

**MINUTES OF THE REGULAR COUNCIL MEETING  
OF THE CITY OF KODIAK  
HELD THURSDAY, NOVEMBER 10, 2016  
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Mayor Pat Branson called the meeting to order at 8 p.m. Councilmembers Laura B. Arboleda, Randall C. Bishop, Charles E. Davidson, Gabriel T. Saravia, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. City Manager Aimée Kniazowski, City Clerk Debra L. Marlard, and Deputy Clerk Michelle Shuravloff-Nelson were also present.

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

**II. PREVIOUS MINUTES**

Councilmember Whiddon MOVED to approve the minutes of the October 13, 2016, regular meeting as presented.

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

**III. PERSONS TO BE HEARD**

**a. Proclamation: Extra Mile Day**

Councilmember Walker read the proclamation, which urges each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those around who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place. The Extra Mile America Foundation requested this proclamation.

**b. Public Comments**

**Major Dave Davis** from the Salvation Army said it is the birthday of the U.S. Marine Corp 241, and he stated November 11, 2016, will be Veterans Day and there will be a parade and celebration sponsored by the American Legion Post 17 and VFW 7056. He encouraged the community to attend the local celebration.

**IV. UNFINISHED BUSINESS**

- a. Second Reading and Public Hearing, Ordinance No. 1360, Amending Kodiak City Code 3.12.020, Limitation on City Manager’s Authority; Kodiak City Code 3.12.030, Open Market Procedures; Kodiak City Code 3.12.040, Advertising for Bids; and Kodiak City Code 3.12.090, Purchase, Contract, or Sale Valid When-Prohibited When; to Increase the Limit on the City Manager’s Contracting Authority From \$15,000 to \$35,000 and to Increase the Limit on Use of Open Market Contracting Procedures to \$50,000**

Mayor Branson read Ordinance No. 1360 by title. The update to the Kodiak City Code section 3.12.040 was last amended in 2000. Cost of goods and services has increased in this period, and this ordinance is intended to catch up with inflation. Many invoices and small projects exceed the City Manager's current spending authority, and this increase will improve procurement efficiency.

Councilmember Davidson MOVED to adopt Ordinance No. 1360.

Councilmember Bishop MOVED to amend Section 4 of Ordinance No. 1360 by striking \$50,000 and inserting \$35,000.

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 on the amendment was Councilmembers Arboleda, Bishop, Davidson, Saravia, Walker, and Whiddon in favor. The amendment passed.

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

## V. NEW BUSINESS

### a. **Resolution No. 2016–40, Accepting an Edward Byrne Memorial Justice Assistance Grant From the U. S. Department of Justice**

Mayor Branson read Resolution No. 2016–40 by title. The City of Kodiak has been awarded an Edward Byrne Memorial Justice Assistance Grant by the Office of Justice Programs to provide funding for approved equipment purchases. This grant will repay costs associated with the purchase of approved body camera equipment and redaction software for the Kodiak Police Department.

Councilmember Bishop MOVED to adopt Resolution No. 2016–40.

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

### b. **Resolution No. 2016–41, Requesting the Alaska Legislature and Governor Walker to Not Impose Any More Cuts to the Alaska Department of Fish and Game (ADFG) Budget and Particularly to the Division of Commercial Fisheries Budget and Any Tax Revenue Generated From New or Increased State Taxes on the Commercial Seafood Industry Be Used to Fill the Funding Gap for ADFG and Pay for Continuing Effective Management of Alaska's Commercial Fisheries**

Mayor Branson read Resolution No. 2016–41 by title. At the October 19, 2016, joint work session, the Borough indicated it was submitting a resolution to the Alaska Municipal League (AML) Resolution Committee requesting the Governor not impose any more cuts to the Alaska Department of Fish and Game budget, especially the Division of Commercial Fisheries budget. The Borough will request the resolution be included in the AML business meeting for a vote of

the membership. The resolution requires the support of representatives of five member municipalities. The Council voiced a consensus to support the resolution to AML and directed a similar City resolution be brought forward at this meeting. The Fisheries Work Group also endorsed the resolution at its October 12, 2016, meeting.

Councilmember Arboleda MOVED to adopt Resolution No. 2016–41.

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

**c. Acceptance of Near Island Conceptual Land Use Plan**

In September 2015 Council authorized a professional service contract with DOWL for an updated Near Island Land Use Plan. DOWL is the City’s consultant most familiar with Near Island and has presented at Council work sessions, summarized public outreach efforts, and has updated the Near Island Conceptual Land Use Plan.

Councilmember Bishop MOVED to accept the Near Island Conceptual Land Use Plan.

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

**d. Acceptance of Recommendations From the City Marijuana Advisory Special Committee**

On May 26, 2016, the Council adopted Ordinance No. 1350, Enacting KCC Chapter 5.52 Prohibiting Marijuana Establishments in the City. The ordinance became effective July 1, 2016, and expires January 1, 2017. The six-month opt out period was to provide time for the City’s Marijuana Advisory Special Committee, which was established by Resolution No. 2016–16, to recommend guidelines for implementing taxation, regulation, production, sale, and use of marijuana within the Kodiak City limit. The committee has held nine meetings since June 2016 and is bringing forward recommendations for Council consideration. Once the Council has accepted the recommendations, staff will work with the City attorney to draft the necessary ordinances.

Councilmember Bishop MOVED to accept the 13 recommendations from the City Marijuana Advisory Special Committee presented at this meeting and direct staff to draft ordinances to implement these recommendations.

Councilmember Davidson MOVED to postpone the vote until all the recommendations from the Marijuana Advisory Committee have been further received.

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

**e. Recommendation for Appointment to City Seat on the Planning and Zoning Commission**

Three of the seven seats on the Planning and Zoning Commission are designated as City seats. There is one vacant City seat on the Planning and Zoning Commission, and the Council needs to recommend an applicant for appointment.

Councilmember Whiddon MOVED to recommend Chris Hatch for appointment to the vacant City seat on the Planning and Zoning Commission for a term to end in December 2019.

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

**f. Authorization of Award of Design and Construction of the Channel Transient Float, Project No. 8525**

On September 16, 2016, the City publicly solicited a Request for Proposal (RFP) for the design-build for the Channel Transient Float (CTF) replacement. Proposals were due October 27, 2016. Proposals were received from Pacific Pile & Marine and Turnagain Marine Construction. Both proposals were evaluated by staff using criteria spelled out in the RFP. The evaluation team members included Deputy City Manager Tvenge, Public Works Director Kozak, City Engineer Melvin, Harbormaster White, and Deputy Harbormaster Magnuson.

Councilmember Walker MOVED to authorize award of design and construction for the Channel Transient Float Replacement to Turnagain Marine Construction in an amount not-to-exceed \$2,198,000 with funds coming from Channel Transient Float Replacement Project, Project No. 17-07/8025 and authorize the City Manager to execute the documents on behalf of the City.

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

**VI. STAFF REPORTS**

**a. City Manager**

Manager Kniazowski said the Mayor, Clerk, Finance Director, and she recently signed bond re-financing documents, which will save the City over \$1 million. She said payments and interest will decrease in the upcoming year as a result of the refinancing. She said the ice rink is up and running after overcoming some mechanical difficulties. She mentioned the holiday lights will be placed in the downtown area. She congratulated Parks and Recreation Director Gronn and staff for the proclamation of appreciation for their services to the community given by the Kodiak Island Borough Mayor. She informed the public of an ICS 300 course in November that will be taught by Chief Jim Mullican who is an excellent instructor. She said Public Works Director Kozak said the new regulations are in effect requiring snow storage in a location further out of town; therefore, clearing the streets will take longer. She said a public service announcement sharing information regarding snow removal will occur for the community. She said the old library demolition project is out to bid and the old crane is being disassembled at Pier III. She commented that abandoned and junk vehicles are very costly for the City. She said she has signed an agreement with Wanetta Ayers for Economic Development, and she asked the Council to consider dates to meet with Ms. Ayers in the near future. She said Juneau lobbyist Ray Gillespie has been updating the City Manager on current legislative issues. She said she will attend

AML November 14 through November 18. She thanked the Deputy City Manager and Deputy Clerk for preparing this meeting packet.

**b. City Clerk**

City Clerk Marlar informed the Council the office will be closed November 14 through 16, 2016, while staff attends training in Anchorage. She informed the public of the next scheduled Council meetings.

**VII. MAYOR'S COMMENTS**

Mayor Branson congratulated the boys swimming team for taking the State title. She saluted veterans for their service. She thanked Councilmembers Arboleda and Bishop for their time, work, and presentation for the Marijuana Advisory Committee. She thanked the Borough for acknowledging Parks and Recreation Director Gronn, and she thanked Mr. Hatch for volunteering for the Planning and Zoning seat. She said she looks forward to AML with the new legislature to discuss the ferry schedule, fiscal plan, and revenue sharing.

**VIII. COUNCIL COMMENTS**

Councilmember Arboleda thanked Councilmember Bishop and the staff for the work on the Marijuana Advisory Committee. She said the presidential election process has been interesting; she stated divided we fall but united we stand.

Councilmember Davidson expressed admiration for Mayor Branson. He extended his appreciation to the Marijuana Advisory Committee, and he thanked the Finance Director. He wished everyone a happy Thanksgiving. He encouraged everyone to honor veterans in the morning during the parade. He thanked the City staff and said he is honored to serve the community.

Councilmember Walker congratulated the Mayor on the Chicago Cubs win in the World Series. He congratulated Parks and Recreation Director Gronn and his staff for their work and commented that he appreciated the Borough's proclamation. He thanked Mr. Hatch for his service. He said Councilmembers Bishop and Arboleda have done a wonderful job on the Marijuana Advisory Committee. He acknowledged that the compost site building is complete. He wished everyone a happy Thanksgiving, and he thanked staff for their work.

Councilmember Whiddon said Councilmembers Arboleda and Bishop did an excellent job on the marijuana presentation. In honor of Veterans Day he acknowledged the large Coast Guard population in Kodiak. He said there was recently a 30<sup>th</sup> memorial ceremony for the helicopter that perished on Ugak Island. He commented that Veterans Day is a remembrance of those that have served and for those that have given their life for their country. He thanked the Deputy Clerk for providing administrative support to the Kodiak Fisheries Work Group.

Councilmember Saravia thanked Mr. Hatch for volunteering his time. He expressed his admiration to veterans. He thanked Police Chief Wallace and the staff for their service, and he thanked the Finance Director. He said he appreciated the Marijuana Advisory Committee's work and appreciates the work that Councilmembers Arboleda and Bishop have done.

Councilmember Bishop thanked those men and women who have and are serving. He thanked the staff for their work. He urged safe travel to those traveling over the holiday.

**IX. AUDIENCE COMMENTS**

None

**X. EXECUTIVE SESSION**

**a. Discussion of Strategies for Potential Collective Bargaining Agreements**

Councilmember Whiddon MOVED to enter into executive session pursuant to AS 44.62.310(c)(1) to discuss matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the City, specifically the City's strategies for potential collective bargaining agreements.

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

Council entered into Executive Session at 9:05 p.m.

Mayor Branson reconvened the meeting at 10:09 p.m.

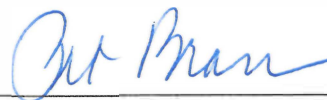
**XI. ADJOURNMENT**

Councilmember Whiddon MOVED to adjourn the meeting.

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

The meeting adjourned at 10:09 p.m.

CITY OF KODIAK



MAYOR

ATTEST:

  
CITY CLERK

Minutes Approved: December 8, 2016

