

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, APRIL 24, 2014
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, Gabriel T. Saravia, and Richard H. Walker were present and constituted a quorum. Councilmembers Terry J. Haines and John B. Whiddon were absent. City Manager Aimée Kniazowski, City Clerk Debra L. Marlar, and Deputy Clerk Michelle Shuravloff-Nelson were also present.

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

II. PREVIOUS MINUTES

Councilmember Walker MOVED to approve the minutes of the April 10, 2014, regular meeting as presented.

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

Councilmember Davidson MOVED to suspend the rules to reverse the order of New Business items g and h by re-lettering item h as item g and item g as item h.

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

III. PERSONS TO BE HEARD

a. Interim Report of the Downtown Kodiak Revitalization Special Committee

In July 2013 the Council established the Downtown Kodiak Revitalization Special Committee, Chaired by Mayor Branson, to focus on community concerns pertaining to safety, security, economic development, and aesthetic appeal of downtown Kodiak. Mayor Branson appointed three subcommittees to address economic development, social issues and public safety, and beautification and public space improvements. The Special Committee and subcommittees have met several times during the past eight months to identify short-term and long-term priorities.

Beautification and Public Space Improvements Sub-Committee Chair Katie St. John thanked the Mayor and Council for having her speak on behalf of the sub-committee. She commented there has been grass root support in the community for the beautification of downtown including people who have volunteered their time and resources. She stated their main priority is to have an improved pocket park area, and she stated there are grant opportunities due in May 2014 that can help fund some of the improvements identified.

Economic Development Sub-Committee Chair Trevor Brown shared the enthusiasm the committee has demonstrated to make downtown a beautiful and safe place to attract the public. He said a priority by the sub-committee is for the Chamber of Commerce to survey the current businesses downtown during this fall. He shared that the sub-committee feels it is important to monitor the parking downtown, clean up the graffiti, and work with the Rotary Club to get a "Welcome to Kodiak" sign.

Social Issues and Public Safety Sub-Committee Chair Monte Hawver said the snow removal, garbage cans, clean-up, and removal of junk vehicles are short term priorities. He said the pocket park needs to be revisited and potentially removed. He suggested bicycle racks be installed. He said the long-term priorities are a day shelter in Kodiak and shower and laundry facilities at the harbor.

Mayor Branson thanked the sub-committee chairs and requested the report be posted on the City website.

b. Public Hearing on Proposed Fee Schedule Amendments

The City sets its fees and charges for various services by a resolution of the Council. The public hearing on proposed fee schedule amendments, which are contained in Resolution No. 2014-20, pertain to the Harbor Department, Library, and Parks & Recreation departments. The Harbor fee changes are proposed to take effect on May 1, 2014, and the other changes will be effective July 1, 2014.

Mayor Branson closed the regular meeting and opened the public hearing.

Judi Kidder commented an enforcement fee for junk vehicles should be added to the fee schedule.

There being no further public testimony, the Mayor closed the public hearing and reopened the regular meeting.

c. Proclamation: Declaring Child Abuse Prevention Month

Councilmember Walker read the proclamation, which urges all citizens to increase their participation in efforts to prevent child abuse, thereby strengthening the communities in which we live.

Sandra Wilkins from Kodiak Women's Resource and Crisis Center accepted the proclamation. She thanked Mayor Branson and Councilmembers for supporting the prevention of child abuse and she thanked the Child Advocacy Center for their service.

d. Proclamation: Declaring Sexual Assault Awareness Month

Councilmember Bishop read the proclamation, which encourages all Alaskans to support local activities and programs that assist victims of sexual assault and to learn more about the pervasiveness of sexual assault in Alaska in an effort to eliminate this crime.

Sandra Wilkins from Kodiak Women's Resource and Crisis Center accepted the proclamation. She thanked Mayor Branson and Councilmembers for supporting the awareness of sexual assault

and she gave statistics regarding sexual assault to educate the community to reduce sexual assault in Alaska.

e. Proclamation: Declaring Month of the Military Child

Councilmember Saravia read this proclamation, which encourages all citizens to show appreciation and understanding to the military children in our communities and recognize their commitment, courage, sacrifice, and continued resilience.

USCG Commanding Officer White, of the Alex Haley, and his family accepted the proclamation. He thanked the Mayor and Council for recognizing all children including military children in the community. He stated Kodiak is a wonderful place to call home and it is a pleasure to serve the community.

f. Proclamation: Declaring Municipal Clerks Week

Mayor Branson read this proclamation, which recognizes our Municipal Clerks for the vital services they perform and their dedication to our community.

Clerk Marlar accepted the proclamation and thanked the Mayor and Councilmembers for recognizing the work the Clerk's Office performs and stated it was a pleasure to serve them and the community.

g. Proclamation: Declaring Police Officers Memorial Day and Police Week

Councilmember Davidson read this proclamation, which urges all citizens and 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 so doing, have established a reputation for preserving the rights and security of all citizens.

Chief of Police Wallace accepted the proclamation. She said in 1962 President Kennedy declared National Police Officer Memorial Week, and she remembered Officer Gordon Bartel who ended his watch on January 15, 1983, in Kodiak. She asked the community to thank a police officer if they have the opportunity, because they work diligently to protect and serve the community.

h. Public Comments

Jeremiah Gardner, a local business owner and a member of the Parks and Recreation Advisory Board, said the advisory board will request funding for the skate park during the City's upcoming budget in the amount of \$130,000. He commented some of the funds are carryover from FY2014, and he does not feel the funds compete with other projects. He said the park will help support the at-risk children by providing a place for them to participate in activities.

Robin Gardner called in and said she supports the skate park.

Jill Bunting, a mother of a scooter rider and a parole officer, said she supports the skate park.

Carma Shay called in and stated she supports the skate park and promotes confidence building activities. She urged the community to be proactive.

Kim Bunch said she came to ask for support of the skate park, because there is currently a lot of use at the park.

Timothy Howland called in and stated he is a former business owner and resident of Kodiak for 35 years and emphasized that skating is a sport and it should be funded.

Richard and Sandra Thummel called in to support the skate park.

Levi Bunting said he has been skating since he was six or seven and is thankful for the new wood on the ramps. He said there needs to be a safe place to skate that keeps skaters from the downtown area.

Gavin Fitzgerald said he has been going to the skate park since he moved to Kodiak four years ago and it would be nice to have a new skate park.

Dawson Bunch said he has been going to the skate park since he was in the second grade and he thought it was time for a new skate park and he supports the funding.

Dana Carros said his son is a skater, and he supports the funding of a skate park.

Josh Fitzgerald called in and said he is retired USCG, and he supports the restoration and improvement of the skate park.

Leah Chopek said she supports the skate park because her children have used the park. She said it is an important investment.

Lindsey Cassidy called in and said she works at the middle school and supports funding a new skate park.

Judi Kidder said she supports the skate park and feels it is vital in Kodiak. She said she supports an off-leash dog park. She shared information regarding a volunteer cleanup group in Kodiak that has been removing junk around town. She commented that the volunteer group took 1,100 pounds of garbage to the landfill and encouraged people to participate in the volunteer group. She said she supports the Beautification committee.

Dylan Shay called in to voice his support of the skate park. He said it is an important asset to the community.

Mayor Branson commented the skate park was not on the agenda but will be discussed during the budget process. She thanked those who made public comments.

IV. UNFINISHED BUSINESS

a. Continued First Reading, Ordinance No. 1316, Authorizing a Lease to Afognak Native Corporation of a ~~15,000~~17,727 Square Foot (0.34,407 Acre) Portion of USS 4947 Located Adjacent To Tract D-1B

Mayor Branson read Ordinance No. 1316 by title. The Afognak Native Corporation has expressed interest in purchasing City-owned land adjacent to their property on Near Island since 2009. With Council's decision to not sell additional City land until a land plan was developed, the discussions with Afognak turned to the idea of leasing property for viewshed protection. This ordinance was postponed in the first reading at the February 13, 2014, regular meeting because of a discrepancy in the lease survey. The discrepancy has been resolved.

Councilmember Walker MOVED to amend Ordinance No. 1316 by striking 15,000 square feet and inserting 17,727 square feet and striking 0.34 acre and inserting 0.407 acre; and amending the lease document by substituting Section 4.2, which includes the updated lease amount, and Exhibits A and B, which include the corrected exhibits.

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

The roll call vote on the amended main motion to pass Ordinance No. 1316 in the first reading and advance to second reading and public hearing at the next special or regular meeting was Councilmembers Bishop, Davidson, Saravia, and Walker in favor. Councilmembers Haines and Whiddon were absent. The main motion as amended passed.

V. NEW BUSINESS

a. First Reading, Ordinance No. 1318, Establishing Supplemental Appropriation No. 2 to the Budget for the Fiscal Year Commencing on the First Day of July 2013 and Ending on the Thirtieth Day of June 2014

Mayor Branson read Ordinance No. 1318 by title. The Supplemental Appropriation No. 2 to the FY2014 budget is in the amount of \$8,941,941. 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 packet. 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, nor at the time the first supplemental amendment was made in January 2014. This is the second budget amendment of FY2014.

Councilmember Saravia MOVED to pass Ordinance No. 1318 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 Bishop, Davidson, Saravia, and Walker in favor. Councilmembers Haines and Whiddon were absent. The motion passed.

b. Resolution No. 2014-20, Amending Sections 9.16, 11, and 12 of the Schedule of Fees, Charges, and Tariffs

Mayor Branson read Resolution No. 2014–20 by title. The City sets its fees and charges for various services by a resolution of the Council. The City Council identified the importance of an annual review and update of the schedule of fees and charges by including this as a budget goal since FY2011. Staff completed the review and submitted a list of proposed changes to fees pertaining to the Harbor Department, Library, and Parks & Recreation departments. The Harbor fee changes are proposed to take effect on May 1, 2014, and the other changes will be effective July 1, 2014.

Councilmember Walker MOVED to adopt Resolution No. 2014–20.

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

c. Resolution No. 2014–21, Authorizing the Borrowing From the Alaska Drinking Water Fund of an Aggregate Amount Not to Exceed \$6,000,000 to Pay for the Construction of the Monashka Pump House and Repealing Resolution 2014–10

Mayor Branson read Resolution No. 2014–21 by title. City staff began the process to replace the Monashka pumphouse in October 2010. The design for the new facility is complete, and the project went out to bid in March. During the project development, staff worked to acquire funds to move the project through to bid award and construction. The City used local funds, Alaska Department of Environmental Conservation (ADEC) grants, and a State of Alaska legislative grant for the project. The Alaska Municipal Matching Grant program through ADEC requires a 30 percent match by the City. Staff submitted an Alaska Drinking Water Fund loan questionnaire for this project to cover the City's match and to allow for additional funds, if needed. The City was determined to be eligible to apply for the loan and made an application to borrow up to \$2.5 million via Resolution No. 2014–10, which was submitted to ADEC in February.

Councilmember Davidson MOVED to adopt Resolution No. 2014–21.

Councilmember Davidson MOVED to substitute Resolution No. 2014–21 with Resolution No. 2014–21(SUB).

The roll call vote on the amendment by substitution was Councilmembers Bishop, Davidson, Saravia, and Walker in favor. Councilmembers Haines and Whiddon were absent. The substitution passed.

The roll call vote on the substituted resolution was Councilmembers Bishop, Davidson, Saravia, and Walker in favor. Councilmembers Haines and Whiddon were absent. The motion passed.

d. Authorization of Bid Award for Bid Package A and Pumps and Motors for Construction of the New Monashka Pumphouse, Project No.11-05/7029

The Monashka Reservoir and Pumphouse are the primary sources of water for the City of Kodiak's public water system. The City started evaluation of the pumphouse in 2010 and due to the age of the equipment and building and the structural and seismic issues, the pumphouse was slated for replacement. The project was designed and advertised for bid in March 2014, and two bids were received in April. Because of the timing of Alaska Municipal Matching Grant program and

the loans, the City bid the project in two packages. Bid package A is for the yard piping work and package B is for the pumphouse.

Councilmember Saravia MOVED to award bid package A, including yard piping and pumps and motors, to ASRC SKW Eskimos for the construction of the new Monashka Pumphouse project in the amount of \$1,190,671, with funds coming from Water Capital Improvement Fund, Project No. 11-05/7029.

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

e. Authorization of Amendment No. 4 to the Professional Services Contract for Construction Management Services for the New Monashka Pumphouse, Project No. 11-05/7092

The bids for construction of the City's new Monashka Pumphouse were opened on April 11, 2014, with ASRC/SKW Contractors as the apparent low bidder. Due to current project funding limitations, City staff recommends that Council award the construction management services in two phases. The packet information discusses both phases of construction management services for the new Monashka pumphouse project. Construction management is critical to ensure the project is built in a timely manner without interruption of water service to the community and to ensure that the project meets all regulatory requirements, including receipt of the Certificate to Operate by the regulatory agency.

Councilmember Davidson MOVED to authorize Amendment No. 4 to the Professional Services Contract with CH2MHill for construction management services during the initial phase of construction for the new Monashka Pumphouse in the amount of \$194,000, with funds coming from Water Capital Improvement Fund Project No.11-05/7029 and authorize the City Manager to execute the documents on behalf of the City.

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

f. Authorization of Sole Source Purchase of Yard Piping for Construction of the New Monashka Pumphouse, Project No. 11-05/7029

On March 12, 2014, the City advertised a separate bid for the purchase of yard piping for the new Monashka pumphouse facility. This was done because of the long lead time for certain pipe and fittings as well as the American Iron and Steel (AIS) requirement of the Alaska Drinking Water Fund (ADWF) loan. Bids were to be opened on Friday, April 11, 2014, at 2:15 p.m. No bids were received. One supplier told staff their bid was sent by express mail on April 9, and it was supposed to be delivered by April 11, but did not arrive until April 14. After discussion with the City Attorney on April 11, it was determined that since no bids were received, the City could accept a sole source bid per KCC 3.12.070 (d), which allows for such process. Staff also checked with the state grant and loan administrator who concurred with the City's sole source recommendation.

Councilmember Walker MOVED to authorize the sole source purchase of yard piping for the Construction of the New Monashka Pumphouse from HD Fowler in the amount of \$58,000, with

funds coming from the Monashka Pumphouse Project No. 11-05/7029, and authorize the City Manager to execute the documents for the City.

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

g. Authorization of Bid Award for Aleutian Homes Phase 5, Segment B, Project No. 10-03/7026

Aleutian Homes Water and Sewer Replacement Phase V, Segment B is a continuation of the upgrade of utilities, pavement, and sidewalks in the Aleutian Homes Area. Segment A was constructed during the summer of 2013. The higher project bid amounts and the current budget for Segment B result in a recommendation from staff to award the construction bid in two parts. The majority of the work can be awarded at this time and does not include sidewalk, curb, gutter, retaining walls and asphalt paving items. Additional funds are requested in the second FY2014 supplemental budget amendment to cover those items. Staff's request to authorize the second part of the project bid would come to Council following approval of the FY2014 Supplemental No. 2.

Councilmember Bishop MOVED to award the bid for the Aleutian Homes Phase V Segment B, Project No. 10-03/7026 to Brechan in the amount of \$2,994,895.50, with funds coming from the Water Capital Improvement Fund, Project No. 10-03/7026 and authorize the City Manager to execute the documents on behalf of the City.

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

h. Authorization of Amendment No. 1 to the Professional Services Contract for Construction Management Services for the Aleutian Homes Phase 5, Segment B, Project No. 10-03/7026

Aleutian Homes Water and Sewer Replacement Phase V, Segment B is a continuation of the upgrade of utilities, pavement, and sidewalks in the Aleutian Homes area. Council is scheduled to review and approve the construction contract for this project at this meeting. If the award is authorized, City staff will issue a Notice of Award for construction to Brechan Enterprises, Inc. on April 25. This memorandum discusses the construction management services for the Phase V, Segment B project. Staff recommends Council authorize Amendment No.1 to the professional services contract with DOWL HKM to perform construction management services for \$321,890.

Councilmember Davidson MOVED to authorize Amendment No. 1 to the Professional Services Contract with DOWL HKM for Construction Management Services for the Aleutian Homes Phase 5, Segment B, Project No. 10-03/7026, in the amount of \$321,890, with funds coming from the Water Capital Improvement Project No. 10-03/7026, and authorize the City Manager to execute the necessary documents for the City.

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

VI. STAFF REPORTS

a. City Manager

Manager Kniaziowski commented the Department of Transportation bid process for Pier I, the ferry dock, closes on May 9, 2014. She said the Monashka pumphouse and Aleutian Homes project are still in the legislative budget and the E911 system will be funded by various unused project funds in the area. Manager Kniaziowski stated the PERS and TRS funding passed through both houses unanimously. She commented that she is currently working on the budget summary. She said the reception for the Alaska Energy Authority is scheduled for May 13, which will be hosted by Senator Gary Steven's office, the City, and the KIB. She said the meeting with Department of Transportation to discuss replacement of the Tustemena is scheduled for May 21, 2014; currently, Port Lions, Old Harbor, and Ouzinkie are scheduled to participate. The meeting will be held at the Kodiak Public Library multi-purpose room and is open to the public. She stated the retirement party for Harbormaster Marty Owen will be on May 9 from 6 to 7:30 p.m. at the Fisheries Research Center, and it is open to the public. Manager Kniaziowski said the budget meeting will begin the morning of May 10. Manager Kniaziowski announced the hiring of Deputy Harbormaster Lon White as the new Harbormaster; she indicated he has been with the City for 32 years. She said she has received two resignations effective in May – Finance Director Mary Munk and Parks and Recreation Director Charlie Powers, and she will be acting in those capacities until the positions are filled. She stated the emergency response management training for Council is scheduled for June 19. She congratulated Chief Wallace and the police department for their recent drug arrests. She indicated she is working with department heads to review the recommendations from the Downtown Kodiak Revitalization Special Committee, and they will make their suggestions back to the committee and Council. Manager Kniaziowski said she will be in Washington DC for lobbying until May 1 and said there is a grand opening on May 2 for American Fast Freight. She said she appreciated the feedback for the skate park and commented that the skate park is in the CIP budget for approximately \$130,000. She clarified the FY2015 does have some of the FY2014 carryover funds.

b. City Clerk

City Clerk Marlar thanked Finance Director Munk for her years of financial assistance and congratulated Deputy Harbormaster Lon White on his appointment as Harbormaster. She informed the public of the next scheduled Council work session and regular meeting.

VII. MAYOR'S COMMENTS

Mayor Branson thanked the Downtown Kodiak Revitalization sub-committee chairs and the full committee for their work. She congratulated Chief of Police Wallace for sending the message that dealing drugs is not tolerated in Kodiak. She thanked those that made public comments for the skate park. She congratulated Lon White as the new Harbormaster. She stated the Council approved big projects during this meeting, and she was pleased the legislature voted to support the Governor's three billion dollar infusion into PERS, TRS, and the E911 system. She thanked Senator Alan Austerman for changing his vote and proposed the City consider hosting a reception for his retirement and years of service. She said there is a meeting in June with the Marine

Highway Transportation Advisory Board to discuss the Tustemena. She said she went to the Marine Science Symposium and said the sea grant representatives did a great job.

VIII. COUNCIL COMMENTS

Councilmember Walker thanked and congratulated Lon White for his role as the new Harbor-master, and he wished Harbormaster Marty Owen good luck in his retirement. He said he was disappointed in the resignations, and those individuals will be hard to replace; he congratulated the police department. He commented he was pleased with the legislature for the work they are doing including the E911. He said he was pleased to receive comments from the kids regarding the skate park. He said he supports the reception for Alan Austerman and he encouraged the public to attend the Alaska Energy Association reception. He commented the upcoming weekend was prom, the serendipity auction, and a track meet.

Councilmember Davidson congratulated Chief of Police Wallace and the police department for their recent drug arrest and commented this is the first step to protect the youth in the community. He congratulated Lon White, stating he will do a great job and said he will miss Harbormaster Marty Owen. He said he will miss Finance Director Mary Munk and commented she has done a great job. He said he hopes to see the snack shack on the fast track and appreciates all the work done behind the scenes at the City to get funding for the projects that were approved earlier in the evening.

Councilmember Saravia thanked Chief Wallace for removing drugs from the streets. He congratulated Lon White as the new Harbormaster, and he wished Harbormaster Marty Owen well and commented he will be out of town during his retirement party. He said he supports the kids for the skate park and gave an update on fishing.

Councilmember Bishop congratulated Chief of Police Wallace and KPD for cleaning up the streets in Kodiak. He congratulated Lon White as the new Harbormaster and said the camaraderie for the skate park was nice to see.

IX. AUDIENCE COMMENTS

None

X. ADJOURNMENT

Councilmember Davidson *MOVED* to adjourn the meeting.

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

The meeting adjourned at 9:44 p.m.

APRIL 24, 2014

7827



CITY OF KODIAK

Pat Kraus

MAYOR

ATTEST:

Michelle Shumard-Nelson
for CITY CLERK

Minutes Approved: May 22, 2014