

**MINUTES OF THE REGULAR COUNCIL MEETING  
OF THE CITY OF KODIAK  
HELD June 30, 2005,  
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Mayor Carolyn L. Floyd called the meeting to order at 7:30 p.m. Councilmembers Charles E. Davidson, Josefina F. Rosales, Thomas D. Walters, and David M. Woodruff were present and constituted a quorum. Councilmembers Dennis A. McMurry and Gabriel T. Saravia were absent. City Manager Linda L. Freed, City Clerk Debra L. Marlar, and Deputy Clerk Kris Williams were also present.

After the Pledge of Allegiance, Salvation Army Captain David Davis gave the invocation.

**II. PREVIOUS MINUTES**

Councilmember Walters MOVED, seconded by Councilmember Davidson, to approve the minutes of the May 26, 2005, regular meeting as presented.

The roll call vote was Councilmembers Davidson, McMurry, Rosales, Walters, and Woodruff in favor. Councilmembers McMurry and Saravia were absent. The motion passed.

**III. AGENDA AMENDMENT**

None

**IV. PERSONS TO BE HEARD**

**a. Public Comments**

Gretchen Saupe, Kodiak Senior Center board member, thanked the Council for the City's nonprofit cash contribution, and stated the cash contribution was vital for the Senior Center to be eligible for State and Federal grants.

**V. UNFINISHED BUSINESS**

None

**VI. NEW BUSINESS**

**a. First Reading, Ordinance No. 1194, Authorizing a Lease of the Head Start Building to Rural Alaska Community Action Program, Inc.**

Mayor Floyd read Ordinance No. 1194 by title. The City of Kodiak has leased property on Hillside Drive to the Rural Alaska Community Action Program, Inc. (RurAL CAP) for the Kodiak Head Start Program for more than ten years. The current lease with RurAL CAP expired June 30, 2005, and RurAL CAP requested to continue to lease the building located at 419 Hillside Drive. The prior lease

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was reviewed and updated by the City attorney, and the new lease contains essentially the same terms and conditions.

Councilmember Walters MOVED, seconded by Councilmember Woodruff, to pass Ordinance No. 1194 in the first reading and advance to second reading and public hearing at the next regular meeting.

The roll call vote was Councilmembers Davidson, Rosales, Walters, and Woodruff in favor. Councilmembers McMurry and Saravia were absent. The motion passed.

**b. Resolution No. 05-24, Authorizing Payment of Fiscal Year 2006 Nonprofit Organization Grants and In-Kind Contributions**

Mayor Floyd read Resolution No. 05-24 by title. The City of Kodiak had historically provided both cash contributions and in-kind donations to local nonprofit organizations. In May, the City Council adopted Resolution Number 05-20, which established funding criteria for FY'06 nonprofit grants. The total amount budgeted for FY'06 cash grants was \$96,800. The school crossing guard program was budgeted at \$24,000, the same as last year, with funding split evenly between the City of Kodiak and the Kodiak Island Borough. At the direction of the Council, nonprofit grant applications for cash contributions are evaluated by the Manager, based on the adopted criteria. The FY'06 grant application form was sent to all local nonprofit agencies that were eligible for funding, as stipulated by Resolution Number 05-20.

Councilmember Davidson MOVED, seconded by Councilmember Walters, to adopt Resolution 05-24.

The roll call vote was Councilmembers Davidson, Rosales, Walters, and Woodruff in favor. Councilmembers McMurry and Saravia were absent. The motion passed.

**c. Resolution No. 05-25, Authorizing the Issuance of a Permit to the American Legion Post 17 for Use of Public Property in Conjunction With Fourth of July Celebrations**

Mayor Floyd read Resolution No. 05-25 by title, which authorized a permit to the American Legion Post 17 for its annual Fourth of July parade. Street closures for the parade will take place on Monday, July 4th from 11 a.m. to 12:30 p.m. beginning at the St. Paul Harbor gazebo, turning left onto Marine Way, turning right onto Rezanof, turning right onto Mission Road, turning right onto Marine Way, and ending at St. Paul Harbor gazebo.

Councilmember Rosales MOVED, seconded by Councilmember Walters, to adopt Resolution 05-25.

The roll call vote was Councilmembers Davidson, Rosales, Walters, and Woodruff in favor. Councilmembers McMurray and Saravia were absent. The motion passed.

**d. Resolution No. 05-26, Adopting a Capital Improvements Program and Operational and Administrative Actions for the Kodiak Municipal Airport and Lilly Lake Seaplane Base**

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Mayor Floyd read Resolution No. 05–26 by title. Approximately a year ago, with grant funding from the Federal Aviation Administration, the City Council selected DOWL Engineers to develop the Kodiak Municipal Airports System Plan to provide guidance for the development of Kodiak's municipal aviation facilities over the next twenty years. A final draft of the plan has been completed. A draft resolution establishing planned improvements for the Kodiak Municipal Airport and Lilly Lake was discussed at the May 24th work session, and suggested revisions to the resolution are included in the resolution before the Council for adoption.

Councilmember Walters MOVED, seconded by Councilmember Woodruff, to adopt Resolution 05–26.

The roll call vote was Councilmembers Davidson, Rosales, Walters, and Woodruff in favor. Councilmembers McMurray and Saravia were absent. The motion passed.

**e. Resolution No. 05–27, Adopting a Capitol Improvements Program and Operational and Administrative Actions for the Trident Seaplane Base**

Mayor Floyd read Resolution No. 05–27 by title. Approximately a year ago, with grant funding from the Federal Aviation Administration, the City Council selected DOWL Engineers to develop the Kodiak Municipal Airports System Plan to provide guidance for the development of Kodiak's municipal aviation facilities over the next twenty years. A final draft of the plan has been completed. A draft resolution establishing planned improvements for the Kodiak Municipal Airport and Lilly Lake was discussed at the May 24th work session, and suggested revisions to the resolution are included in the resolution before the Council for adoption.

Councilmember Walters MOVED, seconded by Councilmember Woodruff, to adopt Resolution 05–27.

The roll call vote was Councilmembers Davidson, Rosales, Walters, and Woodruff in favor. Councilmembers McMurray and Saravia were absent. The motion passed.

**f. Resolution No. 05–28, Authorizing the Installation of a Memorial Sculpture in Honor of the Skipper and Crew of the F/V Big Valley**

Mayor Floyd read Resolution No. 05–28 by title. At the May 24th work session, the Council considered a request to install a memorial in Spruce Street Park in honor of the crew of the F/V Big Valley. The Council supported the memorial sculpture but, due to its design, expressed concern about placing the sculpture in the park because children might climb on the sculpture and damage it or injure themselves. Therefore, the Council suggested alternative locations be considered. Resolution No. 05–28 authorizes the installation of the memorial sculpture on a suitable piece of City property.

Councilmember Rosales MOVED, seconded by Councilmember Walters, to adopt Resolution 05–28.

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The roll call vote was Councilmembers Davidson, Rosales, Walters, and Woodruff in favor. Councilmembers McMurry and Saravia were absent. The motion passed.

**g. Authorization of Bid Award With Brechan Enterprises, Inc. For Pier II Fence, Project No. 05-22**

Bids for the Pier II Fence Project were opened on June 20, 2005. Two bids were received:

Brechan Enterprises, Inc. ....	\$92,895
Red Hook Construction, LLC .....	\$92,950
Engineer's Estimate.....	\$108,900

The project costs are being funded by a 2003 State Homeland Security Grant Program Part II Critical Infrastructure Protection Program grant.

Councilmember Walters MOVED, seconded by Councilmember Rosales, to award the bid for the Pier II Fence Project to Brechan Enterprises, Inc. in the amount of \$92,895, with funds from the Capital Projects Fund, Cargo Development Fund, Pier II Fencing Account.

The roll call vote was Councilmembers Davidson, Rosales, Walters, and Woodruff in favor. Councilmembers McMurry and Saravia were absent. The motion passed.

**h. Authorization of Purchase of a Used Backhoe From Yukon Equipment**

The FY'06 budget includes funds to replace one of the Public Works Department's backhoes, which has been in service for fifteen years and has reached the end of its useful life. Kodiak City Code section 3.12.100 provides for the purchase of used heavy equipment. A used backhoe that meets the needs of the City is available for purchase from Yukon Equipment, the Case dealer for Alaska. City staff performed a mechanical inspection of the backhoe and found it to be in "like new" condition. Manager Freed noted the Council had voiced a consensus at the June 28th work session to donate the old backhoe to the Kodiak Rodeo Board.

Councilmember Woodruff MOVED, seconded by Councilmember Walters, to authorize purchase of a 2004 Case 580 Super M Series II Backhoe (serial number N4C304895), with 24-month power train warranty, from Yukon Equipment in the amount of \$64,565, with half of the funds coming from the Water Utility Fund and half of the funds coming from the Sewer Utility Fund.

The roll call vote was Councilmembers Davidson, Rosales, Walters, and Woodruff in favor. Councilmembers McMurry and Saravia were absent. The motion passed.

**i. Authorization of FY '06 Contract for Community Jail Services**

For many years, the State of Alaska has contracted with the City of Kodiak for the operation of the regional community jail and has asked the City to continue to provide contract operation of the jail in FY'06. The proposed FY'06 contract is generally the same as the contract for each of the last three years, with the exception that funding has been increased approximately \$50,000 for FY'06, more closely matching the amount spent by the City to operate the facility.

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Councilmember Davidson MOVED, seconded by Councilmember Rosales, to approve the FY'06 Community Jail Services Contract with the State of Alaska in the amount of \$550,304.80.

The roll call vote was Councilmembers Davidson, Rosales, Walters, and Woodruff in favor. Councilmembers McMurry and Saravia were absent. The motion passed.

**j. Authorization of Third Amendment to the Professional Services Agreement for Legal Services With Birch, Horton, Bittner and Cherot**

In early July 2000, the Mayor and several City Councilmembers telephonically interviewed representatives of four firms under consideration as the City's primary legal counsel. On July 27, 2000, a three-year professional services agreement for legal services was approved by the City Council with Birch, Horton, Bittner and Cherot, which provided for three one-year extensions at the Council's option.

Councilmember Walters MOVED, seconded by Councilmember Woodruff, to authorize the third amendment to the Professional Services Agreement for Legal Services with Birch, Horton, Bittner and Cherot.

The roll call vote was Councilmembers Davidson, Rosales, Walters, and Woodruff in favor. Councilmembers McMurry and Saravia were absent. The motion passed.

**k. Authorization of Voluntary Suspension of Taxicab Permits 10 and 23**

Myrna Naparato, owner of Taxicab Permit No. 10, requested voluntary suspension of the permit from May through October 2005, and Felicisimo Francisco, owner of Taxicab permit No. 23, requested voluntary suspension of the permit from June through November 2005. Kodiak City Code allows for the voluntary suspension of a single permit not to exceed six months in a calendar year.

Councilmember Rosales MOVED, seconded by Councilmember Walters, to authorize the voluntary suspension of Taxicab Permit No. 10 from May through October 2005 and Taxicab Permit No. 23 from June through November 2005.

The roll call vote was Councilmembers Davidson, Rosales, Walters, and Woodruff in favor. Councilmembers McMurry and Saravia were absent. The motion passed.

**VII. CITY MANAGER'S REPORT**

Manager Freed announced Representatives Gillchrest and Young will be in Kodiak for a fisheries hearing on July 8th at 11 a.m. at the High School Commons, and although testimony was by invitation only, the public was invited to attend. She further stated the Department of Fish & Game will hold a stakeholders meeting that same day from 9 a.m. to 10:30 a.m. Manager Freed informed the Council and public that the City reservoirs, which turned over twice a year, had recently turned over, resulting in more organic matter in the water. She stated the water was safe, met all Department of Environmental Conservation requirements, and was tested regularly. Manager Freed stated Stellar

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Way would be paved in July and Alder and Natalia would be paved in August. Manager Freed reminded the community that fireworks would go off on Sunday July 3rd at midnight.

#### **VIII. MAYOR'S COMMENTS**

Mayor Floyd urged the community to remember Kodiak soldiers serving in Iraq. She reported on her recent attendance at the National League of Cities Summer Advisory Board meeting in Denver, Colorado where the Board discussed economic vitality. Mayor Floyd encouraged the community to enjoy the Forth of July fireworks.

#### **IX. COUNCIL COMMENTS**

Councilmembers praised Councilmember Woodruff and wished him a speedy recovery. Councilmembers also encouraged the community to watch the Fourth of July fireworks and to have a safe and enjoyable holiday.

Councilmember Woodruff provided a report on the rockfish, halibut, and black cod fisheries. He noted Congressman Young will be in Kodiak to discuss the re-authorization of the Magnuson-Stevens Act, noting the first draft was created in Kodiak nearly 30 years ago. He stated he would be out of town for ten days in July for medical treatment.

Councilmember Walters noted it was a bad time for Representatives Gilcrest and Young to hold fishery hearings in Kodiak because most fishermen were out of town. He stated he hoped they would return when fishermen were able to participate.

Councilmember Davidson noted the testimony at the Magnuson-Stevens re-authorization hearing was by invitation only, and large vessel owners would be represented; he questioned who would speak for the crew members.

Councilmember Rosales noted fishing was vital to the entire community, and it was important that all be heard.

#### **X. AUDIENCE COMMENTS**

None

#### **XI. ADJOURNMENT**

Mayor Floyd adjourned the meeting at 8:12 p.m.

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CITY OF KODIAK

*Carolyn Floyd*  
MAYOR

ATTEST:

*Delma Moulton*  
CITY CLERK

Minutes Approved: July 28, 2005