

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, AUGUST 9, 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 Charles E. Davidson, Terry J. Haines, Gabriel T. Saravia, Mark Anthony G. Vizcocho, and John B. Whiddon were present and constituted a quorum. Councilmember Randall C. Bishop 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 Blacketer gave the invocation.

II. PREVIOUS MINUTES

Councilmember Whiddon MOVED to approve the minutes of the July 12, 2012, regular meeting as presented.

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

III. PERSONS TO BE HEARD

a. Presentation of Government Finance Officers Association Awards

The Government Finance Officers Association of the United States and Canada has awarded Finance Director Mary Munk with a Distinguished Budget Presentation Award and a Certificate of Achievement for Excellence in Financial Reporting. These awards represent the highest form of recognition in governmental accounting and financial reporting.

Mayor Branson presented the awards to Finance Director Munk.

b. Public Comments

None.

IV. UNFINISHED BUSINESS

a. Second Reading and Public Hearing, 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 of Kodiak and Kodiak Island Borough have been in discussions about land needed by the Borough to build a long-term care facility.

ty behind the Providence Kodiak Island Medical Center. 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 Davidson MOVED to adopt Ordinance No. 1299.

Mayor Branson closed the regular meeting, opened and closed the public hearing when no one came forward to testify, and reopened the regular meeting.

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

V. NEW BUSINESS

- a. **First Reading, Ordinance No. 1300, Amending Kodiak City Code 3.08.010(A), Levy of Sales Tax, to Increase the Rate of Bed Tax From Eleven Percent to Twelve Percent on All Rentals of Transient Rooms; Amending Kodiak City Code 3.08.025, Allocation of Sales Tax Proceeds, to Conform to the Increase in Bed Tax and the Increase in Sales Tax Under Ordinance Number 1297, and to Eliminate the Annual Public Hearing on Sales Tax Expenditure Priorities; Amending Kodiak City Code 3.08.090(F), Addition of Tax, to Conform to the Increase in Sales Tax Under Ordinance Number 1297; and Amending Kodiak City Code 3.08.110(A), Tax Schedule, to Reflect the Increase in the Bed Tax Rate**

Mayor Branson read Ordinance No. 1300 by title. Council adopted Ordinance No. 1297 on June 14, 2012, which increased the City's sales tax from six percent to seven percent. However, the ordinance did not include language to amend related sections of Kodiak City Code (KCC) Title 3 to increase the sales tax portion of the City's bed tax to reflect the new sales tax rate of seven percent. The existing language in KCC 3.08.010 (a) is confusing and references the collection of an eleven percent bed tax for transient room rentals, when in fact, the eleven percent reflects a transient room tax of five percent and sales tax of six percent, equaling eleven percent. Ordinance No. 1297 did not increase the six percent sales tax portion of the transient room rental to seven percent. This ordinance corrects that oversight. Staff recommends Council adopt Ordinance No. 1300 to reflect the new sales tax amount as applied to transient room rentals (five percent transient tax plus seven percent sales tax). The ordinance will also amend related language regarding the allocation of the sales tax portion of the transient rental tax and eliminate a redundant requirement for annual public hearings on some sales tax allocations. Ordinance No. 1300 will become effective on October 1, 2012, in order to stay on the same implementation timeline as Ordinance No. 1297.

Councilmember Haines MOVED to adopt Ordinance No. 1300 in the first reading and advance to second reading and public hearing at the next regular or special Council meeting.

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

b. Resolution No. 2012–22, Authorizing Payment of Fiscal Year 2013 Nonprofit Organization Grants

Mayor Branson read Resolution No. 2012–22 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 policy guidelines adopted by Resolution No. 2011–10. The policy also stipulates the total amount available for nonprofit grants in a given fiscal year, which equals the maximum of one percent of budgeted general fund revenues, exclusive of any fund balance appropriations. The amount budgeted for FY2013 for nonprofit grant payments is \$155,300. The City received sixteen applications from nonprofit organizations that provide local services to Kodiak for a total requested amount of \$112,552. Council reviewed the applications at their July 10, 2012, work session and indicated support to set the total nonprofit grant amount for FY2013 at \$112,552.

Councilmember Davidson MOVED to adopt Resolution No. 2012–22.

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

c. Resolution No. 2012–23, Appointing a Member to the Kodiak Fisheries Development Association

Mayor Branson read Resolution No. 2012–23 by title. The term for the joint City-Borough seat on the Kodiak Fisheries Development Association (KFDA) held by Linda Freed expired in July 2011. She sent an email to the Borough Clerk indicating her willingness to be reappointed to the KFDA board. The Borough Assembly made the reappointment at their meeting on August 2, 2012.

Councilmember Vizcocho MOVED to adopt Resolution No. 2012–23.

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

d. Resolution No. 2012–24, Authorizing the Kodiak Football League to Collect Admission Fees and Sell Concessions for High School Football Games at Baranof Park

Mayor Branson read Resolution No. 2012–24 by title. Each year the City Council authorizes the non-profit Kodiak Football League to charge admission fees and sell concessions during the Kodiak High School football team'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.

Councilmember Vizcocho MOVED to adopt Resolution No. 2012–24.

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

e. Authorization of Bid Award for Annual Sidewalk, Curb, and Gutter Repairs, Project No. 5003/13-01

Annually, the City bids for repair and replacement of damaged sections of sidewalks, curbs, and gutters at various locations throughout the City. Actual quantities of each bid item vary in response to need and the approved FY2013 budget. Bids were opened on July 26, 2012, and two bids were received.

Councilmember Whiddon MOVED to authorize the bid award for the annual sidewalk, curb, and gutter project, Project No. 5003/13-01 to Belarde Custom Concrete in the amount of \$64,085, with funds coming from the Street Capital Improvement Fund, Sidewalk, Curb, and Gutter project.

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

f. Authorization of Vehicle Purchase for Kodiak Police Station

This action authorizes the replacement of two older, high mileage police patrol vehicles that have been recommended for replacement in FY2013 with two current model year all wheel drive sedans. The existing Kodiak Police Department vehicles have been in service well beyond their useful life and have been evaluated for replacement. The replacement is consistent with the Council's Vehicle Replacement Policy, and the need to replace the vehicles was discussed with Council during the FY2013 budget process.

Councilmember Haines MOVED to authorize the City to attach to the State of Alaska Light Duty Contract to purchase two current model year Ford all wheel drive sedans in the amount of \$48,478, per Kodiak City Code 3.12.070(c), with funds coming from the FY2013 Kodiak Police Department Operational Budget, Uniform Patrol Sub-Department, Machinery and Equipment line item.

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

g. Authorization of Change Order No. 4 for the UV Treatment Plant Project, Project No. 7023/03-14

The City's UV water treatment project was near completion when a problem was discovered requiring the need for Council's approval on this change order. On June 18, 2012, the outside ambient temperature was 72 degrees, and as a result, the plant's electrical room overheated. Since that time CH2M Hill has evaluated the situation and designed a solution to handle the excessive heat under certain circumstances.

Councilmember Davidson MOVED to approve Change Order No. 4 to the UV Water Treatment Plant project to Jay-Brant General Contractors in the amount of \$28,716, with funds coming from the Water Capital Improvement Fund, UV Water Treatment Facility Construction, Project No. 7023/03-14.

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

h. Authorization of Change Order No. 4 to Baranof Park Improvement Project, Project No. 9001/12-05

Change Order No. 4 will provide improvements that will make the Baranof Park facilities more useable to a larger group of park patrons and will improve fencing and drainage at the baseball field. This change order includes four elements totaling \$53,700.

Councilmember Whiddon MOVED to authorize Change Order No. 4 to the Baranof Park Improvement Project to Ohno Construction in the amount of \$53,700, with funds coming from the Parks and Recreation Capital Improvement Fund, Baranof Park Improvements, Project No. 9001/12-05.

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

i. Parks and Recreation Advisory Board Appointment

One regular seat became vacant last month upon the resignation of Rich Walker, and one alternate seat remains open on the Parks and Recreation Advisory Board. Charlie Powers and Shanna Torgerson have submitted applications to serve on this board. Resolution No. 2011-23 stipulates membership shall reflect cultural and ethnic diversity and shall consist of four regular members from residents within the Kodiak City limits and three regular members from residents inside or outside the Kodiak City limits. The other six regular members of this board reside within the City limits. Mr. Powers resides outside the City limits; Ms. Torgerson resides inside the City limits. Appointments to the board are made by the Mayor and confirmed by the Council.

Mayor Branson appointed Charlie Powers to a regular seat with a term expiring December 31, 2013, and Shanna Torgerson to an alternate seat with a term expiring December 31, 2012.

Councilmember Haines MOVED to confirm the Mayoral advisory board appointments to the Parks and Recreation Advisory Board as stated.

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

VI. STAFF REPORTS

a. City Manager

City Manager Kniazowski congratulated Finance Director Munk and the Finance Department staff on their awards and thanked them for their hard work. She thanked City crews for their efforts cleaning up from the fire at the Baranof Park Ice Rink. She said the investigation into the fire was ongoing and encouraged anyone who may have heard anything to provide information to the Kodiak Police Department. She said it was hopeful that the ice rink would be operational by mid-November.

She congratulated Deputy Harbormaster Lon White on 30 years of service to the City and Investigations Supervisor Milton Bohac on his upcoming retirement.

She updated the Council on the status of the contract for Biosolids/Composting and the Class and Compensation Study. She said contractors had been hard at work on the Baranof Park and new Library projects and were making good progress on both.

b. City Clerk

City Clerk Marlar reminded the public that the deadline to file nominating petitions for the 2012 election was August 15, 2012, at 4:30 p.m. She also informed the public of the upcoming scheduled work sessions and regular meetings.

VII. MAYOR'S COMMENTS

Mayor Branson congratulated Finance Director Munk and her staff. She congratulated Lon White on 30 years of service to the City. She said the recent fire at Baranof Park was an unfortunate incident, and said it was a reminder that it was important for City residents to talk to their neighbors and be aware of what was happening in their neighborhoods. She said the Council had discussed problems with people loitering downtown at a recent work session, and Chief of Police T.C. Kamai had encouraged business owners to call the Kodiak Police Department if they had a problem. She said discussion of downtown parking problems was scheduled for a work session on September 11, 2012.

VIII. COUNCIL COMMENTS

Councilmember Vizcocho congratulated Finance Director Munk and her staff and thanked the team from the Philippine Consulate who had recently been in Kodiak to assist members of the Filipino-American community with immigration related issues.

Councilmember Haines said he was disappointed to hear about the fire at the Baranof Park Ice Rink and said it might be helpful to place security cameras at the rink. He thanked CH2MHill for designing a fix to the electrical room problem at the UV Water Treatment Plant. He thanked the Kodiak Police Department for choosing vehicles with a reasonable cost to replace two older vehicles. He said he hoped the Kodiak Football League would be able to generate enough capital to sustain itself by collecting admission fees at Baranof Park.

Councilmember Davidson congratulated Finance Director Munk and her staff. He said he was sorry to hear about the damage at the Baranof Park Ice Rink. He wished everyone a pleasant rest of the summer.

Councilmember Whiddon congratulated Finance Director Munk and her staff and thanked Lon White and Milton Bohac for their dedicated service to the City. He commented on the 222nd birthday of the United States Coast Guard and thanked all the Coast Guard members and their families for their service. He said he was looking forward to discussing downtown parking issues.

Councilmember Saravia thanked Finance Director Munk and her staff. He said he hoped someone would come forward and provide information on the Baranof Park Ice Rink fire. He said the new track and field at Baranof Park would be great for the kids in the community.

IX. AUDIENCE COMMENTS

None.

X. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

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

The meeting adjourned at 8:22 p.m.



CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Minutes Approved: August 23, 2012

