

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, JANUARY 14, 2016
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 Laura B. Arboleda, Gabriel T. Saravia, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. Councilmembers Randall C. Bishop and Charles E. Davidson were absent. City Manager Aimée Kniazowski, City Clerk Debra L. Marlar, and Deputy Clerk Michelle Shuravloff-Nelson were also present.

Salvation Army Sergeant Major Dave Blacketer gave the invocation and the Pledge of Allegiance was recited.

II. PREVIOUS MINUTES

Councilmember Whiddon MOVED to approve the minutes of the December 10, 2015, special and regular meetings and December 30, 2015, special meeting as presented.

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

III. PERSONS TO BE HEARD

a. Public Comments

None

IV. UNFINISHED BUSINESS

a. Second Reading and Public Hearing, Ordinance No. 1340, Authorizing a Lease to Kodiak Maritime Museum for Thelma C Exhibit

Mayor Branson read Ordinance No. 1340 by title. The Kodiak Maritime Museum (KMM) developed the idea of restoring and displaying a historic 36' fishing vessel, the Thelma C, in the harbor area downtown. KMM representatives came to several City Council meetings since 2013 with their idea, which Council and harbor users supported. The KMM is now ready to install the exhibit on the harbor spit and is requesting the lease be initiated.

Councilmember Saravia MOVED to adopt Ordinance No. 1340.

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

Toby Sullivan, Executive Director of Kodiak Maritime Museum, expressed appreciation for Ordinance No. 1340 and the work completed on the lease from the Manager's Office.

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

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

V. NEW BUSINESS

a. First Reading, Ordinance No. 1341, Repealing Kodiak City Chapter 8.20, Assault and Battery, Adopting Kodiak City Code Chapter 8.20, Offenses Against Public Order, and Repealing Kodiak City Code 8.56.060, Disorderly Conduct; 8.64.010, Begging; and 8.64.020, Jostling People

Mayor Branson read Ordinance No. 1341 by title. The last several years the City has fielded concerns from citizens and staff regarding the growing homeless, indigent and inebriate population in the downtown area. Lacking depth in our Kodiak City Code, and concerns about violating citizen's constitutional rights, has limited the Kodiak Police Department's ability to address ongoing problems. The City reached out to its legal firm for direction. The City's attorney conducted research and developed regulations to meet the City's needs.

Councilmember Whiddon MOVED to pass Ordinance No. 1341 in the first reading and advance to second reading and public hearing at the next regular or special Council meeting.

Councilmember Whiddon MOVED to amend Ordinance No. 1341 by deleting the word "and" in the last line of the ordinance title and inserting at the end of the ordinance title the words "and Kodiak City Code 1.12.040, Disposition of Scheduled Offenses-Fine Schedule."

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

The roll call vote on the main motion was Councilmembers Arboleda, Saravia, Walker, and Whiddon in favor. Councilmembers Bishop and Davidson were absent.

b. Resolution No. 2016-01, Adopting an FY2017 State Capital Improvements Program List and Urging Continuation of State Matching Grant Programs and Revenue Sharing

Mayor Branson read Resolution No. 2016-01 by title. Council and staff reviewed a draft of the City's FY2017 state CIP request resolution with the City's state lobbyist, Ray Gillespie, at the November 10, 2015, work session. Ray Gillespie supported the inclusion of statements of support for continued funding for state revenue and grant sharing programs as well as the list of requested projects. Based on Council discussion and the lobbyist's recommendation, as well as a review by Kodiak's state legislators, staff prepared the resolution requesting projects and supporting continued funding of state programs. Resolution No. 2016-01 contains a short list of ongoing cost-reduced infrastructure improvements and long-term priority projects and also includes two smaller life-safety requests.

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Councilmember Whiddon MOVED to adopt Resolution No. 2016–01.

Councilmember Whiddon MOVED to substitute for the pending resolution, Resolution No. 2016–01(SUB).

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

c. Resolution No. 2016–02, Accepting a Code Blue Grant From the Southern Region EMS Council

Mayor Branson read Resolution No. 2016–02 by title. This grant, Code Blue Phase 14, will purchase a new Zoll X Series Defibrillator and 2 E Series CAPNO graphs for the use of the Kodiak Fire Department’s EMS response for a total cost of \$31,700 of which the City is responsible for a co-pay of ten percent.

Councilmember Arboleda MOVED to adopt Resolution No. 2016–02.

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

d. Resolution No. 2016–03, Expressing a Deep Sense of Urgency for the Alaska State Legislature to Take Immediate and Decisive Action During the 2016 Legislative Session to Enact a Complete Package of Initiatives to Provide for a Balanced, Sustainable, and Predicable State Budget for the Foreseeable Future

Mayor Branson read Resolution No. 2016–03 by title. Governor Bill Walker and First Lady Donna Walker visited Kodiak on December 21, 2015. During a joint work session with the City Council and Borough Assembly, Governor Walker and staff addressed the state’s current fiscal position due to the precipitous drop in oil prices and announced a plan towards a sustainable fiscal future. Deputy Chief of Staff John Hozey invited the City to adopt a resolution supporting the Governor and his administration’s work towards a fiscal solution.

Councilmember Walker MOVED to adopt Resolution No. 2016–03.

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

e. Authorization of the Third Amendment to the Composting Agreement with Quayanna Development Corporation

The existing bio-solids composting agreement between the City of Kodiak and Quayanna Development Corporation (QDC) began in October 2012. There have been two approved amendments to the original agreement. The reason for this third amendment centers around the

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opening of the City's new bio-solids composting facility located at 885 Monashka Bay Road and the terms associated with the City-owned facility.

Councilmember Whiddon MOVED to enter into executive session to discuss the City's negotiation of the third amendment to the composting agreement with Quayanna Development Corporation, a matter the immediate knowledge of which would clearly have an adverse effect upon the finances of the City.

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

Council entered into executive session at 7:55 p.m.

Mayor Branson reconvened the regular meeting at 8:40 p.m.

Councilmember Walker MOVED to authorize Amendment No. Three to the composting agreement with Quayanna Development Corporation with funds coming from the Sewer Fund Waste Water Treatment biosolid disposal account, and authorize the City Manager to sign the documents on the City's behalf.

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

f. Authorization of Lease With MorphoTrust USA, LLC for Office Space at 411 Marine Way

MorphoTrust USA, LLC is the company hired by the Transportation Security Administration (TSA) to administer and issue Transportation Worker Identification Credentials, commonly referred to as "TWIC cards." For the last two years MorphoTrust has leased the office space in the downtown public restroom building at 411 Marine Way as the local venue to issue and renew TWIC cards. The current lease expired on December 31, 2015. MorphoTrust has requested renewing the lease for an additional two years, beginning January 1, 2016, through December 31, 2017.

Councilmember Arboleda MOVED to authorize Lease No. 221804 between the City of Kodiak and MorphoTrust USA, LLC for the lease of the office space located at 411 Marine Way for the purpose of TWIC card enrollment and authorize the City Manager to execute the agreement on behalf of the City.

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

g. Authorization of a System Support Agreement for Library Mechanical System

The agreement with LONG Building Technologies is for services at the Kodiak Public Library. This service agreement would begin in February 2016 and continue for a period of three years

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and from year-to-year thereafter until terminated. The annual sum for services furnished by LONG Building Technologies Inc. will be \$9,927.97 with a three percent increase per year over the three contract years for a total of \$30,686.37.

Councilmember Walker MOVED to authorize the three-year service agreement with LONG Building Technologies beginning January 2016, with a first year cost of \$9,927.97 and a three percent increase each of the next two years for a total of \$30,686.37 with funds coming from the Library's professional services line item and authorize the City Manager to sign the documents on the City's behalf.

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

VI. STAFF REPORTS

a. City Manager

Manager Kniazowski said she was very pleased with the Pier III dock dedication. She thanked Matson for sponsoring the reception and Harbormaster White for his work behind the scene coordinating the dedication; she indicated Finance Director Mayes took some great pictures of the event. She said the Matson Kodiak will be at the dock in February. She said the compost facility was opened in December; DEC and CH2M were onsite and QDC will work until the end of the month. She shared that Councilmember Arboleda received newly elected official training and a tour will be scheduled at a later date. She indicated a capital project update will occur at the next meeting.

b. City Clerk

City Clerk Marlar informed the public of the next scheduled Council work sessions and regular meeting.

VII. MAYOR'S COMMENTS

Mayor Branson congratulated the Harbormaster for writing the highest scored Harbor Matching Grant in the State, and she thanked him and the harbor staff for their work for the Pier III dedication of the crane and flywheels. She said the celebration was a success and clarified for the public that Matson owns the new crane.

VIII. COUNCIL COMMENTS

Councilmember Walker thanked City employees for their work, and he encouraged the public to also thank employees for making the community a great place.

Councilmember Arboleda reminded everyone to drink orange juice and stay healthy during the cold season. She said the composting facility and Pier III are great successes. She complimented the cake sculpture at the Pier III dedication.

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Councilmember Whiddon said the Pier III project is a \$50 million facility. He said the dedication was professional, and he thanked the harbor staff for their work. He gave a fisheries update and shared that he believes that Kodiak needs to stay involved in regulatory issues because the outcome will be vital to the community.

Councilmember Saravia gave a fisheries work group update. He spoke about unity for the City and Borough to continue to work together on fisheries issues. He thanked the Governor for coming to Kodiak and sharing information and he said a state sales tax is not a good idea for Kodiak.

IX. AUDIENCE COMMENTS

None

X. ADJOURNMENT

Councilmember Whiddon MOVED to adjourn the meeting.

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

The meeting adjourned at 8:55 p.m.



CITY OF KODIAK

A handwritten signature in blue ink that reads "Pat Brown".

MAYOR

ATTEST:

A handwritten signature in blue ink that reads "Michelle (Dunaway) Nelson".

DEPUTY CLERK

Minutes Approved: January 28, 2016