

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, JULY 12, 2012
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Mayor Pat Branson called the meeting to order at 7:30 p.m. Councilmembers Randall C. Bishop, Charles E. Davidson, Terry J. Haines, Gabriel T. Saravia, Mark Anthony G. Vizcocho, and John B. Whiddon were present and constituted a quorum. City Manager Aimée Kniaziowski, City Clerk Debra L. Marlara, and Deputy Clerk Matthew Gandel were also present.

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

II. PREVIOUS MINUTES

Councilmember Whiddon MOVED to approve the minutes of the June 14, 2012, regular meeting and June 21, 2012, special meeting as presented.

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

III. PERSONS TO BE HEARD

a. Public Comments

Bob Scholze, Resource Management Officer for the Kodiak Island Borough, offered to answer any questions the Council might have on Ordinance No. 1299.

Trevor Brown, Executive Director of the Kodiak Chamber of Commerce, reported on the Chamber's recent activities, encouraged the Council to approve the Economic Development Agreement for FY2013, and thanked the Council for its continued support.

IV. UNFINISHED BUSINESS

None

V. NEW BUSINESS

a. First Reading, Ordinance No. 1299, Authorizing the City to Exchange Approximately 0.7 Acres of Lot 1A, Hospital Subdivision Owned by the City for Approximately 0.6 Acres of Lot 2A, Hospital Subdivision Owned by the Kodiak Island Borough, to Provide Additional Land for the City Cemetery and the Borough Long Term Care Facility

Mayor Branson read Ordinance No. 1299 by title. The City and Borough have been in discussions about land needed by the Borough to build a long-term care facility behind the hospital. City and Borough staff believe the best solution for both parties' land needs is a land exchange

of two parcels in the Hospital Subdivision. The Borough will receive land adjacent to the hospital needed to build a long-term care facility, and the City will receive land for the City cemetery that will improve access along Chichenof Street.

Councilmember Haines MOVED to pass Ordinance No. 1299 in the first reading and advance to second reading at the next regular or special Council meeting.

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

b. Resolution No. 2012–17, Accepting a Legislative Grant for Baranof Park Improvements, Phase II, Project No. 12-05/9001

Mayor Branson read Resolution No. 2012–17 by title. The City has been working on plans to upgrade Baranof Park facilities since 2004. Due to the size and expense of the full park renovation, staff developed a phased approach to the project in 2011 which improved the City's grant funding opportunities. The City lobbied for phased funding with the state legislature and received a \$2 million grant in FY2012 to construct Phase I of the project, which included replacement of the football field and track facilities. The City's continued lobbying efforts were successful again this year, and the City received a \$3.65 million legislative grant to complete this project.

Councilmember Davidson MOVED to adopt Resolution No. 2012–17.

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

c. Resolution No. 2012–18, Accepting a Legislative Grant for Pier III Replacement, Project No. 8013

Mayor Branson read Resolution No. 2012–18 by title. The City was successful in receiving a FY2013 state legislative grant of \$18.1 million for replacement of Pier III and authorization of an additional \$15 million added to the project in the statewide general obligation transportation bond, which will go to state voters for approval at the 2012 election.

Councilmember Vizcocho MOVED to adopt Resolution No. 2012–18.

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

d. Resolution No. 2012–19, Authorizing the Issuance of a Permit to the High School Tennis Team for the Use of Public Property for Its Tennis Clinic Fundraiser

Mayor Branson read Resolution No. 2012–19 by title. The high school tennis coach, Stephen Johnston, requested the use the Baranof Park tennis courts to run a tennis clinic and lessons as a fundraiser from July 2-7, 2012, and every Saturday in July and August. The purpose is twofold – to promote the sport and use of the courts and to raise money for the high school tennis team.

The tennis team is a club sport that is completely self-funded, raising money to cover the cost of travel and other costs.

Councilmember Haines MOVED to adopt Resolution No. 2012-19.

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

e. Resolution No. 2012-20, Authorizing the Issuance of a Permit to the Filipino American Association of Kodiak for the Use of Public Property to Host Its Philippine Consulate Outreach Program

Mayor Branson read Resolution No. 2012-20 by title. The Filipino-American Association of Kodiak requests the use of the Teen Center on August 3 and 4, 2012, to host the consular outreach program during the visit of the Philippine Consulate General from San Francisco. The purpose of the visit is to provide consular outreach services to Filipino Americans in Kodiak. The Philippine Consulate will be collecting fees for services rendered, and the Filipino-American Association will also be asking for a donation from participants.

Councilmember Bishop MOVED to adopt Resolution No. 2012-20.

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

f. Resolution No. 2012-21, Authorizing the Issuance of a Permit to the Kodiak Boys' Summer Basketball Program for the Use of Public Property for a Dance to Fund Team Travel Expenses

Mayor Branson read Resolution No. 2012-21 by title. The Kodiak Boys' Summer Basketball Program is taking a trip to Washington from July 18-30, 2012, and is trying to raise money for this trip. They have requested use of the Teen Center for a dance fundraiser on July 14, 2012.

Councilmember Davidson MOVED to adopt Resolution No. 2012-21.

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

g. Authorization of Amendment No. 1 to the Professional Services Agreement With MRV Architects for New Library, Project No. 6012

The City Council awarded a professional services contract for design services for the new library to MRV Architects on September 22, 2011. The project is now in the early stages of site preparation and construction. The next step in the process is for Council to authorize an amendment to MRV's contract for architectural and engineering services related to construction and to formalize the partial use of an allowance in the original contract.

Councilmember Haines MOVED to authorize Amendment No. 1 to the professional services contract with MRV Architects to formalize partial use of the original contract funding allowance

and to authorize MRV to provide construction-related architectural and engineering services in an amount not to exceed \$266,724, with funds coming from the Building Improvement Fund, New Library Project, Project No. 6012.

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

h. Authorization of Amendment No. 3 to the Professional Services Agreement With Cornerstone General Contractors, Inc. for Structural Package for New Library, Project No. 6012

The City Council authorized contract Amendment No. 2 to Cornerstone General Contractors, Inc. on June 14, 2012, for the foundation package on the new library site. The next phase of the project is to award the structural package. City staff, the library building committee, and the project manager reviewed the elements and costs of the structural package on July 2, 2012, and support award of the structural package to Cornerstone.

Councilmember Whiddon MOVED to authorize Amendment No. 3 to the professional services contract with Cornerstone General Contractors, Inc. for the structural package for the new library for the guaranteed maximum price of \$2,791,878, with funds coming from the Building Improvement Fund, New Library Project, Project No. 6012.

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

i. Authorization of Change Order No. 3 to Baranof Park Improvement Project, Project No. 12-05/9001

Change Order No. 3 for the Baranof Park Improvement project involves work required due to unanticipated problems with site conditions that were not apparent prior to construction. Work includes replacement of the storm drain under the baseball infield, modification of fence and gate placement on the baseball infield, revision of ADA access to the track to avoid removal of trees, and additional paving work due to deteriorated asphalt areas under the track.

Councilmember Vizcocho MOVED to authorize Change Order No. 3 to the Baranof Park Improvement Project to Ohno Construction in the amount of \$97,310, with funds coming from the Parks and Recreation Capital Improvement Fund, Baranof Park Improvements, Project No. 12-05/9001, contingent upon finalization of the state grant agreement.

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

j. Authorization of FY2013 Pavement Repairs, Project Nos. 13-02/7035/4034/9004

To keep City streets and parking lots in good driving condition requires a continual asphalt maintenance program. This project will repair areas of asphalt damaged by water leaks and water main failures last winter and make other repairs on several City streets. Staff recommends combining the street pavement patching efforts with the Kodiak Police Department driveway and the

Spruce Street Park basketball court. Since Brechan Enterprises, Inc. is the only asphalt pavement producer and paver in Kodiak, staff recommends Council authorize the FY2013 pavement repairs to Brechan as a sole source contract in the amount of \$390,000.

Councilmember Whiddon MOVED to authorize the FY2013 pavement repairs project to Brechan Enterprises in the amount of \$390,000, with \$300,000 coming from Water Capital Improvement Fund, Project No. 13-02/7035; \$50,000 coming from the General Capital Project Fund, Project No. 4034; and \$40,000 coming from the Parks and Recreation Capital Improvement Fund, Project No. 9004.

Councilmember Davidson suggested it might make more sense to pave the entire back parking lot of the Kodiak Police Department rather than just the driveway.

Councilmember Davidson MOVED to amend the motion by striking \$50,000 and inserting \$262,512 from General Capital Project Fund, Project No. 4034.

The City Clerk pointed out that the motion should also be amended to include a total amount awarded to Brechan Enterprises of \$602,512 instead of \$390,000.

The roll call vote on the amendment was Councilmembers Davidson, Haines, Saravia, Vizcocho, and Whiddon in favor; Councilmember Bishop opposed. The amendment passed.

In response to the Clerk's suggestion, there was no objection to substituting \$602,512 in place of \$390,000 in the main motion.

The roll call vote on the main motion as amended was Councilmembers Bishop, Davidson, Haines, Saravia, Vizcocho, and Whiddon in favor. The motion passed.

k. Authorization of FY2013 Chamber of Commerce Economic Development Agreement

The City contracts with the Kodiak Chamber of Commerce for economic development activities that benefit the community. The Chamber's Economic Development Specialist (EDS) position is funded by both the City and the Borough through similar contracts. The EDS duties include involvement in the Kodiak Fisheries Advisory Committee, the organization and facilitation of the Kodiak Comprehensive Economic Development Strategy Committee, active involvement in the Southwest Alaska Municipal Conference, and work with the Kodiak Island Convention and Visitors Bureau. Based on Council direction, City and Chamber staff updated much of the scope of work identified in the FY2013 agreement.

Councilmember Haines MOVED to authorize the FY2013 Economic Development Agreement with the Kodiak Chamber of Commerce in the amount of \$45,000, with funds coming from the General Fund, Non-Departmental, Administration, Contributions account.

Councilmember Whiddon requested regular reports from the Economic Development Specialist at Council work sessions and joint work sessions.

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

l. Authorization to Purchase Sales Tax Software Application for the Financial Software Project, Project No. 4028

The sales tax collected by the City is the main source of revenue to fund the General Fund. With over \$9,400,000 collected annually, the need for reliable software is very important. For five years, the City has been operating with an inadequate sales tax software system that routinely experiences problems and failures. The Finance Department has been researching programs to meet the City's needs and recommends the City purchase a sales tax application system through Harris Computer Systems.

Councilmember Davidson MOVED to authorize the purchase of the sales tax software module from Harris Computer Systems in the amount of \$225,648 with \$211,660 coming from the General Capital Project Fund, Financial Software Upgrade project, Project No. 4028 and \$13,988 coming from the General Fund, Finance, Information Services professional services account.

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

m. Authorization to Extend the Alaska Public Entity Insurance Agreement

The City receives its property, casualty, liability, and Workers' Compensation coverage through its membership in the Alaska Public Entity Insurance (APEI) pool. The City joined APEI in 2010 and signed an agreement to remain a member of the pool through June 30, 2013, in exchange for annual premium credits. APEI has offered the City additional premium reductions for FY2013 in exchange for an agreement to extend membership in the pool for another three-year period.

Councilmember Whiddon MOVED to authorize the City Manager to extend the City's membership agreement with Alaska Public Entity Insurance for an additional three years, which would otherwise terminate in 2013, and authorize the City Manager to execute all necessary documents.

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

VI. STAFF REPORTS

a. City Manager

City Manager Kniazowski reported to the Council that the City had been approved for a \$500,000 Tier 2 grant from the Rasmuson Foundation for the New Library project, which meant the project was within \$210,000 of being fully funded. She said the Kodiak Island Borough had notified the City that it would not be able to accept biosolids at the landfill after December 15, 2012, and she had been meeting with Public Works Director Mark Kozak and City Engineer Glenn Melvin to come up with an alternative solution. She welcomed Kodiak College student Nick Pennington who was serving as an intern in the Finance Department. She updated the Council on the status of the Class and Compensation Study and the New Library project. She said she had recently had a meeting with the Alaska Department of Transportation on plans for a

new ferry dock at Pier I. She said she would be out of the office from July 18-30, 2012, and that Finance Director Mary Munk would serve as Acting City Manager.

b. City Clerk

City Clerk Marlar informed the public of the next scheduled Council work session and regular meeting and the next scheduled meeting of the Fisheries Work Group. She reminded the public that the municipal election was on October 2, 2012, and said that nominating packets were available in the Clerk's Office, and had to be turned in no later than August 15, 2012. She encouraged everyone to make sure they were registered to vote, and asked anyone who was interested in serving as an election worker to contact the Clerk's Office.

VII. MAYOR'S COMMENTS

Mayor Branson said she welcomed all the good news about grants the City had received and thanked Senator Stevens, Representative Austerman, City Lobbyist Ray Gillespie, and City staff for all their efforts. She said there would be a discussion at the August 7, 2012, work session on downtown safety issues and encouraged business owners and community members to attend and voice their concerns. She said that a discussion of downtown parking would be scheduled for a work session in September 2012.

VIII. COUNCIL COMMENTS

Councilmember Vizcocho thanked the Seattle Seahawks players who recently held a clinic for Kodiak youth football players and encouraged everyone to drive carefully and watch out for construction zones.

Councilmember Haines said Ordinance No. 1299 showed the spirit of cooperation between the City and Borough. He said he agreed with a recent editorial in the Kodiak Daily Mirror encouraging the Council to raise the sales tax cap, and said time was of the essence in raising City revenues. He thanked everyone involved in securing funding for the Pier III project. He encouraged the public to attend meetings of the Fisheries Work Group.

Councilmember Davidson encouraged the public to watch out for construction on the roads and to drive carefully. He said all the recent grants the City had received were good news for the livability and sustainability of Kodiak.

Councilmember Whiddon said the Council had just authorized the receipt of over \$20 million for infrastructure improvements, most of which came from outside Kodiak, which he said reflected the tremendous work done by City staff and lobbyists.

Councilmember Saravia spoke about recent and current City projects, including the UV Water Treatment Plant, New Library, and Pier III, and said most of the money for infrastructure improvements had come from outside Kodiak. He said the salmon season had been slow so far, and that was having an effect on fisherman, cannery workers, and other businesses.

Councilmember Bishop said he had attended the recent change of command ceremony at Coast Guard Base Kodiak. He thanked outgoing Captain Karl Moore for his service and welcomed

Captain Jerald Woloszynski to Kodiak. He encouraged members of the public to attend the work session on August 7, 2012, to talk about how to improve the downtown area.

IX. AUDIENCE COMMENTS

None

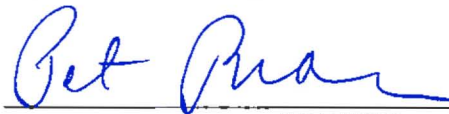
X. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

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

The meeting adjourned at 8:46 p.m.

CITY OF KODIAK



MAYOR

ATTEST:


CITY CLERK

Minutes Approved: August 9, 2012