

**MINUTES OF THE SPECIAL COUNCIL MEETING  
OF THE CITY OF KODIAK  
HELD THURSDAY, MARCH 17, 2016  
IN THE KODIAK PUBLIC LIBRARY MULTI-PURPOSE ROOM**

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

Mayor Pat Branson called the meeting to order at 7:30 p.m. Councilmembers Laura B. Arboleda, Randall C. Bishop, Charles E. Davidson, and Richard H. Walker were present and constituted a quorum. Councilmembers Gabriel T. Saravia and John B. Whiddon 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 Bishop MOVED to approve the minutes of the February 25, 2016, regular meeting as presented.

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

**III. PERSONS TO BE HEARD**

**a. Public Comments**

**Stephan Taufen** spoke about fisheries. He said he was concerned about processors' comments at a recent Fisheries Work Group meeting.

**Bob Bohay** said the bathrooms in the harbor area should be locked up to deter derelict and criminal behavior. He said there are drug issues in the downtown area that need to be addressed. He suggested closing the downtown liquor store across from the bathrooms.

**Sgt. Thor Johnson** of the Alaska National Guard spoke about veteran's needs and outreach efforts in Kodiak. He distributed a letter to the Mayor and Council requesting use of the old library building to address homelessness and other needs, similar to services at the veterans outreach building in Anchorage.

**David Blacketer** thanked Councilmembers John Whiddon and Gabriel Saravia for the green sweatshirts that were provided to fisheries workers and community members several years ago, which he wore in celebration of St. Patrick's Day. He said he sits on the Commission of Aging, and he gave an overview of the services provided by Senior Citizens of Kodiak Inc. He thanked the Mayor and Council for their support.

**Fire Chief Mullican** provided an update on the Alaska Shield "active shooter drill" at the high school. He said 30 volunteers participated in the drill. He shared there is a national change to

move medics to a scene to assist the injured as soon as possible, which is a modification in protocol they were able to practice during the drill.

#### IV. UNFINISHED BUSINESS

None

#### V. NEW BUSINESS

**a. First Reading, Ordinance No. 1344, Repealing Kodiak City Code 12.08.030, Obstructions; Amending Kodiak City Code 12.12.030, Outdoor Dining Permit/Encroachment Permit Required; and Enacting Kodiak City Code Chapter 12.18, Encroachment Permits, Regarding the Permission of Encroachments on City Sidewalks and Other City Property**

Mayor Branson read Ordinance No. 1344 by title. The Kodiak City Code has a brief reference to encroachment permits; however, a process to issue them is not described. There has been an increase in public requests for such permits, and the City Attorney recommended that sections of Title 12 be amended to better provide for issuance.

Councilmember Walker MOVED to pass Ordinance No. 1344 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 Arboleda, Bishop, Davidson, and Walker in favor. Councilmembers Saravia and Whiddon were absent. The motion passed.

**b. First Reading, Ordinance No. 1345, Enacting Kodiak City Code 3.16.015, Definitions, Kodiak City Code 3.16.025, Investment Committee, and Kodiak City Code 3.16.027, Investment Manager; and Amending Kodiak City Code 3.16.020, Treasury Management, and Kodiak City Code 3.16.030, Permissible Investments; to Provide for an Investment Committee to Oversee Investments of City Funds, Professional Management of the Investments and Related Matters**

Mayor Branson read Ordinance No. 1345 by title. The City recently adopted Resolution No. 2016-09 to form an investment committee to enhance and improve the management of City financial assets. The Investment Committee's responsibilities include, but are not limited to, the selection and oversight of an investment management and advisory firm to manage the City's investments. Ordinance No. 1345 will amend Kodiak City Code Chapter 3.16 investments and change the authority of investing City funds from the Finance Director to the Investment Committee.

Councilmember Arboleda MOVED to pass Ordinance No. 1345 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 Arboleda, Bishop, Davidson, and Walker in favor. Councilmembers Saravia and Whiddon were absent. The motion passed.

**c. First Reading, Ordinance No. 1346, Authorizing a Lease Between the City of Kodiak and United States Department of Transportation, Federal Aviation Administration, Alaska Region for Pillar Mountain Communication Lease Site No. 12, Described as a Parcel of Land Within U.S. Survey 3945**

Mayor Branson read Ordinance No. 1346 by title. The City of Kodiak has leased Communication Site No. 12 on Pillar Mountain to the Federal Aviation Administration (FAA) since 2004. The most recent lease will expire in June and the FAA wishes to continue to lease the site. Due to the terms, the lease must be approved by ordinance.

Councilmember Davidson MOVED to pass Ordinance No. 1346 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 Arboleda, Bishop, Davidson, and Walker in favor. Councilmembers Saravia and Whiddon were absent. The motion passed.

**d. Resolution No. 2016–11, Urging the Governor of the State of Alaska to Appoint a Kodiak Representative to the North Pacific Fishery Management Council**

The Governor had already recommended an appointment from Kodiak; therefore, no action was taken.

**e. Authorization of the First Amendment to Fisheries Analyst Contract**

The City Council and Borough Assembly have worked with a fisheries analyst since 2011 to help track and respond to fisheries resource management issues important to the Kodiak area. Following the resignation of the first analyst in late 2013, the City and Borough selected and hired McCarty and Associates for a two-year contract with an option to renew. At the February 24, 2016, joint work session, the majority of the two governing bodies agreed to a one-year extension of the contract with some modifications.

Councilmember Bishop MOVED to authorize Amendment No. 1 to the professional services agreement with McCarty and Associates for fisheries analyst consulting and related services, effective March 1, 2016, through February 28, 2017, in the amount of \$30,000 per year plus authorized expenses for the City's share of the contract costs, with funds coming from the General Fund Legislative professional services account, and authorize the City Manager to execute the documents on behalf of the City.

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

**f. Authorization of Banking Services Contract**

The City currently uses First National Bank of Alaska (FNBA) for banking purposes. FNBA was awarded the banking services contract in 2010 for three years with the option to extend for an additional two years. The contract was extended, and the contract expired at the end of calendar year 2015. These services are continued on a month-to-month basis until a renewed contract is in place.

Councilmember Walker MOVED to authorize a three-year banking services contract with First National Bank of Alaska with an option to extend for two additional one-year terms and authorize the City Manager to execute the documents on behalf of the City.

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

**g. Authorization of Repairs to Fire Station Overhead Doors**

The overhead doors on the City fire station are in need of significant maintenance and repair. Over the last six months the Fire Department has encountered issues with the doors not opening, failing to close, and parts breaking/falling off while responding to emergencies.

Councilmember Bishop MOVED to authorize overhead door repairs services be made to Pacific Builders in the amount of \$19,920 with funds coming from the FY2016 Fire Department Deferred Maintenance Account and authorize the City Manager to sign necessary documents on behalf of the City.

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

**h. Authorization of Reimbursement of Dockage and Wharfage Fees at Pier I**

From September 2014 to September 2015, Petro Marine Services (PMS) used their own float and fuel transfer system to receive bulk fuel from barges but continued to pay the city fees as prescribed in the last Pier I easement agreement. In September 2015, PMS contacted the Harbormaster to report they had overpaid the City because no fuel crossed the ferry dock. Staff recommends Council authorize the City of Kodiak to refund PMS for overpayment of fees for dockage and other services at Pier I Ferry Terminal in the amount of \$27,851.92.

Councilmember Davidson MOVED to authorize a refund to Petro Marine Services in the amount of \$27,851.92, with funds coming from the Harbor Enterprise Fund and authorize the City Manager to execute the refund for the City.

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

**i. Authorization of the First Amendment to Professional Services Contract with Solstice Alaska Consulting Inc. to Assist in Permitting for the Channel Transient Float Replacement Project No. 8525**

The initial professional services agreement with Solstice Alaska to prepare the necessary documents to obtain permitting for the Channel Transient Float Replacement Project for \$14,630 was approved within the City Manager's spending authority. Due to the expanded regulatory requirements and permitting effort required, Solstice Alaska Consulting Inc. provided an updated budget requesting an additional \$41,260. This amendment amount exceeds the Manager's spending authority and requires Council authorization.

Councilmember Walker MOVED to authorize Amendment No. 1 to the professional service contract with Solstice Alaska Consulting Inc., in the amount of \$41,260, with funding from the Harbor Enterprise Fund, Capital Project No. 8525 and authorize the City Manager to sign necessary documents on behalf of the City.

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

**j. Authorization of Data Storage System Purchase**

The City currently has data storage systems located at City Hall and KPD. These storage systems are used to backup all City-wide electronic records and programs. The storage systems are over five years old and are becoming obsolete, and the capacity is limited. Due to increased software functionality within the City (i.e. ERMS, email archival systems, KPD video recordings, additional network space, etc.), the capacity will exceed its limitations by the end of the current fiscal year. The new systems, software, and support would be supplied by Exablox in the amount of \$22,596.

Councilmember Arboleda MOVED to authorize the purchase of data storage systems from Exablox in the amount of \$22,596 with funds coming from the Finance Department, IT Division, Machinery and Equipment account and authorize the City Manager to execute the documents on behalf of the City.

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

**VI. STAFF REPORTS**

**a. City Manager**

Manager Kniazowski said the Juneau Legislative trip will occur at the end of the month, and the City will advocate for its capital improvement projects and for full revenue sharing. She encouraged the Council to sign up for a tour of the compost facility. She said DOWL held a Pedestrian Pathway public meeting and it was well attended. She mentioned the decorative trash cans have been installed. She thanked Public Works and Parks and Recreation staff for installing them and expressed appreciation to Bruce Schactler for his work to get the trash cans to Kodiak. She mentioned that the Alaska Shield drill exercise went well; she thanked the Fire and Police Departments and volunteers. She said she will present an employee cost of living increase to the Council. She said she will be out of the office March 29 through 31, and Deputy City Manager Mike Tvenge will be Acting City Manager and Fire Chief Jim Mullican will be Acting Emergency Services Director.

**b. City Clerk**

City Clerk Marljar informed the public of the next scheduled Council work session and regular meeting.

**VII. MAYOR'S COMMENTS**

Mayor Branson said she attended SWAMC; she commented she was disappointed that the fisheries schedule was on the last day of the conference. She said Lobbyist Ray Gillespie and the City will host a dinner with Senator Stevens and Representative Stutes when the Mayor and Council are in Juneau to lobby for City projects. She commented the Joint City-Borough Work Session meeting went well.

**VIII. COUNCIL COMMENTS**

Councilmember Davidson reported on his attendance at the SWAMC conference. He said he attended the NLC conference and participated in several sessions. He commented on potential roadway funding.

Councilmember Arboleda reported on her attendance at SWAMC.

Councilmember Bishop said he attended the Joint Building Code Review Committee meeting, and a recommendation to adopt updated building codes will be forwarded to the Council.

Councilmember Walker reported on his attendance at SWAMC stating he was disappointed in the conference as compared to previous years. He said he attended the Borough's Lands Committee meeting, and he will keep the Council informed of those discussions.

**IX. AUDIENCE COMMENTS**

None

**X. EXECUTIVE SESSION****a. City Manager's Annual Evaluation and Contract Review**

Councilmember Walker MOVED to enter into executive session as authorized by Kodiak City Code Section 2.04.100(b)(2) to evaluate the City Manager's performance and discuss the terms of the employment contract.

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

The Council entered into executive session at 8:40 p.m.

The Mayor reconvened the Council meeting at 9:35 p.m.

**XI. ADJOURNMENT**

Councilmember Davidson MOVED to adjourn the meeting.

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

The meeting adjourned at 9:36 p.m.



CITY OF KODIAK

A handwritten signature in blue ink, appearing to read "Pat Brown", is written over a horizontal line.

MAYOR

ATTEST:

A handwritten signature in blue ink, appearing to read "Michelle Shuravoff-Nelson", is written over a horizontal line. Below the signature, the word "for" is written in a smaller, cursive script.

CITY CLERK

Minutes Approved: April 14, 2016