a physical or mental infirmity may
designate not more than two other persons who shall be authorized to utilize the
certificate when making purchases and payments on behalf of and for the sole use and
benefit of the certificate holder or the certificate holder's spouse.~~

(b) When applying for an exemption certificate, a senior may request one other person to be authorized to present the certificate when making purchases and payments on behalf of and for the sole use and benefit of the senior and the senior's spouse by providing a duly authorized power of attorney granting the designated person lawful authority to enter into transactions involving tangible personal property on the senior's behalf as the senior's agent.

(c) (1) No person may utilize a senior citizen tax exemption certificate to purchase or acquire property or rentals that are to be consumed or utilized by a person or persons other than the certificate holder, the certificate holder's spouse, a dependent of the certificate holder, or another person or persons who would be qualified to have a senior citizen exemption certificate issued to them under this section. As used in this section, "dependent" means a child of the certificate holder or the certificate holder's spouse who resides with the certificate holder when not attending school and who receives more than one-half of his or her support from the certificate holder.

(2) Notwithstanding any other provisions of this chapter, no person may utilize a senior citizen tax exemption certificate to purchase or rent an item or service which will be used or consumed in a commercial business or enterprise or for the production of income.

(d) ~~Persons making sales or rentals to or for the benefit of a senior citizen which are exempt from tax under the provisions of this section shall confirm the identity of the person or persons presenting an exemption certificate, if not personally known to them, by requesting identification and shall maintain records of each such exempt sale with an appropriate reference to the senior citizen exemption certificate number. If the person making the sale or rental has~~ with reason to believe that it is not for use or consumption by a senior citizen or other qualified user, because of the volume, type of purchase, or other facts, that person shall promptly report the possible fraudulent use of the exemption certificate to the city finance director. The finance director shall investigate the sale or sales, and if the finance director determines that the exemption certificate is being abused, the matter shall be referred to the city manager, who shall conduct such further investigation as is determined necessary and present the facts to the council for authorization to initiate prosecution or revocation action, or both.

(e) Senior citizen exemption certificates shall be subject to revocation as provided in KCC 3.08.070.

(f) A senior citizen exemption certificate shall not authorize the purchase of any tobacco product, marijuana product, or alcoholic beverage without sales tax having been added to the purchase price and paid by the buyer, and no person shall sell any tobacco product, marijuana product, or alcoholic beverage without collecting taxes otherwise required by this chapter.

Section 3: Section 3.08.090 Addition of tax, of the Kodiak City Code, is hereby amended by the addition of a new subsection (g) to read as follows:

3.08.090 Addition of tax

(g) The seller shall add the tax in accordance with this section unless the buyer is exempt under KCC 3.08.040(f) or presents a certificate of exemption for an exemption under KCC 3.08.040(c) or (v), 3.08.050, or 3.08.055 and the seller confirms the eligibility of the person or persons presenting an exemption certificate by comparing the person's government issued identification to the names of the eligible shoppers appearing on the exemption certificate.

Section 4: Section 3.08.190 Failure to collect taxes, of the Kodiak City Code, is hereby amended to read as follows: [deleted text is ~~struck through~~; added text is underlined]

3.08.190 Failure to collect taxes

(a) A person required by this chapter to collect sales taxes levied, who fails to collect such taxes on taxable transactions, shall be assessed with a civil penalty of double the tax that should have been collected, as determined by an audit.

(b) If any of the following defenses are established, the civil penalty imposed by this section shall be waived:

(1) The securing, in good faith, of a certificate of exemption ~~or a statement of eligibility for exemption~~ from the person against whom the tax would have been levied and confirmation of the eligibility of the person or persons presenting an exemption certificate by comparing the person's government issued identification to the names of the eligible shoppers appearing on the certificate;

(2) Proof of a belief, based upon advice of legal counsel or the city finance director, that the sale, rental, or rendering of service was not subject to the tax levied by this chapter, accompanied by proof of notification in writing to the city manager based on such belief prior to or immediately following the transaction; or

(3) A reasonable attempt, in good faith, to collect the tax from the buyer.

(c) If a seller is found to have failed to confirm the eligibility of a person or persons presenting an exemption certificate by comparing the person's government issued identification to the names of the eligible shoppers appearing on the certificate, the seller, shall be assessed a civil penalty of \$100 per violation or, at the finance director's sole discretion, a written warning in lieu of this penalty.

(1) The finance director shall give written notice to the seller that the seller was found to have failed to confirm the eligibility of the person or persons presenting an exemption certificate by comparing the person's government issued identification to the names of the eligible shoppers appearing on the certificate.

(2) The finance director's determination that a seller failed to confirm the eligibility of the person or persons presenting an exemption certificate by comparing the person's government issued identification to the names of the eligible shoppers appearing on the certificate may be appealed by the seller in accordance with 3.08.180(d) and 3.08.070 (c).

(e d) A purchaser, renter, or other person obtaining property or services who fails to pay the tax levied by this chapter on a taxable transaction shall be assessed with a civil penalty of double the taxes that should have been paid.

(d e) The civil penalties imposed by this section shall be in addition to any other civil or criminal penalties imposed by this chapter.

Section 5: Section 6 of this ordinance is of this ordinance is not of permanent and general nature and shall not be included in the Kodiak City Code.

Section 6: All exemption certificates issued prior to the adoption of this ordinance shall remain valid through December 31, 2018.

Section 7: This ordinance shall be effective one month after final passage and publication.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

First Reading:
Second Reading:
Effective Date:

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers
From: Mike Tvenge, City Manager *MT*
Thru: Mark Kozak, Public Works Director
Date: May 10, 2018

Agenda Item: V. b. Authorization of Bid Award for FY2019 Petroleum Products

SUMMARY: Each year the Public Works Department issues bids for the City's petroleum products. Bids were opened on April 24, 2018, for FY2019 petroleum products. Two bids were received. Petro Marine Services was the low bidder for unleaded gasoline and North Pacific Fuel was low bidder for heating and equipment fuel. Staff recommends Council authorize the bid award for the purchase of unleaded gasoline to Petro Marine Services and heating and equipment fuel to North Pacific Fuel.

PREVIOUS COUNCIL ACTION: Annually, the City Council awards the petroleum product bid to the lowest bidder.

DISCUSSION: This bid provides all the City's fuel needs for FY2019. This includes the City's heating fuel, equipment diesel, and gasoline. Once bids are awarded, the price for each type of product will fluctuate throughout the year as fuel costs move up and down.

Petroleum product bids were opened on April 24, 2018. The bids received are summarized in the following table:

BIDDER	DIESEL Ultra low sulfur	GASOLINE	HEATING FUEL # 2	HEATING FUEL # 1*
Petro Marine Service 104 Marine Way Kodiak, Alaska 99615	\$2.46	\$2.67	\$2.46	\$2.46
North Pacific Fuel P.O. Box 1487 Kodiak, Alaska 99615	\$2.445	\$2.74	\$2.395	\$2.395

* Heating fuel #1 is needed for blending purposes during cold weather and is awarded to the vendor who is selected to provide heating fuel products.

ALTERNATIVES:

- 1) Authorize the award of the FY2019 bid for unleaded gasoline to Petro Marine Services and heating and equipment fuel to North Pacific Fuel for petroleum products as listed above.
- 2) Do not authorize the award of the petroleum bids, which is not recommended, because it would not allow City crews to maintain daily operations and services to the public.

FINANCIAL IMPLICATIONS: Fuel and heating oil costs are an operational expense. The costs are included in the appropriate departments' FY2019 operating budgets. Public Works tracks fuel use by vehicle or piece of equipment and submits a monthly report to the Finance Department. Each department is charged for the fuel used and these funds are returned to the appropriate account.

STAFF RECOMMENDATION: Staff recommends Council authorize the award of the City's petroleum products bid for FY2019 as follows: Petro Marine Services for unleaded gasoline; and North Pacific Fuel for heating and equipment fuel.

CITY MANAGER'S COMMENTS: The award of the fuel bids is done annually with bids normally awarded to the lowest bidder for the needed products. This year we received bids from both local suppliers. I support the award go to each respective low bidder.

ATTACHMENTS:

- Attachment A: Petro Marine Service bid
- Attachment B: North Pacific Fuel bid

PROPOSED MOTION:

Move to authorize award of the City's FY2019 petroleum products bid to Petro Marine Services for unleaded gasoline at \$2.67 per gallon and to North Pacific Fuel for heating and equipment fuel at \$2.395 per gallon and diesel ultra low sulfur at \$2.445 per gallon with funds coming from each department's FY2019 line items.

BID FORM

TO: Mike Tvenge, City Manager
 City of Kodiak
 710 Mill Bay Road, Rm. #114
 PO Box 1397
 Kodiak AK 99615

Any alternates to the published bid specifications must be listed by item.

In compliance with your Invitation to bid for Bid No. 2018-001 for Petroleum Products FY 2019 dated March 23, 2018, the undersigned hereby proposes to provide the following:

Item	Bid amount
1. Ultra Low Sulphur Diesel Fuel No. 2 – Estimated 30,000 gallons delivered to: Fire Hall Generator, Lift Station #1B Mill Bay, Lift Station #2B Spruce Cape, Lift Station #4 Fr. Herman, Lift Station #5 Metrokin, Monashka Pump Station, Pillar Creek Pump Station, Public Works Equipment Tank & UV Bldg Generator	\$ <u>2.46</u> (per gallon)
2. Unleaded Gasoline – Estimated 40,000 gallons delivered to: Public Works Equipment Tank	\$ <u>2.67</u> (per gallon)
3. Heating Fuel No. 2 – Estimated 90,000 gallons delivered to Barn, Kodiak Police Dept. Bldg, Kodiak Fire Dept, Public Works, Baranof Park Office Bldg, Baranof Museum, Teen Center, Kodiak Public Library, St. Paul Harbormaster Bldg, St. Paul Harbor Restroom Facility, St. Herman Harbormaster Bldg, Wastewater Treatment Plant, Baranof Park Ice-Rink.	\$ <u>2.46</u> (per gallon)
4. Heating Fuel No. 1 – This will be needed for blending purposes For cold weather conditions, and will be awarded to the vendor who is selected to provide heating fuel products.	\$ <u>2.46</u> (per gallon)

The bid will be awarded on an individual basis for each of the above items.

Invitation to Bid No. 2018-001

March 23, 2018

Copy of current Business License and Certificate of liability insurance enclosed.

Bid price valid for 30 days.

Terms 30 days

Submitted by:


Signature

Petro Marine Services - Kodiak
Business Name

Plant Manager
Title

104 E Marina Way
Address

907 486-3421
Telephone

Kodiak, Alaska 99615
City, State, Zip

Dated: 04-24-18

ATTACHMENT B: NORTH PACIFIC FUEL 7

BID FORM

TO: Mike Tvenge, City Manager
 City of Kodiak
 710 Mill Bay Road, Rm. #114
 PO Box 1397
 Kodiak AK 99615

Any alternates to the published bid specifications must be listed by item.

In compliance with your Invitation to bid for Bid No. 2018-001 for Petroleum Products FY 2019 dated March 23, 2018, the undersigned hereby proposes to provide the following:

Item	Bid amount
1. Ultra Low Sulphur Diesel Fuel No. 2 – Estimated 30,000 gallons delivered to: Fire Hall Generator, Lift Station #1B Mill Bay, Lift Station #2B Spruce Cape, Lift Station #4 Fr. Herman, Lift Station #5 Metrokin, Monashka Pump Station, Pillar Creek Pump Station, Public Works Equipment Tank & UV Bldg Generator	\$ <u>2.445</u> (per gallon)
2. Unleaded Gasoline – Estimated 40,000 gallons delivered to: Public Works Equipment Tank	\$ <u>2.74</u> (per gallon)
3. Heating Fuel No. 2 – Estimated 90,000 gallons delivered to Barn, Kodiak Police Dept. Bldg, Kodiak Fire Dept, Public Works, Baranof Park Office Bldg, Baranof Museum, Teen Center, Kodiak Public Library, St. Paul Harbormaster Bldg, St. Paul Harbor Restroom Facility, St. Herman Harbormaster Bldg, Wastewater Treatment Plant, Baranof Park Ice-Rink.	\$ <u>2.395</u> (per gallon) (Heating Fuel #1)
4. Heating Fuel No. 1 – This will be needed for blending purposes For cold weather conditions, and will be awarded to the vendor who is selected to provide heating fuel products.	\$ <u>2.395</u> (per gallon)

The bid will be awarded on an individual basis for each of the above items.

Invitation to Bid No. 2018-001

March 23, 2018

Copy of current Business License and Certificate of liability insurance enclosed.

Bid price valid for _____ days. Bid price valid until a change in NPF plant posted price.

Terms N30

Submitted by:

Rahul M. Borlson

Signature

North Pacific Fuel

Business Name

Terminal manager

Title

715 Shelikof Kodiak AK

Address

907-486-3245

Telephone

Kodiak AK 99615

City, State, Zip

Dated: 4/24/18

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager *MT*
Debra Marlar, City Clerk *DM*

Date: May 10, 2018

Agenda Item: V. c. Appointment to Parks and Recreation Advisory Board

SUMMARY: The student position on the Parks and Recreation Advisory Board is vacant, and an application has been received for appointment to the student position. The student application for the Parks and Recreation Advisory Board requires endorsement by the Student Council, which is relayed by the Student Council Advisor. The ex-officio student position term is set at the time of appointment. Appointment is made by the Mayor and confirmed by the Council.

BACKGROUND: Advisory board members are appointed at the end of each year and when terms expire and throughout the year as necessary. The Parks and Recreation Advisory Board requires that four regular members shall be residents within the Kodiak City limits, and three regular members shall be residents from inside or outside the Kodiak City limits. The residency requirement does not apply to the alternates and the student representative.

{Mayor Branson will make her appointment Parks and Recreation Advisory Board.}

Applicant:

Josh Nummer, ex-officio student seat

ATTACHMENTS:

Attachment A: Application

Attachment B: Student Advisory Email

Attachment C: Parks and Recreation Member List

PROPOSED MOTION:

Move to confirm the Mayoral advisory board appointment to the Parks and Recreation Advisory Board as stated.



City Clerk's Office
710 Mill Bay Road, Rm 219
Kodiak, AK 99615
(907) 486-8636 * (907) 486-8633 (fax)

Advisory Board Application Form

Josh Nummer

NAME

1907-486-0959

N/A

N/A

joshnummer@gmail.com

HOME TELEPHONE

WORK TELEPHONE

FAX

EMAIL

1619 Mission Road

RESIDENCE (STREET) ADDRESS

1619 Mission Road

KODIAK, AK 99615

MAILING ADDRESS

16 yrs

LENGTH OF RESIDENCE IN KODIAK

16 yrs

LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak?
Do you own property in the City of Kodiak?

Yes No
 Yes No

On which boards are you interested in serving?
(Please list in order of preference)

Please list your areas of expertise and education that
would benefit the boards for which you are applying.

Parks and Rec Advisory

I've been a part of Kodiak
sports and clubs since
I was in kindergarten

Community Activities: Teen court,
Track trash cleanup

Professional Activities: Fishing

Josh Nummer

SIGNATURE

4/17/18

DATE

Return application to City Clerk, 710 Mill Bay Road, Room 219, Kodiak, AK 99615
Fax: 486-8633

Marlar, Debra

From: Gronn, Corey
Sent: Wednesday, February 21, 2018 8:00 AM
To: Marlar, Debra
Subject: FW: Student for the Advisory Board

Corey Gronn- Director
City of Kodiak Parks and Recreation
410 Cedar St. Kodiak, AK 99615
907-486-8670
cgronn@city.kodiak.ak.us

From: Lindsey Glenn [<mailto:lglenn01@kibsd.org>]
Sent: Tuesday, February 20, 2018 9:29 PM
To: Gronn, Corey
Cc: Mel LeVan; Marcus Dunbar; jnummer
Subject: Student for the Advisory Board

Good afternoon Corey,

I would like to recommend Josh Nummer to serve as the student representative for the Parks and Rec Advisory Board. Josh is an energetic and enthusiastic student. He has been involved in multiple activities his entire high school career and will serve well on the board. I believe that he will do well to offer a broad student perspective and contribute to discussion. If you have any questions, please do not hesitate to contact me.

Sincerely,
Lindsey Glenn



Office of the City Clerk

710 Mill Bay Road, Room 219, Kodiak, Alaska 99615

PARKS AND RECREATION ADVISORY BOARD

Nine members (including two alternates) from the community chosen to reflect cultural and ethnic diversity, one USCG representative, and one student seat. Four regular members shall be residents within the Kodiak City limits, and three regular members shall be residents from inside or outside the Kodiak City limits.

TERM	BOARDMEMBER	HOME	WORK	FAX	MAILING ADDRESS	City/KIB
2018	John Butler jbjhs@ptialaska.net	486-4604	486-3706	486-2497	PO Box 2610	B
2018	Helm Johnson helm@helmarts.com	539-5014	539-5014	866-510-1563	PO Box 261	C
2018	Vacant					C
2019	Jessica Horn hikeadq@gmail.com	487-2718	Cell 942-0441		665 Sargent Creek Rd.	B
2019	Marcus Dunbar mdunbar01@kibsd.org	486-0809	Cell 317-4325		1477 Selief Lane	C
2019	John Glover jtgloverkodiak@gmail.com	486-2335	539-7004		521 Sut Larsen Way	B
2019	Ryan Murdock boneyardsurfing@gmail.com	952-1072			3272 Mill Bay Rd.	C
2019 Alternate 1	Vacant				.	B
2019 Alternate 2	Vacant					
USCG 2019	Lieutenant Commander Kyle Ensley Kyle.L.Ensley@uscg.mil	210-913-9884	487-5170 x 6678		207 Race Rock Ct. Apt. C	N/A
Student						N/A

Regular terms expire December 31 (three-year terms)

Alternate terms expire December 31 (Resolution No. 2011–23 stipulates other than ex-officio members, terms shall be for three years)

USCG & Student terms set at appointment

Legislation

Resolution Number 03–84
Resolution Number 44–86
Resolution Number 2000–4, 01/27/00
Resolution Number 01–7, 02/22/01
Resolution Number 04–25, 07/08/04
Resolution Number 2011–23, 08/25/2011

[Clerk's Note: The alternates do not make motions or vote unless regular member(s) are absent.]

Appointments

01/12/84	02/26/84	12/13/84
01/10/85	06/13/85	12/19/85
01/23/86	01/08/87	02/12/87
11/03/87	12/14/87	10/27/88
12/12/88	10/12/89	01/11/90
12/14/90	01/09/92	03/12/92
05/14/92	07/09/92	01/14/93
01/27/94	02/10/94	03/10/94
09/22/94	12/22/94	10/05/95
12/14/95	10/24/96	12/12/96
12/11/97	12/10/98	01/26/99
02/25/99	02/10/00	02/22/01
05/24/01	12/13/01	02/28/02
05/09/02	07/24/03	02/26/04
01/13/05	08/24/06	12/14/06
12/13/07	02/28/08	02/12/09
06/24/10	08/26/10	12/9/10
01/13/11	09/22/11	2/23/12
08/09/12	8/23/12	12/13/12
02/28/13	06/27/13	12/12/13
2/14/14	12/10/15	09/8/16
1/12/17		

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager *MT*
Debra Marlar, City Clerk *DM*

Date: May 10, 2019

Agenda Item: V. d. Appointment of Applicant to Fill Vacant Council Seat

SUMMARY: Councilmember Gabriel Saravia resigned his seat on the City Council effective May 4, 2018. Kodiak City Code requires the Council to fill the position within 30 days. The position was advertised in the newspaper and via public service announcements on the radio. Daniel Mckenna-Foster was the sole applicant and was interviewed by the Council at the April 24 work session.

PREVIOUS COUNCIL ACTION: The Council has appointed applicants to fill vacant Council positions when necessary.

ALTERNATIVES:

- 1) Appoint Mr. Mckenna-Foster to the vacant Council seat. This is the recommended option, because the Council interviewed Mr. Mckenna-Foster at its April 24 work session and voiced a consensus to move forward with the appointment.
- 2) Do not make the appointment. This is not recommended as the position was advertised, a qualified applicant was interviewed, and appointment at this meeting will comply with City Code requirements to fill the vacancy within 30 days

LEGAL: Kodiak City Code 2.09.040(d) requires the Council to appoint a qualified person to fill a Council vacancy within 30 days of the vacancy.

CITY CLERK RECOMMENDATION: The Clerk recommends Council make the appointment in accordance with City Code requirements.

CITY MANAGER'S COMMENTS: I support the Clerk's recommendation.

NOTES/ATTACHMENTS:

A: Letter of Interest from Daniel Mckenna-Foster

PROPOSED MOTION:

Move to appoint Daniel Mckenna-Foster to the vacant seat on the City Council for a term ending when the October 2, 2018, election has been certified.

MAY 10, 2018
Agenda Item V. d. Memo Page 1 of 1

Daniel Mckenna-Foster
1522 Mission Rd. #2
Kodiak, AK, 99615

April 16, 2018

710 Mill Bay Road
Kodiak, AK, 99615



Dear Kodiak City Council,

I am writing to express my interest in filling the seat that has recently become available on the Kodiak City Council. I would like to be considered for this seat because I believe I have experience and skills that could be beneficial to the Council, and I look forward to the possibility of lending my time and energy towards the continued betterment of our community.

- As a resident of the City, I care deeply about how Kodiak runs and what it is like to live here.
- As a citizen, I do my best to play an active role in this community and am a member of several local organizations.
- As a former cafe owner, I understand the complexities of running a small business, especially in resource-constrained environments.
- As a land-use planner by profession, I always attempt to seek out the true causes of problems, endeavor to ask the right questions, and examine issues both in their micro and macro contexts.
- As a public employee, I am familiar with the processes and procedures of creating and implementing policy and running a municipality.

I am excited about this opportunity to work with others and give back to our community, and I would be glad to provide any additional information that would be helpful to the Council.

Sincerely,
Daniel Mckenna-Foster


A handwritten signature in blue ink, appearing to read "Daniel Mckenna-Foster".

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EXECUTIVE SESSION

MEMORANDUM TO COUNCIL

To: Mayor Branson and City Councilmembers

From: Mike Tvenge, City Manager 

Date: May 10, 2018

Agenda Item: X. a. City-Ocean Beauty Lease Agreement – Post-Termination Issues

SUMMARY: The City Council will enter into executive session to discuss post termination issues regarding the Ocean Beauty Lease Agreement.

PROPOSED MOTION:

Move to enter into executive session pursuant to KCC 2.04.100(b)(1) and (c) to discuss legal matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the City.

MAY 10, 2018
Agenda Item X. a. Memo Page 1 of 1

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MEMORANDUM TO COUNCIL

Date: May 10, 2018

Agenda Item: XI. Oath of Office

SUMMARY: KCC 2.28.080 requires elected officials to take and subscribe to the Oath of Office. The City Clerk will now administer the Oath of Office to Daniel Mckenna-Foster, the City's newly appointed Councilmember.

NOTES/ATTACHMENTS:

Attachment A: Oath of Office

CITY OF KODIAK, ALASKA

Oath of Office

May 10, 2018

I, Daniel Mckenna-Foster, do solemnly affirm that I will support the Constitution and laws of the United States, the laws of the State of Alaska, the ordinances of the City of Kodiak, and that I will faithfully and honestly perform the duties of Councilmember, so help me God.

CITY OF KODIAK

Daniel Mckenna-Foster

ATTEST:

Debra L. Marlar, City Clerk