

**MINUTES OF THE REGULAR COUNCIL MEETING  
OF THE CITY OF KODIAK  
HELD THURSDAY, JULY 28, 2011  
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 Patricia B. Branson, Gabriel T. Saravia, Thomas D. Walters, and John B. Whiddon were present and constituted a quorum. Councilmember Josefina F. Rosales arrived at 7:33 p.m. Councilmember Charles E. Davidson was absent. City Manager Aimée Kniazowski, City Clerk Debra L. Marlar, and Deputy Clerk Matthew Gandel were also present.

After the Pledge of Allegiance, Salvation Army Sergeant Major Dave Blackater gave the invocation.

**II. PREVIOUS MINUTES**

Councilmember Walters MOVED to approve the minutes of the June 23, 2011, regular meeting as presented.

The roll call vote was Councilmembers Branson, Saravia, Walters, and Whiddon in favor. Councilmember Rosales was not present. Councilmember Davidson was absent. The motion passed.

**III. PERSONS TO BE HEARD**

**a. Public Comments**

**Leonard Roberson** requested that the Council prepare a letter to Kodiak's state representatives requesting that the new Alaska Department of Fish and Game building be named after the late Senator Ted Stevens.

*Councilmember Rosales arrived.*

**Cheryl Boehland** spoke about hawkweed in the community and offered some advice to the public on the best ways to get rid of it.

**Mike Wall**, General Manager of Kodiak Public Broadcasting Corporation, thanked the Council for its continued support of KMXT. He also offered the assistance of the nonprofit community as a whole to help modify the City's nonprofit application process to make it fair for everyone.

**Dave Blackater** thanked the Council for its continued support of Senior Citizens of Kodiak and the Salvation Army, and said he appreciated how thoroughly the nonprofit funding was reviewed by the Council.

**Katherine Hollis-Buchanan** spoke in support of nonprofit funding for KMXT and described the various activities that KMXT provided for the community.

**Rebecca Shields**, Executive Director of the Kodiak Women's Resource and Crisis Center, explained that her organization applied for nonprofit funding under two different categories in order to provide varied services to the community.

**William Bethea** spoke in support of nonprofit funding for KMXT, calling it a valuable resource for the community.

**Rhonda Maker**, via telephone, spoke in support of nonprofit funding for KMXT, calling it an important resource for our town.

**Erin Harrington**, Chairman of the Kodiak Public Library Association (KPLA), spoke in support of the two agenda items for the new library project; one to accept a State grant for the new library project and one to authorize a contract for project management. She said KPLA had been working to make the project as small and affordable as possible.

**Paul Converse**, KPLA Board of Directors, spoke in support of the agenda item to authorize a project management contract for the new library project.

**Matthew Martens**, volunteer coordinator at KMXT, spoke in support of nonprofit funding for KMXT, calling it a true community radio station.

**Rick Langfitt** urged the Council to identify additional funding to add improvements to the baseball field to the first phase of the Baranof Park project.

**Trevor Jones**, director of Kodiak Baptist Mission, said he was pleased to see City funding opened up to other nonprofits and commended the Council for bringing funding up to one-percent of general fund revenues.

#### IV. UNFINISHED BUSINESS

##### a. Ordinance No. 1182, Repealing and Reenacting Kodiak City Code Chapter 8.96 Weapon Possession–Discharge

Mayor Floyd read Ordinance No. 1182 by title. Ordinance No. 1182 sought to repeal and reenact provisions of Kodiak City Code (KCC) Chapter 8.96 Weapon Possession–Discharge that had been eliminated in anticipation of annexing Service District 1. In 2005, the Chief of Police recommended that these provisions be reinstated. The Chief also proposed the adoption of new provisions that regulated the carrying of concealed weapons within City limits and on City property. These matters were reviewed by the City Council several times in work sessions. At the February 24, 2005, regular meeting, the City Council voted to postpone Ordinance No. 1182.

Council reviewed the ordinance, its history, and the fact that it was no longer valid due to changes in state regulation at their June 21, 2011, work session. It was decided, based on staff recommendation and legal advice, that Council would either postpone Ordinance No. 1182 indefinitely or vote it down at the next regular meeting.

*Clerk's Note: The motion to approve Ordinance No. 1182 is already on the floor from the February 25, 2005, regular meeting.*

The roll call vote was Councilmembers Branson, Rosales, Saravia, Walters, and Whiddon opposed. Councilmember Davidson was absent. The motion failed.

## V. NEW BUSINESS

### a. **Resolution No. 2011–20, Authorizing Payment of FY2012 Nonprofit Organization Grants**

Mayor Floyd read Resolution No. 2011–20 by title. Each year the City Council authorizes grant payments to local nonprofit organizations. The types and levels of funding are based on the City Council's nonprofit funding guidelines adopted by Resolution No. 2011–10 and stipulating a grant amount equaling a maximum of one percent of budgeted general fund revenues, exclusive of any fund balance appropriation. For FY2012, this amount is estimated to be \$118,200 (\$142,200 minus \$24,000 allocated for a crossing guard program). This year, the City received eighteen applications from organizations for a total amount requested of approximately \$121,230. The nonprofit cash amount awarded in FY2011 was \$89,018.

The Council reviewed and scored grant applications, determined eligibility, and set FY2012 nonprofit grant amounts at the July 26, 2011, work session.

Councilmember Whiddon MOVED to adopt Resolution No. 2011–20.

The roll call vote was Councilmembers Branson, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Davidson was absent. The motion passed.

### b. **Resolution No. 2011–21, Authorizing the Kodiak Football League to Collect Admission Fees and Sell Concessions for High School Football Games at Baranof Park**

Mayor Floyd read Resolution No. 2011–21 by title. Each year the City Council authorizes the nonprofit Kodiak Football League to charge admission fees and sell concessions during the season's home games at Baranof Park. This effort helps pay for most of the team's expenses. Because the games are held on City property, the League must receive permission from the City Council to collect fees during home games. Resolution No. 2011–21 would authorize the League to collect fees and sell concessions during home games from August 27 through October 9, 2011, or at other times if scheduling requires.

Councilmember Walters MOVED to adopt Resolution No. 2011–21.

The roll call vote was Councilmembers Branson, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Davidson was absent. The motion passed.

### c. **Resolution No. 2011–22, Accepting a State of Alaska New Library Construction Matching Grant, Project No. 6012**

Mayor Floyd read Resolution No. 2011–22 by title. The City applied to the Alaska Department of Commerce, Community and Economic Development for a Library Construction and Major Expansion Matching Grant in January 2011. Support for the City's grant request was successful during the last legislative session, and the City received an award notification in the amount of \$6.9 million. It is City practice that grants be accepted through Council resolution.

Councilmember Walters MOVED to adopt Resolution No. 2011–22.

The roll call vote was Councilmembers Branson, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Davidson was absent. The motion passed.

**d. Authorization of Professional Services Agreement for Project Management for New Library, Project No. 6012**

The construction of a new library building has been a priority on the City's capital improvement projects list for at least the past six years. The City has secured \$9.1 million of the estimated \$13.6 million needed to complete the project. The project now moves into the design phase and with that comes the need for professional project management services. The City received six proposals from the Request for Proposals issued in April 2011. The Public Library Building Committee recommends RISE Alaska as their choice for project management services.

Councilmember Walters MOVED to authorize the professional services agreement for design phase project management services for the new library project to RISE Alaska in an amount not to exceed \$130,195, with funds coming from the Building Improvement Fund, New Library, Project No. 6012.

The roll call vote was Councilmembers Branson, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Davidson was absent. The motion passed.

**e. Authorization of Office Use Agreement With the Kodiak Maritime Museum**

The City Council has provided office space at the St. Herman Harbor support building to the Kodiak Maritime Museum at no cost since 2002. The same office space is shared with Harbor staff who work in St. Herman Harbor. Additionally, the building houses the St. Herman Harbor maintenance shop and public restrooms. Extension of this office use agreement through June 2012 has been requested by the Museum.

Councilmember Branson MOVED to authorize the FY2012 Office Use Agreement Extension with the Kodiak Maritime Museum.

The roll call vote was Councilmembers Branson, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Davidson was absent. The motion passed.

**f. Authorization of Lease Agreement for Office Space With the Kodiak Island Borough**

Kodiak Island Borough staff and the City Manager have been negotiating the terms of a replacement lease for office space the City occupies in the Borough Building since May 2011. Both parties have come to agreement on the terms of a new five-year lease.

Councilmember Walters MOVED to authorize the five-year office space lease with the Kodiak Island Borough through June 30, 2016, in the amount of \$90,921.60 per year with funds coming from the General Fund, Non-Departmental, Administration, Support Goods and Services account.

The roll call vote was Councilmembers Branson, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Davidson was absent. The motion passed.

**g. Authorization of Bid Award for Pillar Creek Dam 2B Spillway Embankment Repair Project No. 7033/09-04**

Periodic safety inspections were completed on all City dams in May 2010. The report was submitted to Alaska Department of Natural Resource (ADNR) Dam Safety Division in October 2010, and ADNR issued the Certificates to Operate the dams on March 16, 2011. The City was also issued a correction directive from ADNR as part of the Certificate to Operate, Special Conditions for Pillar Creek Dams. The City is required to repair erosion damage to the downstream embankment of Pillar Creek Dam 2B and to conduct a thorough investigation into the condition of the spillway for Dam 3 with work completed in 2011.

A repair solution was prepared and the project was put out to bid. Bids were opened on July 5, 2011, and two bids were received. The low bidder for the Pillar Creek Dam 2B Spillway Repair was Red Hook Construction LLC in the amount of \$18,500.

Councilmember Branson MOVED to authorize the bid award for Pillar Creek Dam 2B Spillway Embankment Repair to Red Hook Construction LLC in the amount of \$18,500 with funds coming from the Water Capital Improvement Fund, Pillar Creek Dam Spillway Repair Work Dam 2B & 3, Project No. 7033/09-04.

The roll call vote was Councilmembers Branson, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Davidson was absent. The motion passed.

**h. Authorization to Purchase a Cat 160M2 Grader**

In February 2011, the City purchased a Cat 160M2 Grader by attaching to the State of Alaska bid for \$293,747 and budgeted to replace the second 1992 Champion grader in FY2012. Prior to the February 2011 purchase, staff evaluated the options of the City bidding on its own for a replacement grader or attaching to the State of Alaska bid and opted to attach to the State bid as allowed in Kodiak City Code Section 3.12.070(c). NC Machinery has the state contract for supplying graders for 2011.

Councilmember Whiddon MOVED to authorize the purchase of a Cat 160M2 grader in the amount of \$282,379 with the funds coming from the General Fund, Public Works, Streets, Machinery and Equipment account.

The roll call vote was Councilmembers Branson, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Davidson was absent. The motion passed.

**i. Authorization of a Trident Basin Fuel Facility and Pipeline Easement Agreement**

Island Air Service has requested to lease two parcels of land at the Trident Basin Float Plane facility. The smaller parcel next to the top of Ramp B (center float) will be used for the installation of company aircraft fueling tank. The larger parcel will be used immediately for the placement of a temporary small structure for flight crew with plans to build a larger office complex in 2012.

Councilmember Branson MOVED to authorize a three-year land lease through July 31, 2014, at Trident Basin between the City of Kodiak and Redemption, Incorporated d/b/a Island Air Service.

The roll call vote was Councilmembers Branson, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Davidson was absent. The motion passed.

**j. Authorization of FY2012 Contract for Community Jail Services**

The Alaska Department of Corrections (DOC) is proposing a continuation of the contractual agreement with the City to provide short-term community jail confinement of persons held in custody for violations of state law. The proposed contract amount for FY2012 is \$793,335. For FY2012, the City has budgeted \$1,152,875 for jail operations. The difference between the amount budgeted and what DOC funds is \$359,540. This difference represents the City's subsidy to operate Kodiak Jail. The DOC has communicated to City staff that they believe the Kodiak jail is among several community jails that are underfunded. The DOC has expressed its intention to quantify the underfunded amount so that they can justify further contract increases to the State Legislature.

Councilmember Branson MOVED to authorize the FY2012 contract for community jail services with the Alaska Department of Corrections in the amount of \$793,335.

The roll call vote was Councilmembers Branson, Rosales, Saravia, Walters, and Whiddon in favor. Councilmember Davidson was absent. The motion passed.

**VI. STAFF REPORTS**

**a. City Manager**

City Manager Kniazowski updated the Council on the status of the UV Water Treatment Facility project. She said the Russian tall ship Pallada had been in town recently and thanked the Harbor Department and everyone involved in the planning for their stay in Kodiak. She said the Public Works department had recently cleaned out the sediment pond at Potato Patch Lake, contributing to a better habitat for both fish and wildlife. She said she had recently met with a representative from AT&T, and they seemed willing to partner with the City to relocate satellite dishes to make room for the new library.

**b. City Clerk**

City Clerk Marlar reminded the public that nominating petitions for the upcoming October election were available at the City Clerk's Office, and that the filing period was from August 1 to 15, 2011. She also informed the public of the next scheduled Council work session and regular meeting.

**VII. MAYOR'S COMMENTS**

Mayor Floyd said she had enjoyed touring the Pallada and commented on the annual Alutiiq Museum community archaeology project.

**VIII. COUNCIL COMMENTS**

Councilmember Branson had no comments.

Councilmember Saravia said he hoped more salmon would be arriving in Kodiak soon.

Councilmember Walters said he appreciated all the supporters of nonprofit organizations offering their comments. He announced that he would not be running for another term on the Council, and said he appreciated being able to serve the people of Kodiak for 18 years.

Councilmember Rosales said that the nonprofit organizations were doing a great job of making Kodiak a better place to live, and said the Council was sometimes in a difficult position deciding how to distribute limited funds for a variety of projects.

Councilmember Whiddon thanked Councilmember Walters for his years of service, and said it had been a pleasure serving on the Council together. He said United States Coast Guard would be featured on a new reality TV series, and also that the Public Broadcasting Service (PBS) was in Kodiak recently to do a show on renewable energy featuring the Kodiak Electric Association. He said the discussions of the past week had reminded him that serving on the Council was a way to impact a lot of lives in Kodiak, and said it was a privilege that was not taken lightly.

**IX. AUDIENCE COMMENTS**

None.

**X. ADJOURNMENT**

Mayor Floyd adjourned the meeting at 8:56 p.m.

CITY OF KODIAK

*Casalyn Floyd*  
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 MAYOR

ATTEST:

*Debra Moulton*  
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 CITY CLERK



Minutes Approved: August 25, 2011