

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, MAY 14, 2020**

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

Mayor Pat Branson called the meeting to order at 7:30 p. m. and stated for the record that some Elected Officials are participating via Audio/Video Conferencing and Councilmember Whiddon is attending in person. She announced the meeting is broadcasted over KMXT 100. 1 FM and that for everyone's protection, there will be no public in-person attendance for the regular meeting in compliance with the Centers for Disease Control and Prevention's guidance on social distancing. She stated that meeting agendas and packets are available online on the City of Kodiak website.

Councilmembers Laura B. Arboleda, Charles E. Davidson, Terry J. Haines, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. Councilmember Randall C. Bishop was absent. City Manager Mike Tvenge, City Clerk Nova Javier, and Deputy Clerk Michelle Shuravloff-Nelson were also present.

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

At 7:32 p. m. Clerk Javier noted the audio/video conference disconnection with Councilmember Davidson.

II. PREVIOUS MINUTES

Councilmember Whiddon MOVED to approve the minutes of the April 23, 2020, regular meeting as presented.

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

III. PERSONS TO BE HEARD

a. Proclamation: Municipal Clerks Week

Councilmember Haines read this proclamation which recognized Municipal Clerks for the vital services they perform and their dedication to our community.

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

b. Proclamation: Police Week and Peace Officers Memorial Day

Councilmember Walker read this proclamation which urged all citizens including 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 doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens. This proclamation also encouraged 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.

Police Chief Putney accepted the proclamation and thanked the Council for the recognition.

c. Proclamation: Emergency Medical Services Week

Councilmember Davidson read this proclamation which urged residents to recognize the value and the accomplishments of emergency medical services providers. He noted that their day to day response saves lives especially during these times of a worldwide pandemic.

There was audio/video conference disconnection with Councilmember Davidson at 7:37 p. m.

Mayor Branson finished reading the Emergency Services Week proclamation.

Fire Chief Mullican accepted the proclamation and stated his staff has suited up and responded to emergency patients during COVID-19. He said the focus is to keep patients and staff safe.

d. Public Comments

None.

IV. UNFINISHED BUSINESS

V. NEW BUSINESS

a. Ordinance No. 1397 Extending Ordinance No. 1395, An Emergency Ordinance of the Council of the City of Kodiak Temporarily Authorizing the Suspension and/or Modification of Various Sections of the Kodiak City Code or Ordinances Regarding Public Meetings and Participation in Order to Ensure the Health, Safety, and Welfare of our Community During a State-Declared Public Health Emergency and Declaring an Emergency

Mayor Branson read Ordinance No. 1397 by title. The Council adopted Ordinance No. 1395 on March 18, 2020, and the effective date of the ordinance expires on May 17, 2020. Kodiak had its first positive test results for COVID-19 on April 15, 2020, and the risks of COVID-19 will continue to exist. This proposed ordinance will allow an extension of suspension and/or modification of code and ordinances regarding public meeting and participation until suspended by August 15, 2020, or by the Kodiak City Council, whichever is sooner.

Councilmember Davidson reconnected with the audio/videoconference at 7:50 p. m.

Councilmember Walker MOVED to adopt Ordinance No. 1397.

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

b. First Reading, Ordinance No. 1398 Establishing Supplemental Appropriation No. 1 to the Budget for the Fiscal Year Commencing on the First Day of July 2019 and Ending on the Thirtieth Day of June 2020

Mayor Branson read Ordinance No. 1398 by title. The Supplemental Appropriation No. 1 to the budget for the fiscal year commencing on the first day of July 2019 and ending on the thirtieth day of June 2020 is in the amount of \$8,040,649. It is customary for the City Council to approve at least one supplemental budget annually to authorize the adjustments of current revenues and expenses as detailed in the attachments provided. These adjustments are for the operating funds as well as additions to project funds for grant revenues received and additional expenditures needed that were not known at the time the original budget was adopted.

Councilmember Haines MOVED to pass Ordinance No. 1398 in first reading to advance to second reading and public hearing at the next regular or special Council meeting.

Councilmember Haines extended his appreciation to staff for the supplemental budget.

Councilmember Davidson lost audio connection.

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

Councilmember Davidson arrived at the regular meeting in person at 7:57 p. m.

c. Emergency Ordinance No. 1399, Declaring an Emergency and Authorizing the Finance Director to Waive Certain Penalties and Interest on Delinquent Sales Tax Returns

Mayor Branson read Ordinance No. 1399 by title. Kodiak City Code Chapter 3.08 authorizes the Finance Director to waive certain fees for goodcause. This non-code ordinance is presented to give the Finance Director the administrative discretion to waive late filing penalties and interest. This ordinance is a short term change to the sales tax penalties and interest section of code, which will allow for filings to be waived that are due on April 30. The waived fees will be for three quarters reporting period January 1 through September 30. Customers who will be requesting assistance under payment plans will be handled on a case by case basis upon approval from the finance director.

Councilmember Davidson MOVED to adopt Ordinance 1399.

Councilmember Whiddon MOVED to amend by substitution Ordinance 1399(SUB).

Councilmember Whiddon explained the substitution was to allow the waiver of penalty and interest until September 30.

Councilmember Davidson said this does not waive the responsibilities of their bills but allows the Finance Director to work with individuals.

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

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

d. Resolution No. 2020–12, Accepting a NOAA Tsunami Hazard Mitigation Program Award for Tsunami Sirens

Mayor Branson read Resolution No. 2020–12 by title. The City has been awarded \$108,000 through the 2019 U. S Department of Commerce National Oceanic and Atmospheric Administration (NOAA) Tsunami Hazard Mitigation Program for the purchase and installation of outdoor warning sirens. The award performance period is from September 1, 2019, to August 31, 2020. Staff recommends Council adopt Resolution No. 2020–12, which will assist with the funding of the tsunami siren project.

Councilmember Arboleda MOVED to adopt Resolution No. 2020–12.

Councilmember Davidson thanked the Chief of Police and Fire Chief for their work on the tsunami siren funding.

Councilmember Whiddon thanked the Chief of Police, Fire Chief, and the City Manager's office for their work on this funding and their forward thinking.

Councilmember Haines said the City said the staff made rapid efforts to obtain the funding and sirens once it was identified the alarms were not adequate.

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

e. Resolution No. 2020–13, Authorizing the Suspension and/or Modification of Section 14 (Utilities) of the Schedule of Fees, Charges, and Tariffs During a State-Declared Public Health Disaster

Mayor Branson read Resolution No. 2020–13 by title. On April 9, 2020, SB241 was signed into law. The Council discussed the additional local changes to utility billing, the process for residents and commercial establishments to access the declaration of financial hardship, and how restricting late fees and disconnects during COVID-19 and public health emergency would administratively occur. This resolution outlines the temporary billing modifications for a clear and concise process.

Councilmember Walker MOVED to adopt Resolution No. 2020–13.

Councilmember Whiddon MOVED to amend by substitution Resolution No. 2020–13(SUB).

Councilmember Whiddon clarified the business closure relief for partial closure reduction will be extended until November 15, 2020, or until the businesses return to 100% operational whichever comes first.

The roll call vote on the amendment was Councilmembers Arboleda, Davidson, Haines, Walker, and Whiddon. Councilmember Bishop was absent. The motion passed.

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

d. Authorization of Professional Services Agreement with Jacobs/CH2M for Construction Phase Services for the Waste Water Treatment Plant UV Effluent Disinfection Facility, Project No. 20-04/7526.

Jacobs/CH2M, the project “Engineer of Record”, will provide construction phase services for the City of Kodiak’s (City’s) WWTP UV Disinfection facility construction project. Jacobs will provide the project’s non-resident construction services.

Councilmember Walker MOVED to authorize the Professional Services Agreement with Jacobs Engineering for Construction Phase Services for the Waste Water Treatment Plant UV Effluent Disinfection Facility Project in the amount of \$340,000 with funds from Project No. 20-04/7526 and authorize the City Manager to execute documents on behalf of the City.

Councilmember Davidson stated this project is unfunded federal mandate.

Councilmember Whiddon commended staff for working to reduce the professional services agreement amount after they were asked to reduce costs.

Councilmember Walker said that Jacobs Engineering is a reputable firm and he is pleased with this contract.

Councilmember Haines said that Jacobs Engineering was previously CH2M Hill.

Councilmember Davidson appreciated that staff were able find a loan with low interest rate.

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

VI. STAFF REPORTS

a. City Manager

Manager Tvenge said the Borough is requesting dumpsters be placed between hillside drive and Pillar Mountain. He said this will be placed on a future Council work session for discussion. He thanked the membership of the Emergency Operations Center, which consists of City, Borough, and School District staff, which have worked with business communities during COVID-19 for 59 days. He said the City of Kodiak will celebrate its 80th Birthday on September 11, 2020.

b. City Clerk

City Clerk Javier said that City offices will be closed on May 25 in observance of Memorial Day. She summarized the upcoming May meetings.

VII. MAYOR'S COMMENTS

Mayor Branson said she is very proud of the community and especially the work of the Emergency Services Council (ESC) and the Emergency Operation Center (EOC). She stated they are on their 59th day of work. She referred to the potential funding for communities through the legislature. She thanked the Council and said the support to the business community by the Kodiak Economic Task Force is appreciated. Mayor Branson shared information regarding the State and Federal Health officials visit to Kodiak. She complimented the Alaska Chief Medical Officer, Dr. Zink and shared that Alaska Director of Public Health, Heidi Hedberg, Senior Medical Officer of the U. S Department of Homeland Security, Dr. Alexander Eastman, Chief of Staff from the Governors' office Ben Stevens, and Alaska Native Tribal Health Medical Director of Community and Health Systems Improvement, Dr. Robert Onders began their visit began on the USCG base and met with USCG Commander Good and then went to Trident and Ocean Beauty facilities. She said they then toured the alternate care site at North Star and the EOC. She commended the School District and the role they have played in the community during the pandemic. She said they had a great meeting with the delegation and they were impressed with the collaboration within the community. She stressed the importance in connecting with the representatives. She appreciated the information, the new established relationships, and the opening of future communications.

She said she received a call from Senator Sullivan stating they were very supportive of Kodiak and they encouraged Kodiak to seek assistance as needed. She said there is more information regarding funding that will be forthcoming.

VIII. COUNCIL COMMENTS

Councilmember Arboleda expressed her appreciation for the Emergency Services Council and Organization, the Kodiak Economic Task Force, and the Chamber of Commerce. She commended all the mitigation plans within the business community. She thanked the Council and staff.

Councilmember Davidson thanked Emergency Services Council and staff. He said he feels secure knowing that they are working on the public's safety. He commented on the ADEC loan interest rate which is at 1.5 %.

Councilmember Haines stated he agreed with the Council comments. He commended the Borough and the local stores for their service along with the Manager, Clerk, Mayor and Councilmember Whiddon for their efforts.

Councilmember Walker thanked the City staff. He congratulated and highlighted the Kodiak High School class of 2020. He encouraged their future endeavors and acknowledged many of the signs and banners within the community. He commended the State Defense Force for the services they are providing.

Councilmember Whiddon complimented the City Manager for his work and leadership during this declared public health emergency. He said Manager Tvenge has worked through unchartered waters, shown his dedication, and has done a great job. He said the Economic Task Force was enthusiastic about the CARES Act funding and he looks forward to the dissemination of those funds.

IX. AUDIENCE COMMENTS

None.

X. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

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

The meeting adjourned at 8:28 p.m.

CITY OF KODIAK



MAYOR

ATTEST:



CITY CLERK

Minutes Approved: May 28, 2020