

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, MARCH 14, 2019
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Mayor Pat Branson called the meeting to order at 7:31 p.m. Councilmembers Laura B. Arboleda, Randall C. Bishop, Charles E. Davidson, Richard H. Walker, and John B. Whiddon, were present and constituted a quorum. Councilmember Terry J. Haines was absent. City Manager Mike Tvenge, City Clerk Debra Marlara, and Assistant Clerk Annika Woods 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 February 28, 2019, regular meeting as presented.

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

III. PERSONS TO BE HEARD

a. Public Comments

None

IV. UNFINISHED BUSINESS

a. Executive Session for the City Manager's Annual Performance Review

Annually, the City Council reviews the performance of the City Manager. In accordance with the Open Meetings Act, the City Manager does not object to the evaluation being done in executive session. The motion to enter into executive session for this review was originally made and postponed at the December 13, 2018, regular meeting.

Councilmember Davidson MOVED to suspend the rules and perform the Manager's annual performance review following Executive Session item a.

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

V. NEW BUSINESS

a. First Reading, Ordinance No. 1384, Repealing and Re-enacting Chapter 2.36 of the Kodiak City Code Pertaining to Management of Records and Amending Chapters 13.04, 13.16, 18.28, and 18.36

Ordinance No. 1384 repeals and re-enacts the records management ordinance, and it amends chapters 13.04 (Water System Regulations), 13.16 (Sewer Regulations), 18.28 (Port and Harbor Facilities) and 18.36 (Kodiak Municipal Airport). Over the last five years a substantial increase in public records requests has occurred. The Clerk's office and City Manager's office have worked with the City Attorney to develop this draft ordinance, which was prepared by our City Attorney, Brooks Chandler. The focus of the revisions was to assure that the ordinance covered applicable state law for records, and that there is a balance between public access and an individual's right to privacy.

Councilmember Walker MOVED pass Ordinance No. 1384 in the first reading and advance to second reading and public hearing at the next regular or special Council meeting.

Councilmember Whiddon thanked Deputy Clerk Michelle Shuravloff-Nelson for her hard work on the ordinance and overall management of City records.

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

b. Resolution No. 2019–06, Adopting the Federal Fiscal Year 2019 Supported Federal Issues List and Fiscal Year 2020 Federal Projects Capital List

The City identifies capital improvement projects (CIP) important to the maintenance and/or improvement of the City's infrastructure as well as issues that are important to the City or greater community. Staff worked closely with the City's federal lobbyist, Brad Gilman, of Robertson, Monagle & Eastbaugh to articulate the list of projects and issues, which the Mayor will promote in Washington, D.C. The Prioritized Federal Capital Project Lists include: Fire Station Phase II in the amount of \$14,000,000 (Priority 1); Waste Water Treatment Plant Ultraviolet (UV) System in the amount of \$4,500,000 (Priority 2); St. Herman Harbor Infrastructure Replacement in the amount of \$28,000,000 (Priority 3); Waste Water Treatment Plant Facility \$19,000,000 (Priority 4); Shelikof Street \$1,950,000 (Priority 5). The issues included the EPA's "Waters of the U.S. Rule" and the Pink Salmon Disaster Assistance.

Councilmember Arboleda MOVED to adopt Resolution No. 2019-06.

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

c. Reappointment of Wayne Donaldson

The City of Kodiak has a dedicated seat for a representative on the Prince William Sound Regional Citizens' Advisory Council (PWSRCAC). Wayne Donaldson has served as the City's representative since January 8, 2015, and he has requested re-appointment. While serving as the City's representative, Mr. Donaldson has served as PWSRCAC Treasurer and on the Scientific Advisory Committee.

Councilmember Bishop MOVED to re-appoint Wayne Donaldson to a two year term as the City of Kodiak representative on the Prince William Sound Regional Citizens' Advisory Council.

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

VI. STAFF REPORTS

a. City Manager

The City Manager shared that the Kodiak Tsunami Operations Workshop presented by Alaska Division of Homeland Security and Emergency Management finished today. Other presenters were National Weather Service, Alaska Division of Geological and Geophysical Surveys, United States Coast Guard, and Kodiak Public Safety Chiefs. Information specific to tsunami-related threats to Kodiak Island were provided over the last two and a half days.

The City authorized two community permits. Beginning March 15, the Philippine American Association of Kodiak will host the Consular Outreach at the Kodiak Teen Center to assist with legal documents, passport renewal and extensions. Kodiak Relay for Life is hosting a Saint Patrick's Day "snowball fight" at Sargent Park from 3-5 p.m. this Sunday. Both events are allowable under KCC 5.04.050 Permits for community festivities.

Parks & Recreation will close the ice rink to skating March 26. Approximately 30,000 skaters (including those who skated multiple days) utilized the facility over the course of last winter.

The Crime Prevention and Response and Equipment Funding grant the Council previously discussed during the February 26 work session was submitted and the City was notified last week of the grant's approval. The \$100,000 grant will purchase 20 new radios for the Kodiak Police Department.

The Kodiak Public Works Department will hold a Pillar Mountain road cleanup on March 26. Interested volunteers are encouraged to contact Public Works Director Craig Walton at 486-8062. The road is intended to re-open following the clean up on April 1.

b. City Clerk

Clerk Marlara reminded everyone of the upcoming March meetings. She shared there will be a Town Hall Meeting March 30 at Afognak Building to discuss the Governor's proposed budget.

VII. MAYOR'S COMMENTS

Mayor Branson thanked Deputy Clerk Michelle Shuravloff-Nelson for her hard work on the records ordinance. She also thanked Wayne Donaldson for volunteering again. She stated the Governor was invited to the town hall. Representative Louise Stutes and Senator Gary Stevens will be attending. Mayor Branson thanked the public for testifying on behalf of the Alaska Marine Highway, and reminded everyone there will be a committee hearing lead by Senator Click Bishop regarding the fisheries tax next week.

VIII. COUNCIL COMMENTS

Councilmember Walker echoed Mayor Branson's thanks to Wayne Donaldson volunteering again. He also thanked Michelle Shuravloff-Nelson for a great job updating the City Code.

Councilmember Bishop said he is glad about the town hall meeting and stressed the importance of the public attending. He thanked Craig Walton for coordinating the cleanup of Pillar Mountain.

Councilmember Davidson thanked the Deputy Clerk for her work on records. He wished Mike Rostad a speedy recovery. In regards to the government budget, he encouraged the public to call Governor Dunleavy and his staff about the State budget to make sure Kodiak is represented.

Councilmember Whiddon recognized Chief Putney for the approval of the grant and stated he is glad the Kodiak Police Department is getting new radios. He reminded everyone about the Fisheries Work Group on March 20. He listed some of the topics that will be discussed.

Councilmember Arboleda thanked Michelle Shuravloff-Nelson and staff for the hard work on City records management. She stated that at the Tuesday Work Session a lengthy discussion was held about the placement of the fire station. She encouraged community members to give their opinions at the upcoming work Session on March 26. The Near Island Plan will also be discussed at the upcoming work session. She reminded everyone about Comfish.

IX. AUDIENCE COMMENTS

None

X. EXECUTIVE SESSION

a. Legal Advice re Chiesa v. City of Kodiak

Councilmember Davidson MOVED to enter into Executive Session to receive legal advice about Chiesa v the City of Kodiak.

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

The Council entered into executive session at 7:56 p.m.

The Mayor reconvened the regular meeting at 8:28 p.m.

b. City Manager's Annual Performance Review

Annually, the City Council reviews the performance of the City Manager. In accordance with the Open Meetings Act, the City Manager does not object to the evaluation being done in executive session.

The Council entered into executive session at 8:29 p.m.

The Mayor reconvened the regular meeting at 9:34 p.m.

XI. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

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

The meeting adjourned at 9:35 p.m.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Minutes Approved: March 28, 2019