

Mayor
James Kacsh
Council Members
Kristin Carpenter
Tim Joyce
David Allison
Bret Bradford
EJ Cheshier
David Reggiani
James Burton

Interim City Manager
Donald Moore
City Clerk
Susan Bourgeois

Deputy Clerk
Tina Hammer

Student Council

**REGULAR COUNCIL MEETING
JUNE 05, 2013 @ 7:30 PM
LIBRARY MEETING ROOM**



AGENDA

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

I pledge allegiance to the Flag of the United States of America, and to the republic for which it stands, one Nation under God, indivisible with liberty and justice for all.

C. ROLL CALL

Mayor James Kacsh, Council members Kristin Carpenter, Tim Joyce, David Allison, Bret Bradford, EJ Cheshier, David Reggiani and James Burton

D. APPROVAL OF REGULAR AGENDA..... (voice vote)

E. DISCLOSURES OF CONFLICTS OF INTEREST

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Guest Speakers – **John Bitney**, legislative session wrap up
2. Audience comments regarding agenda items..... **(3 minutes per speaker)**
3. Chairpersons and Representatives of Boards and Commissions
(Harbor, HSB, Parks & Rec, P&Z, School Board)
4. Superintendent's Report

G. APPROVAL OF CONSENT CALENDAR..... (roll call vote)

5. Resolution 06-13-29..... **(page 1)**
A resolution of the City Council of the City of Cordova, Alaska, approving the final plat of Lot 8A and Lot 8B, Vina Young Subdivision
6. Resolution 06-13-30..... **(page 5)**
A resolution of the City Council of the City of Cordova, Alaska, appropriating \$18,624.38 from the General Fund, fund reserve to the Whitshed Road bike and pedestrian path project for the City of Cordova's FY13 local match contribution towards the project
7. Resolution 06-13-31..... **(page 8)**
A resolution of the City Council of the City of Cordova, Alaska, authorizing supplemental appropriations in the total amount of \$40,620.00 in the General Fund and Enterprise Funds to pay a 2013 wage increase for all IBEW bargaining unit (union) employees
8. Resolution 06-13-33..... **(page 11)**
A resolution of the City Council of the City of Cordova, Alaska, authorizing the purchase of a used mid-sized rollback wrecker vehicle for an amount not to exceed \$50,000 freight on board Cordova

H. APPROVAL OF MINUTES

9. Council Work session Minutes 02-21-13..... **(page 14)**
10. Special Meeting Minutes 03-14-13..... **(page 17)**
11. Special Meeting Minutes 03-28-13..... **(page 20)**
12. Special Meeting Minutes 04-05-13..... **(page 22)**
13. Regular Meeting Minutes 04-17-13..... **(page 24)**
14. Regular Meeting Minutes 05-01-13..... **(page 30)**

I. CONSIDERATION OF BIDS - None

J. REPORTS OF OFFICERS

15. Mayor's Report..... (page 35)
16. Manager's Report..... (page 36)
 a. Staff Reports:
 i. Finance Department Report..... (page 44)
17. City Clerk's Report..... (page 47)

K. CORRESPONDENCE

18. DoT&PF CRH Bridge 339 update..... (page 48)
19. Letter from CRWP to Mayor in re easement for Eyak Mountain Trail..... (page 51)
20. Information from Karen Swartzbart in re Whitshed Road speed limit..... (page 56)

L. ORDINANCES AND RESOLUTIONS

21. Resolution 06-13-28..... (voice vote)(page 63)
 A resolution of the City Council of the City of Cordova, Alaska, setting the mill rates for 2013
22. Resolution 06-13-32..... (roll call vote)(page 66)
 A resolution of the City Council of the City of Cordova, Alaska, appropriating \$325,000 from the general fund, fund balance (central treasury) to pay consultant and legal services related to the Cordova Center construction project
23. Ordinance 1109..... (voice vote)(page 69)
 An ordinance of the City Council of the City of Cordova, Alaska, amending Cordova Municipal Code Title 11 entitled "port and harbor facilities" to update all provisions, to improve readability and clarity, to comply with federal and state law, and to revise the auction procedures for impoundment of nuisances and the disposal of vessels

M. UNFINISHED BUSINESS

24. Discussion of Capital Priorities – quarterly review by Council..... (page 98)

N. NEW & MISCELLANEOUS BUSINESS

25. Cordova Center Marketing plan RFP discussion..... (page 100)
26. Pending Agenda and Calendar..... (page 101)

O. AUDIENCE PARTICIPATION

P. COUNCIL COMMENTS

27. Council Comments

Q. EXECUTIVE SESSION

28. Cordova Center Finances – Attorney advice/update

R. ADJOURNMENT

Executive Sessions: Subjects which may be discussed are: (1) Matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government; (2) Subjects that tend to prejudice the reputation and character of any person; provided that the person may request a public discussion; (3) Matters which by law, municipal charter or code are required to be confidential; (4) Matters involving consideration of governmental records that by law are not subject to public disclosure.

**If you have a disability that makes it difficult to attend city-sponsored functions,
you may contact 424-6200 for assistance.**

Full City Council agendas and packets available online at www.cityofcordova.net

Memorandum

To: City Council
Thru: City Manager
From: Planning Department Staff
Date: May 17, 2013
Re: Final Plat

PART I. GENERAL INFORMATION:

File No.: 02-072-595 Lot 8 Block 5 Vina Young Subdivision

Requested Action: Final Plat approval

Applicant: Louie and Nina Albers

Owner's Name: Louie and Nina Albers

Zoning: Low Density Residential (LDR)

Applicable Regulations: Title 17, Subdivision Regulations
Title 18, Zoning Regulations

PART II. BACKGROUND:

3/12/2013 P&Z meeting the preliminary plat for Lot 8 Block 5 Vina Young Subdivision was approved with special conditions.

4/23/2013 Building permit was issued to Albers (#008-2013) meeting the special requirement from the 3/12/2013 P&Z meeting and the plat contains the language provided by the lawyer (see below)

5/14/2013 P&Z regular meeting Final was approved by P&Z

The proposed subdivision is to divide the current lot into two lots. Both lots will meet the Low Density Residential code requirements of minimum lot size of 4000 square feet, width requirements of 40 feet and setbacks requirements.

Lot 8B does not currently meet the use portion of zoning requirements for LDR because it does not have a residential component in the warehouse building. The warehouse is considered an accessory building which is a permitted use but as defined will not work in this situation, the definition of accessory building is:

18.08.030 - Accessory building

"Accessory building" means a detached building, the use of which is appropriate, subordinate and customarily incidental to that of the main building or to the main use of the land and which is located **on the same lot** as the main building or use. An accessory

building shall be considered to be a part of the main building when joined to the main building by a common wall not less than four feet long or when any accessory building and the main building are connected by a breezeway which shall not be less than eight feet in width.

The owners of the property are asking to subdivide concurrently with starting the addition of a residential component to the warehouse. The lawyer said this is acceptable if the verbiage below is added as a plat note on the new plat and that the applicants have applied for and received a building permit prior to the approval of the final plat. This allows them to subdivide, sell the house and begin the process of adding a residential component to their warehouse.

4.THE GARAGE STRUCTURE LOCATED ON LOT 8B SHALL HAVE NO USE OR OCCUPANCY OF THE GARAGE STRUCTURE EXCEPT AS A ONE-,TWO- OR THREE-FAMILY DWELLING, OR AS AN ACCESSORY BUILDING TO A ONE-, TWO- OR THREE-FAMILY DWELLING LOCATED ON THE SAME LOT.

PART III. SUGGESTED FINDINGS:

1. The proposed subdivision conforms to the purposes and requirements of the Subdivision Ordinance; and the Comprehensive Plan Policies and serves the public use, health and safety
2. There are no known physical conditions present which may be hazardous to the future inhabitants with this Subdivision

PART III. SPECIAL CONDITIONS

All special condition listed have been met and the Final Plat has been approved by Planning and Zoning.

PART V. STAFF RECOMMENDATION:

Staff recommends that the resolution approving the Final Plat for Louie and Nina Albers, Lot 8A and Lot 8B, Vina Young Subdivision be approved by the City Council.

PART VI. RECOMMENDED MOTION:

Motion for Approval:

"I move to approve Resolution 06-13-29."

**CITY OF CORDOVA, ALASKA
RESOLUTION 06-13-29**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA,
APPROVING THE FINAL PLAT OF LOT 8A AND LOT 8B, VINA YOUNG
SUBDIVISION**

WHEREAS, the City of Cordova recognizes that the Planning Commission completed a review of this final plat and recommended at its May 14, 2013 meeting that this final plat be forwarded on to the City Council and approved; and

WHEREAS, this is the Plat of Lot 8A and Lot 8B, Vina Young Subdivision; and

WHEREAS, the plat is subject to all conditions, easements, covenants, reservations, restrictions and rights of way of record; and

WHEREAS, the proposed subdivision is zoned Low Density Residential.

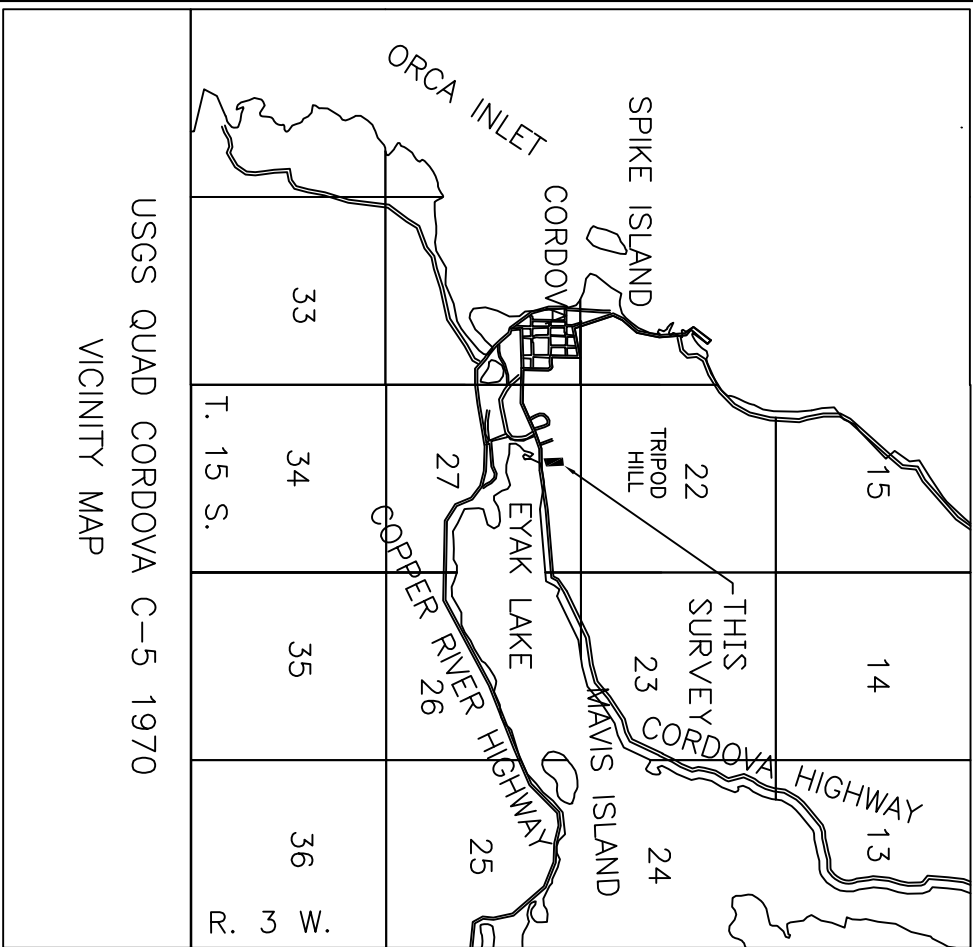
NOW, THEREFORE BE IT RESOLVED THAT the City Council of the City of Cordova, Alaska, hereby approves the final plat of Lot 8A and Lot 8B, Vina Young Subdivision effective the date this resolution is approved.

PASSES AND APPROVED THIS 5th DAY OF JUNE, 2013

James Kacsh, Mayor

ATTEST:

Susan Bourgeois, City Clerk



LEGEND

- = SET 2" ALUMINUM CAP
- ⊕ = FOUND 3-1/4" BRASS CAP
- = FOUND IRON PIPE

UTILITY LEGEND

- ⦿ = UTILITY POLE
- = TELEPHONE PEDESTAL

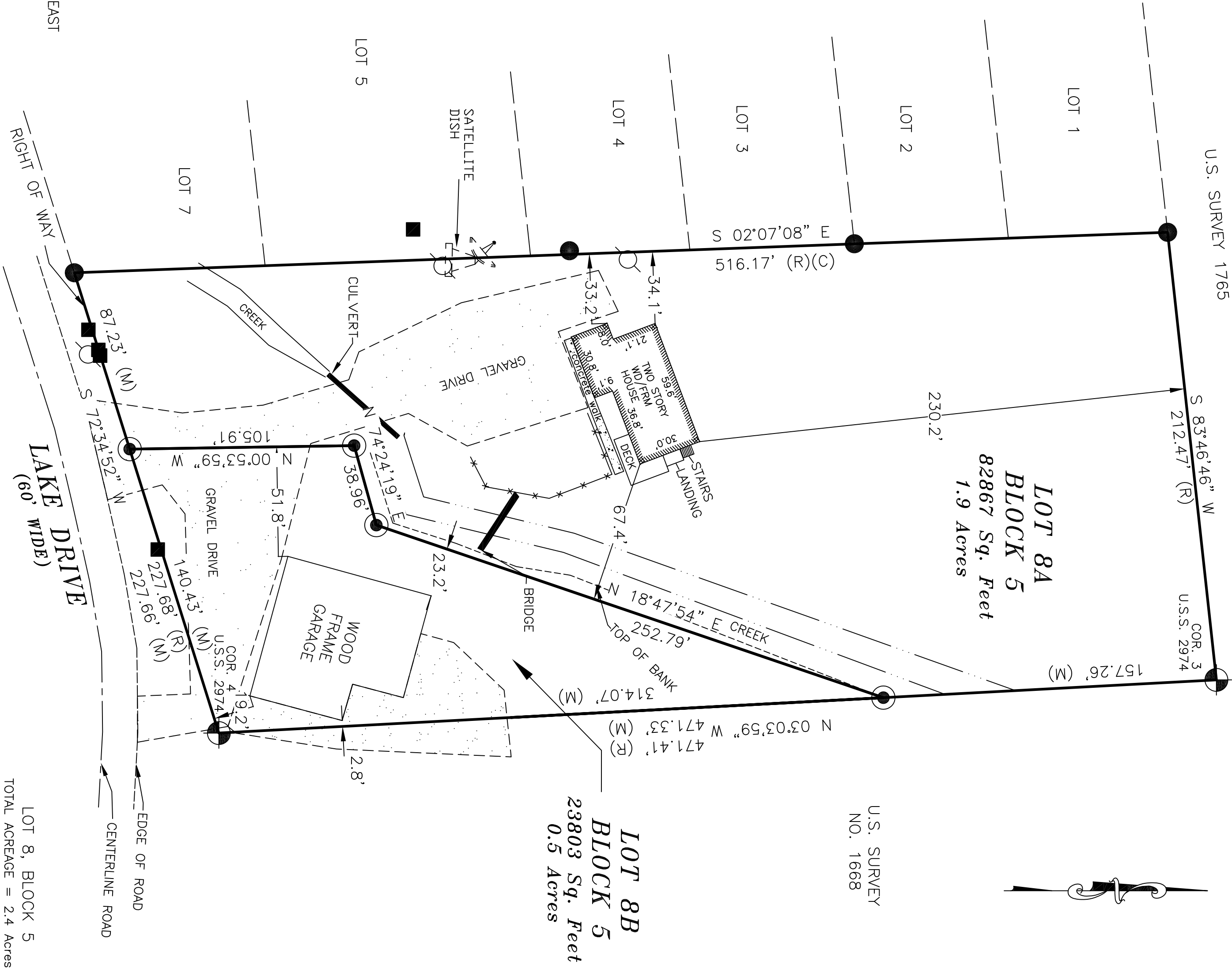
NOTES:

- SUBJECT TO ALL CONDITIONS, SERVITUDE'S, EASEMENTS, COVENANTS, RESERVATION, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.
- SUBJECT TO ALL COPY RIGHT LAWS.
- ST. DENNY SURVEYING INC. ASSUMES NO RESPONSIBILITY OR LIABILITY FOR ANY ERRORS OR OMISSIONS OF ANY KIND WHATSOEVER IN TERMS OF CONTENT SHOWN HEREON AND DISCLAIMS ALL WARRANTIES AND/OR CONDITIONS , EXPRESS OR IMPLIED, TO THE CONTENT INTO ANY MATTER RELATING TO THE INFORMATION SHOWN HEREON.
- THE GARAGE STRUCTURE LOCATED ON LOT 8B SHALL HAVE NO USE OR OCCUPANCY OF THE GARAGE STRUCTURE EXCEPT AS A ONE-,TWO- OR THREE-FAMILY DWELLING, OR AS AN ACCESSORY BUILDING TO A ONE-, TWO- OR THREE-FAMILY DWELLING LOCATED ON THE SAME LOT.

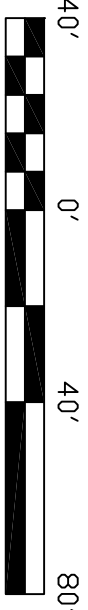
BASIS OF BEARING-U.S. SURVEY 2974
BASIS OF ROTATION- HELD 3-1/2" GLO MONUMENT FOUND AT THE SOUTHEAST CORNER OF U.S. SURVEY 2974 AND ROTATING TO 3-1/2" GLO MONUMENT FOUND AT THE NORTHEAST CORNER OF U.S. SURVEY 2974.

REFERENCES:

- U.S. SURVEY 2974 AS RECORDED IN THE CORDOVA RECORDING DISTRICT
- PLAT NO. 70-173 V. YOUNG SUBDIVISION AS RECORDED IN THE CORDOVA RECORDING DISTRICT.
- PLAT NO. 73-277 AS RECORDED IN THE CORDOVA RECORDING DISTRICT.



PRELIMINARY



OWNERSHIP AFFIDAVIT

I HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED HEREON.
I HEREBY DEDICATE TO THE PUBLIC ALL EASEMENTS FOR PUBLIC UTILITIES, STREETS, ALLEYS, THOROUGH FARES, PARKS AND OTHER PUBLIC AREAS SHOWN HEREON.

LOUIE ALBER _____ DATE _____

NINA ALBER _____ DATE _____

NOTARY ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____ 2013

NOTARY _____

NOTARY _____

TAX CERTIFICATE

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THE CITY OF CORDOVA ALL TAXES ASSESSED AND DUE AGAINST SAID LAND AND IN FAVOR OF THE CITY OF CORDOVA ARE PAID IN FULL.

DATED AT CORDOVA, ALASKA, THIS _____ DAY OF _____ 2013

CORDOVA CITY CLERK _____

PLAT APPROVAL

CORDOVA PLANNING AND ZONING COMMISSION

RECEIVED _____ DATE _____

APPROVED _____ DATE _____

CHAIRMAN _____ DATE _____


THIS IS TO CERTIFY THAT WITHIN PLAT IS DULY APPROVED IN ACCORDANCE WITH THE CITY OF CORDOVA

CITY CODE THIS _____ DAY OF _____ 2013

CITY MANAGER _____

CITY CLERK _____ DATE _____

COMMUNITY DEVELOPMENT DIRECTOR _____ DATE _____



STATE OF ALASKA
19 TH
MARK R. STUBBINS
REGISTERED PROFESSIONAL SURVEYOR
NO. 10197

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS AS-BUILT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.
DATE: _____ REGISTRATION NO. _____

MARK R. STUBBINS
REGISTERED LAND SURVEYOR

SUBDIVISION OF
LOT 8, BLOCK 5, V. YOUNG SUBDIVISION
CREATING:
LOTS 8A & 8B BLOCK 5,
V. YOUNG SUBDIVISION

CORDOVA ALASKA

DRAWN BY	DATE	CORDOVA RECORDING DISTRICT
MSTD	2-13-13	
SCALE	SHEET	PROJECT NO.
1"=40'	1 of 1	13-01
PREPARED FOR:		
LOUIE & NINA ALBER, CORDOVA, ALASKA 99615		
ST. DENNY SURVEYING INC.		
P.O. BOX 386, KODIAK, ALASKA 99615 (907) 481-9500		



CITY OF CORDOVA

Office of City Manager

To: Mayor and City Council
From: Donald L. Moore, Interim City Manager
Subject: Resolution 06-13-30, Local Match for Whitshed Path Project
Date: May 29, 2013

Resolution 06-13-30 appropriates \$18,624.38 for the City's share of the necessary local match for the FFY 2013 Design work on the Whitshed Road Bike/Pedestrian Path Project.

This project is to be done under a Joint memorandum of agreement with the State DOT, Native Village of Eyak and the City of Cordova. The City and NVE will split the required local match.

The project total cost is \$9,147,000 with construction completion scheduled in FY 2016. There will be another match requirement in subsequent years of 2015 and 2016. The total City match required over the 3 years of the project is \$251,413.26

The Whitshed Road Bike and Pedestrian Path Project has wide public support.

**CITY OF CORDOVA, ALASKA
RESOLUTION 06-13-30**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA,
APPROPRIATING \$18,624.38 FROM THE GENERAL FUND, FUND RESERVE TO THE
WHITSHED ROAD BIKE AND PEDESTRIAN PATH PROJECT FOR THE CITY OF
CORDOVA'S FY13 LOCAL MATCH CONTRIBUTION TOWARDS THE PROJECT**

WHEREAS, the City of Cordova has approved an MOA between the City of Cordova, the Native Village of Eyak and the State of Alaska Department of Transportation and Public Facilities; and

WHEREAS, the MOA details the match contributions of the aforementioned entities plus Federal Funding on a project known as "Whitshed Road Bike and Pedestrian Path Project" and the match requirements cover FY13 through FY16; and

WHEREAS, the Project will realign Whitshed Road to accommodate non-motorized traffic from the Copper River Highway intersection to the Orca Inlet Drive intersection; and

WHEREAS, the FY13 operating budget did not appropriate matching funds for the FY13 match; and

WHEREAS, the project has good community support.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Cordova, appropriates \$18,624.38 from the General Fund, Fund Reserve for the City of Cordova's match requirement for FY13 towards a project known as "Whitshed Road Bike and Pedestrian Path"

PASSED AND APPROVED THIS 5th DAY OF JUNE, 2013.

James Kacsh, Mayor

ATTEST:

Susan Bourgeois, City Clerk

Date: May 22, 2013

Agenda Date: June 5, 2013

Amount: \$18,624.38	Subject: City of Cordova's FY13 match for Whitshed Road Bike and Pedestrian Path Project
Fiscal Impact: Yes	
Budgeted: No	Resolution/Ordinance # 06-13-30
From Account#: General Fund, Fund Reserve	
To Account#: Will create a new line item	
Prepared by: J. Stavig	

Expenditures	FY 2013	FY 2014	FY 2015
Contractual			
Supplies			
Equipment			
Travel			
Land/Structure			
Grants			
MOA match requirement	\$18,624.38		\$41,142.94
	FY 2013	FY 2014	FY 2015
Revenue			
Funding Source	FY 2013	FY 2014	FY 2015
General Fund	\$18,624.38		\$41,142.94
State/ Federal Grants			
General Fund Reserve			

Additional Information

To appropriate funds required for the City's match on a Project called Whitshed Road Bike and Pedestrian Path. The project will realign Whitshed Road to accommodate a bike/walking path along Whitshed Rd. The project has the involvement of Federal Funds, State of AK funds and a shared match with Native Village of Eyak and the City of Cordova.

The project completion will extend into year FFY 2016 and that year will require the largest local match of \$191,645.95

Total project cost is \$9,147,000.00. Total City match is \$251,413.26

MEMO, City of Cordova

To: Mayor and City Council

Through: Donald L. Moore, Interim City Manager

From: Jon K. Stavig, Finance Director

Date: May 28, 2013

RE: Resolution authorizing supplemental appropriations for wage increases not Included in FY13 operating budget.

The following resolution authorizes the City of Cordova to make supplemental appropriations in the amount of \$40,620.00 to cover wage increases that the City is obligated to pay because of the collective bargaining agreement with IBEW Local Union No. 1547. The increase of 2.25% was not included in the FY Operating Budget.

Recommend to approve resolution.

Respectfully submitted,

Jon K. Stavig, Finance Director

**CITY OF CORDOVA, ALASKA
RESOLUTION 06-13-31**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA,
AUTHORIZING SUPPLEMENTAL APPROPRIATIONS IN THE TOTAL AMOUNT OF
\$40,620.00 IN THE GENERAL FUND AND ENTERPRISE FUNDS TO PAY A 2013
WAGE INCREASE FOR ALL IBEW BARGAINING UNIT (UNION) EMPLOYEES**

WHEREAS, IBEW Local Union No. 1547 has a collective bargaining agreement with the City of Cordova; and

WHEREAS, the collective bargaining agreement has a provision to increase the overall wage rate equal to one hundred percent (100%) of the Anchorage CPI-U, as measured from January 1, 2012 to December 31, 2012 for all IBEW bargaining unit employees effective May 1, 2013 and this amount has been determined to be 2.25%; and

WHEREAS, in order to pay the wage increase, which was not included in the 2013 budget as previously adopted, the following supplemental appropriations are necessary:

General Fund	\$28,334.
Harbor Fund	\$ 4,915.
Sewer Fund	\$ 1,772.
Water Fund	\$ 1,772.
Refuse Fund	\$ 3,589.
Odiak Camper Park Fund	\$ 238.
Total Appropriation all Funds	\$40,620.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Cordova, hereby authorizes supplemental appropriations in the total amount of \$40,620.00 in the General Fund and Enterprise Funds to pay the 2013 wage increase for all IBEW Bargaining Unit Employees based on their rate of pay effective May 1, 2013, and such additional appropriation shall be recorded in the 2013 Operating Budget as amendments to all payroll related expense items.

PASSED AND APPROVED THIS 5th DAY OF JUNE, 2013.

James Kacsh, Mayor

ATTEST:

Susan Bourgeois, City Clerk

Date: May 24, 2013

Agenda Date: June 5, 2013

Amount: \$40,620.00	Subject: Appropriation of funds to cover IBEW employees Wage increase effective May 1, 2013
Fiscal Impact: Yes	
Budgeted: No	Resolution/Ordinance #
From Account#: General Fund	
To Account#: To FY 2013 Operating budget	
Prepared by: J. Stavig	

Expenditures	FY 2013	FY 2014	FY 2015
Contractual (IBEW C.B.A.)	\$40,620.00		
Supplies			
Equipment			
Travel			
Land/Structure			
Grants			
	FY 2013	FY 2014	FY 2015
Revenue			
Funding Source	FY 2013	FY 2014	FY 2015
General Fund Reserves	\$40,620.00		
State/ Federal Grants			

Additional Information

To appropriate funds to cover IBEW wage increase of 2.25% that was not built into the FY13 operating budget. Increase effective May 1, 2013.

To: Mayor and City Council
Through: Donald L. Moore, Interim City Manager
Subject: Purchase of Rolloff Truck
Date: 29 May 2013
From: Moe Zamarron, Director of Public Works

As has been presented to City Council the Refuse Division plans to replace the Freightliner hook truck used to transport solid waste to the 17-mile landfill. We are intending to do this by moving the lift body over to the rollback Freightliner chassis. This will put a more robust drive train under the newly rebuilt hook mechanism and provides air ride suspension to extend its working life. Before this transformation can be accomplished we need to purchase a replacement for the rollback truck to continue with impounding duties as required.

We intend to purchase a newer model 21' rollback to replace the 28' truck we presently have. This will enable the operators to maneuver more easily in the close conditions of Cordova's streets. The current twin-screw truck is 38' long overall and while it works great as a flatbed cargo truck it is greatly limited in its usefulness as an impound truck.

The 21' rollback will be a late model used medium duty truck complete with all towing attachments. We plan to select a vehicle from a shortlist of vehicles that best suit our needs at the time of the search with a target price of \$50,000 including transportation. The timeframe of the purchase is to be as soon as practical taking into account the vehicle location and completion of an inspection. The funds for this purchase are part of the Hook Truck Purchase line item # 605-485-58820 in the 2013 final budget for the Refuse Division Capital Projects. The project total is \$95,000 and this will be the first expenditure made to date.

Attached is a draft resolution for Council to act on as required by City Code for purchases over \$25,000.

Thank you,
Moe Zamarron
Director of Public Works

**CITY OF CORDOVA, ALASKA
RESOLUTION 06-13-33**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA,
AUTHORIZING THE PURCHASE OF A USED MID SIZED ROLLBACK WRECKER
VEHICLE FOR AN AMOUNT NOT TO EXCEED \$50,000 FREIGHT ON BOARD
CORDOVA**

WHEREAS, the City Council has granted approval to the Refuse Division to replace its roll-off truck used for container transport; and

WHEREAS, funding for this project in the amount of \$95,000 has been appropriated from the Refuse Enterprise Fund, 2013 budget line item 605-485-58820; and

WHEREAS, the City currently owns a large roll-back wrecker better suited to heavy container work than vehicle impoundment due to its size; and

WHEREAS, the City can purchase a late-model, mid-sized rollback wrecker that is more applicable for use on Cordova streets and alleys for under \$50,000 delivered and have the existing rollback wrecker converted to accept the container body for less than \$20,000; and

WHEREAS, Price quotes for at least 3 applicable used vehicles will be received for final consideration and competitive bids will be requested for the roll-off conversion.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cordova, that purchase be made of a previously owned late-model mid-sized rollback wrecker for an amount not to exceed \$50,000, FOB Cordova.

PASSED AND APPROVED THIS 5th DAY OF JUNE, 2013.

James Kacsh, Mayor

Attest:

Susan Bourgeois, City Clerk

Date:**Agenda Date:**

Amount: 50,000	Subject: Hook Truck upgrade project
Fiscal Impact: Yes	
Budgeted: Yes	Resolution/Ordinance # 06-13-33
From Account#: 605-485-58820	
To Account#:	
Prepared by:	

Expenditures	FY 2013	FY 2014	FY 2015
Contractual			
Supplies			
Equipment			
Travel			
Land/Structure			
Grants			
	FY 2013	FY 2014	FY 2015
Revenue			
Funding Source	FY 2013	FY 2014	FY 2015
General Fund			
State/ Federal Grants			

Additional Information

**CITY COUNCIL WORK SESSION
FEBRUARY 21, 2013 @ 7:00 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Mayor James Kallander called the Council Work Session to order at 7:00 pm on February 21, 2013 in the Library Meeting Room.

B. ROLL CALL

Present for roll call were *Mayor James Kallander* and Council members *Tim Joyce, James Kacsh, David Allison, Bret Bradford, David Reggiani* and *Robert Beedle*. Council member *EJ Cheshier* was absent. Also present were Interim City Manager *Don Moore* and City Clerk *Susan Bourgeois*.

C. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Audience Comments regarding agenda items - none

D. WORK SESSION TOPIC

2. Cordova Center Phase 1

Moore stated that in January, the Mayor directed the staff to have some information about Cordova Center. With that in mind, he had the consultants come to answer questions for the Council; and to evaluate where they are in the project. A distinguishing factor in this phase is a claim filed by the contractor, also known as an REA, or request for equitable adjustment. The City is developing a strategy to work on it in conjunction with the City's attorney, Steve Hutchings. *Hutchings* stated that he was an attorney with Birch Horton Bittner and Cherot in Anchorage, and he focuses on construction law and commercial litigation. The REA is in the amount of \$9.9M, which is a compilation of many different problems, including: design problems, timing, and snow. The City will owe money to the contractor because there are some real issues in the claim; however, the dispute is how much is owed. The claim was filed in a way that the City and the contractor could save time and money by negotiating the disputes. To start, the City has hired an auditor to go over the contractor's books, and that should be completed within the next four weeks. Once that is completed, the City can negotiate and narrow the gap. If there is not a resolution, the contract provides for mandatory mediation. If the mediation doesn't work, the contractor will call for arbitration, which is for both sides to jointly choose one person to represent their evidence. Then, based on the evidence, the arbitrator makes a final decision. *Mayor Kallander* asked for an estimated timeframe for closure on the matter. *Hutchings* stated that it would be around July at the latest. *Beedle* asked if the City had some sort of claim against the architect. *Hutchings* stated that many of the claims against the City from the contractor involve the architect and the plans that were given to them. It could provide a basis for the claims against the City, if in fact the plans were adequately faulty. Furthermore, it is common for an owner to be hit by a claim by the contractor, and some of those claims, the owner looks at the architect for assistance. *Mayor Kallander* stated that there were no further questions.

3. Cordova Center Phase 2

Moore stated that there is a difference between how the two phases are built. Phase 1 was done under a design bid build system, where the architect works for the owner, which is the City. Phase 2 is being completed under the GC/CM method, also known as the team-build method. Under this method, the owner, contractor, and architect work together as a team. The City is ready to start Phase 2, so *Moore* thought it would be a good time to bring everyone together to answer questions and get some clarification. With that, *Moore* introduced *Dan Chandler* of OAC Services, and *Jim Quick* of Dawson Construction, who are a part of Phase 2 construction. *Chandler* stated that he was a project and

construction management consultant for owners. They were helping the City closeout Phase 1, and get started with Phase 2. To design this phase, they had Dawson Construction break it down into four separate phases: 2A, 2B, 2C, and 2D. The reason was to reduce the risk and provide flexibility to the City, by making it possible to stop work at any point if funding was a problem. Currently, the total project is \$9.3M, broken down into four pieces. **Mayor Kallander** stated that the Council had approved contracting Dawson, but had not made any further decision on how to proceed. He wanted the Council to understand the risk of phasing out the project, as opposed to waiting until the City had full funding. **Mayor Kallander** questioned if **Chandler** had ever been a part of a project where they phased a project out due to inadequate funding. **Chandler** stated that he had. He said there was a benefit to authorizing the contractor to proceed with Phase 2A with a given budget, and if they stop, then that phase would at least be completed. **Mayor Kallander** stated that there was an additional cost of \$300K by doing the project in phases as opposed to all at once. He wanted to know **Chandler's** opinion of phasing out the project; and also if \$300K was adequate if the project spanned several years. **Chandler** replied that it seemed reasonable, but there would probably be some inflation. **Kacsh** asked if the \$300K included mobilization and demobilization. **Quick** stated that the costs for mobilization would be dependent on how many materials were shipped at once, depending on how many phases were going to be completed initially. Overall, they would be working together to minimize the costs. **Bradford** stated that the \$300K was the cap for phasing it out, but it could come in a lot less. **Quick** agreed. **Joyce** asked how completing the rest of Phase 1 was going to play into starting Phase 2. **Quick** stated that there was time up until Phase 2B to complete such things like the windows, but everything would be figured out before anything began. **Reggiani** stated that he was concerned about the time schedules, based on the City's funding levels. He also questioned how they bid portions of the project out already. **Chandler** stated that nothing had been awarded, but that they bid out for budgetary purposes. **Reggiani** stated that he was uncomfortable starting Phase 2A in February and Phase 2B in April. He thought they should wait till around June to see what the legislature was going to do, as well as find resolution in Phase 1. **Mayor Kallander** asked what window repair or replacement was going to cost. **Sherman** stated she did not have an amount off the top of her head. **Chandler** stated that the amount stated was \$106K, before even being fixed. **Mayor Kallander** stated that they should just count on paying that cost, and not to count on Dokoozian. He thought they should wait to hear back from the legislature to hear about how much funding was possible. **Beedle** asked what was wrong with the windows. **Quick** stated that about 36% of the windows were leaking, and they were not sure what the exact issue was. It could be a combination of issues. **Bradford** voiced his concern about the funding, and also thought that they should wait to hear back from the legislature. He was for the phasing however. **Sherman** thought that they should proceed with Phase 2A, as there is funding for that phase; and by the time things get rolling, they will have a good idea of legislative funding. She also stated that they received an additional \$1.3M from the EVOS Trustees Council. They also have the potential to get \$1-2M from the Rasmuson Foundation, instead of \$500K. She feels it might be better to move forward in order to help secure more funding. **Beedle** agreed with **Sherman**, and asked how much funding was currently available. **Sherman** said that there was \$4.2M available. **Joyce** also agreed with **Sherman**, and thought it would be good to have everything in motion for May and June. **Mayor Kallander** wanted the Council to know that the \$1.3M was contingent on complete funding for the project by September. However, he didn't think that it would completely go away if they came up short, but that it might just be put on hold till their next meeting. **Kacsh** stated that he was comfortable moving forward with Phase 2A. **Allison** was in favor of moving forward. **Mayor Kallander** asked what it would mean to **Quick**, if they funded and completed 2A, but were unable to move forward with the rest of the project for at least a year. **Quick** suggested two options. One, to move forward with 2A, or bring all the equipment in for 2A and 2B and store what was not needed. **Mayor Kallander** said that if they proceeded with 2A, estimating a cost of \$2M, they would have to spend \$1.4M to get reimbursed

\$700K from EVOS. He just wanted the Council to know that if they proceed, they would be obligated to come up with match money for EVOS, even if it meant going to the permanent fund. **Joyce** stated that if they spent the \$1.3M of City money, about \$400K could be reimbursed by EVOS, which would give them about \$1.7M. So by just doing Phase 2A, they would be on the hook for about \$100K. **Reggiani** thought that they should hold off a couple months to hear back from the legislature, and to hear about the liability in the claim. **Josh** asked **Hutchings** at what point in the claim process would the City have to make a payment. **Hutchings** stated that it would be whenever the final decision was made. **Beedle** asked if there was any insurance. **Hutchings** stated that the City's actions were not insurable, but that the design people should have insurance. It could be a possible contribution to the claim. **Kacsh** asked what the \$4.2M in funding consisted of. **Sherman** stated that it was a combination of EVOS and the City's fund. **Reggiani** stated that in the schedule, it looked like things were moving forward by February 25th, and wondered what the Council's role in that process was. **Sherman** stated the Council would need to approve the contract with Dawson Construction, and agree on how to proceed, in a meeting. **Quick** stated that the date could be changed if need be. **Mayor Kallander** asked if Council would be able to approve every step along the way, under the currently suggested method. **Chandler** stated that they would. **Reggiani** stated that the community also needed to know and weigh in. **Bradford** was in favor of moving ahead with Phase 2A. The **Council** decided to discuss and take action during the next regular Council Meeting.

4. Sustainability / Business Plan/ Future

Sherman stated that there is a draft business plan that was about 50 pages long. It included staffing and job descriptions, marketing, and a fee schedule. She is just waiting for updates on everything. They are also working on their backwards schedule. It will work in conjunction with the construction schedule and the contractor, so that everyone is in sync. She will have the final draft for the first meeting in March. **Joyce** stated that a timeframe that **Sherman** can think about is anywhere from one to two years for completion. **Mayor Kallander** stated that he would like to make sure they have an excellent marketing program and coordinator for the new building. **Joyce** agreed. **Kacsh** stated that they should also keep in mind an exit strategy for the current buildings the City uses.

E. AUDIENCE PARTICIPATION

Chandler thanked the Council for letting him come and speak.

F. COUNCIL COMMENTS

Beedle wanted to keep the momentum going, especially with the elections coming up.

Allison thanked everyone for their hard work, and also thought they should keep moving forward.

Reggiani thanked everyone for coming to Cordova to speak with the Council.

Bradford echoed Reggiani and Allison's comments.

Joyce thanked everyone for coming.

Kacsh also thanked everyone.

G. ADJOURNMENT

M/Bradford S/Joyce to adjourn.

Hearing no objection, the meeting was adjourned at 8:25 pm

Approved: June 05, 2013

Attest: _____
Erika Empey, Minutes Clerk

**CITY COUNCIL SPECIAL MEETING
MARCH 14, 2013 @ 7:00 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Mayor James Kallander called the Council Special Meeting to order at 7:00 pm on March 14, 2013 in the Library Meeting Room.

B. ROLL CALL

Present for roll call were *Mayor James Kallander* and Council members *Tim Joyce, James Kacsh, David Allison, David Reggiani*, and *Robert Beedle*. Council members *Bret Bradford* and *EJ Cheshier* were absent. Also present were Interim City Manager *Don Moore* and City Clerk *Susan Bourgeois*.

C. APPROVAL OF AGENDA

M/Reggiani S/Allison to approve the agenda.

M/Reggiani S/Allison to amend the agenda between items E. and F. to include a Mayor's report.

Vote on amendment: 5 yeas, 0 nays, 2 absent (Bradford, Cheshier). Motion carries.

Vote on main motion: 5 yeas, 0 nays, 2 absent (Bradford, Cheshier). Motion carries.

D. DISCLOSURES OF CONFLICTS OF INTEREST – None.

E. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Audience Comments regarding agenda items

Kristen Smith thanked the exiting Mayor for his hard work and dedication to the City.

F. MAYOR REPORT

Mayor Kallander stated that he received a call from the Board of Fisheries. They inquired about the commitment that he and the Council had made about providing a venue for the Board of Fisheries meeting in December 2014, considering that his term as Mayor ends shortly. *Mayor Kallander* stated that he feels that it would be devastating to Cordova to miss out on the meetings being here. He is asking for concurrence of the Council to direct the City Manager to write a letter to the Board of Fisheries describing why the venue needs to stay same. The *Council* concurred.

G. NEW BUSINESS

2. Ordinance 1107

An ordinance of the City Council of the City of Cordova, Alaska, amending Cordova Municipal Code sections 1.04.070, 1.28.085, 16.05.010 and 18.32.010; repealing and reenacting Cordova Municipal Code Title 8; and enacting Cordova Municipal Code chapter 14.20 and Cordova Municipal Code sections 1.04.115, 18.32.025 and 18.60.030; regarding health and safety.

M/Reggiani S/Joyce to adopt Ordinance 1104, an ordinance of the City Council of the City of Cordova, Alaska, amending Cordova Municipal Code sections 1.04.070, 1.28.085, 16.05.010 and 18.32.010; repealing and reenacting Cordova Municipal Code Title 8; and enacting Cordova Municipal Code chapter 14.20 and Cordova Municipal Code sections 1.04.115, 18.32.025 and 18.60.030; regarding health and safety.

Allison stated that he had several issues with the ordinance, in that there are several inconsistencies. First, he would like to see all the fees and fines removed from the Code, like the Council has discussed before. Also, there are two places that are discussing garbage and refuse that are similar but inconsistent. He was also concerned about sections that make it illegal to drive garbage to the baler; and thinks it needs a lot more work before things are approved. *Greenwood* stated that the updates

have been made with the help of the attorney, but that they needed to enact 8 first, which is why the fees are still included, but then they are going to update it to chapter 14, refuse. Secondly, the part about driving the garbage to the baler was referring to if the City had a contract, and addressing which type of vehicle to use. **Kacsh** stated it would be helpful to add the word commercial vehicle. **Allison** stated that he was okay with passing the first reading, but that he could meet with **Greenwood** and discuss how to change the language to make it more accurate to what the City would like.

Vote on the motion: 4 yeas, 1 nay (Beedle), 2 absent (Bradford, Cheshier). Motion carries.

3. Ordinance 1108

An ordinance of the City Council of the City of Cordova, Alaska, amending Cordova municipal code section 1.28.085; repealing and reenacting Cordova Municipal Code Title 14; and enacting Cordova Municipal Code chapter 8.36; regarding city utilities and related matters.

M/Joyce S/Kacsh to adopt Ordinance 1108, an ordinance of the City Council of the City of Cordova, Alaska, amending Cordova municipal code section 1.28.085; repealing and reenacting Cordova Municipal Code Title 14; and enacting Cordova Municipal Code chapter 8.36; regarding city utilities and related matters.

Allison questioned the language dealing with water connections and sewer connections and human occupancy. He was also concerned about who would be paying for replacing water lines if a person didn't own both lots of the faulty line. **Greenwood** replied that it would be the owner whose water line was broken. The City would be responsible for fixing a water line from the property line to the main water line. Also, for clarification, if a person's water line runs across multiple people's property to get to the main, they would be responsible for all of that line. **Mayor Kallander** stated that **Allison** would work with **Greenwood** on this ordinance as well to clarify language.

Vote on motion: 5 yeas, 0 nays, 2 absent (Bradford, Cheshier). Motion carries.

4. Resolution 03-13-11

Certification of the official results of the March 5, 2013 General Election.

M/Allison S/Joyce to approve Resolution 03-13-11, certification of the official results of the March 5, 2013 General Election.

Joyce thanked **Mayor Kallander** for his service as Mayor as well as the other Council members. In addition, he was also pleased to see that all the propositions passed.

Vote on motion: 5 yeas, 0 nays, 2 absent (Bradford, Cheshier). Motion carries.

Bourgeois swore in **Kacsh** as the new Mayor.

5. Swearing in of elected Council members and School Board members

Kacsh swore in **Barb Jewell** for School Board, and **Kristen Carpenter** and **David Reggiani** as Council members.

Bourgeois stated that with **Kacsh** leaving his seat as Council member for Mayor, and with Council member **Joyce** leaving, **Joyce** had the option of remaining on Council, and taking over **Kacsh's** seat. **Joyce** accepted.

H. COUNCIL COMMENTS

Beedle congratulated the new Council members.

Allison expressed appreciation for all the candidates that ran, and congratulated those that won. He thanked the Council members, the Mayor, and the families of those serving on the Council.

Reggiani echoed the previous statements, and welcomed the new Mayor.

Carpenter echoed the previous comments as well.

Joyce stated that he appreciated the opportunity to serve the City, even though it was not his intention. He thanked everyone that ran for the City Council.

Kacsh thanked the people of Cordova for the turnout at the election, and everyone that was serving in the next term.

I. ADJOURNMENT

M/Reggiani S/Joyce to adjourn.

Hearing no objection, the meeting was adjourned at 7:45 pm

Approved: June 5, 2013

Attest: _____
Erika Empey, Minutes Clerk

**CITY COUNCIL SPECIAL MEETING
MARCH 28, 2013 @ 7:00 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Mayor James Kacsh called the Council Special Meeting to order at 7:00 pm on March 28, 2013 in the Library Meeting Room.

B. ROLL CALL

Present for roll call were *Mayor James Kacsh* and Council members *Kristen Carpenter*, *Tim Joyce*, *David Allison*, *Bret Bradford*, *EJ Cheshier* and *David Reggiani*. Council member *Robert Beedle* was absent. Also present were Interim City Manager *Don Moore* and City Clerk *Susan Bourgeois*.

C. APPROVAL OF AGENDA

M/Reggiani S/Allison to approve the agenda.

Vote on motion: 6 yeas, 0 nays, 1 absent (Beedle). Motion carried.

D. DISCLOSURES OF CONFLICTS OF INTEREST – None.

E. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Audience Comments regarding agenda items – None.

F. NEW BUSINESS

2. Update on Cordova Center Business Plan and Funding Plan

Sherman stated that there had been changes to the business plan since the last time they discussed it. First, they were having the energy analysis and the pro forma redone to reflect actual fuel costs to date, which hadn't been done since 2010. The marketing plan projections were updated as well. In addition, the Foraker Group and some other entities were going to review the business plan for the City. As for the funding plan, they have put in a request to the legislature, and there will be testimony on the budget being taken on Monday. They also met with the Rasmuson Foundation, and they have said that the proposal can go in at \$750K. They will also help the City move forward with other foundations, such as the Murdock Trust, which they have just sent in a request to for \$350K. In addition, there are four other grants that are due in the coming months. *Reggiani* asked if *Carpenter* was still helping with grant writing. *Sherman* stated that they never had a contract, but that she did do a little bit of work so far. *Joyce* asked if there were any corporations that were helping with funding. *Sherman* stated that there were tentative plans for corporate ask, and they were working on that paperwork. Corporate and business donors will be ready to go by May 1st, and local fundraising by June 1st.

3. Attorney advice and correspondence on Cordova Center Phase 1 request for equitable adjustment

Moore stated that these matters should be discussed in executive session.

G. AUDIENCE PARTICIPATION – None.

H. EXECUTIVE SESSION

M/Joyce S/Bradford to go into executive session to discuss matters the immediate knowledge of which could clearly have an adverse effect upon the finances of the government, specifically the request of equitable adjustment with Dokoozian.

Vote on motion: 6 yeas, 0 nays, 1 absent (Beedle). Motion carried.

Mayor Kacsh stated that they would take a five-minute recess. The *Council* was in recess from 7:12 pm to 7:13 pm. The *Council* went into executive session at 7:13 pm, and reconvened the open session at 7:20 pm.

Joyce stated that the Council members that took notes during executive session needed to keep them private, and in a secure spot.

Mayor Kacsh stated that no action had been taken in the executive session.

I. COUNCIL COMMENTS

Cheshier stated that he was comfortable with what they were doing.

Carpenter thought that people should make calls to Bitney, voicing concerns about raising enough funding for the Cordova Center.

Mayor Kacsh restated that things said in executive session should not be repeated.

J. ADJOURNMENT

M/Allison S/Bradford to adjourn.

Hearing no objection, the meeting was adjourned at 7:25 pm

Approved: June 5, 2013

Attest: _____
Erika Empey, Minutes Clerk

**CITY COUNCIL SPECIAL MEETING
APRIL 5, 2013 @ 12:00 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Mayor James Kacsh called the Council Special Meeting to order at 12:02 pm on April 5, 2013 in the Library Meeting Room.

B. ROLL CALL

Present for roll call were *Mayor James Kacsh* and Council members *David Allison*, *Brett Bradford*, *EJ Cheshier*, *David Reggiani*, and *Robert Beedle*. Council members *Kristen Carpenter* and *Tim Joyce* were absent. Also present were Interim City Manager *Don Moore* and Deputy City Clerk *Tina Hammer*.

C. APPROVAL OF AGENDA

M/Reggiani S/Bradford to approve the agenda.

Vote on motion: 5 yeas, 0 nays, 2 absent (Carpenter and Joyce). Motion carried.

Carpenter arrived at 12:03 pm.

D. DISCLOSURES OF CONFLICTS OF INTEREST – None.

E. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Audience Comments regarding agenda items – None.

Joyce arrived at 12:05 pm.

F. NEW BUSINESS

2. Legislative Update and Strategy in re Cordova Center Funding

Teleconference Discussion with Lobbyist *John Bitney*

Mayor Kacsh stated that the City would like an update for the Cordova Center funding, as well as advice on how to plan a community effort to let *Representative Austerman* know how important the Cordova Center was to the City. *Bitney* stated that the Capital Bill was Senate Bill 18, and it is now on the third reading on the Senate floor. That generally means that they are not going to make any more amendments to it in the Senate, and it will now pass over to the House. *Bitney* stated that the Senate put in \$1M for the completion of the Cordova Center, although they had put in a request for \$7.7M for completion. That was prior to the EVOS Trustees Council meeting, where they had approved an addition \$1.3M, which is only allowable for one-third the costs of reimbursements. Part of the reason for the reduction in the amount they thought they were going to get, was because negotiations with the Governor and Senators had been whittled down from \$20M per Senate District to \$9M as of last week. *Senator Stevens* put in \$1M for Cordova, and spread the remaining \$8M to the rest of the District. With that being said, there were other entities that were also expecting to receive more money, so there is pressure on the House to add more money to the Capital budget. However, the Governor would like to keep the budget down, so there is a bit of a dispute. *Bitney* affirmed that he had spoken with *Representative Austerman* a few times, and *Rep. Austerman* is aware that funding for the Cordova Center is a top priority. *Bradford* questioned if the bill was still named SB18 now that it was in the House. He also wanted to know if *Rep. Austerman* would have to time to speak with *Mayor Kacsh* if he went to Juneau. Lastly, he wanted the Council to come up with a specific message to give *Rep. Austerman* if they were given the chance to speak to him. *Bitney* replied that it would be SB18 through completion, but was commonly referred to as the Capital Budget. As for his other question, he

did think **Rep. Austerman** would be extremely busy, and would most likely not take an appointment with them, but rather just a few minutes. He thought their statement in those few minutes should include something about needing matching funds in order to receive money from EVOS, as well as being Council's top priority. **Bitney** recommended that if they were going to go to Juneau, Monday would be the best day. **Mayor Kacsh** asked if the House would be taking public testimony. **Bitney** said that they probably would have a little, but that he didn't think it would have much impact. **Mayor Kacsh** stated that he was planning on going to Juneau, and if the Council agreed, to have **Carpenter** go as well. **Carpenter** asked if they should mention a dollar amount to request in the statement to **Rep. Austerman**. **Bitney** suggested that they request \$5M.

G. AUDIENCE PARTICIPATION

Jennifer Gibbens stated that the Chamber of Commerce would be happy to provide a letter of support.

Cindy Appleton stated that the EVOS grant expires in December 2015.

H. COUNCIL COMMENTS

Bradford asked if **Kacsh** and **Carpenter** were going to meet and discuss what to say before Juneau. **Carpenter** replied that the statement would consist of being the top priority; they needed the matching funds, and were requesting \$5M.

I. ADJOURNMENT

M/Allison S/Bradford to adjourn.

Hearing no objection, the meeting was adjourned at 12:33 pm.

Approved: June 5, 2013

Attest: _____
Erika Empey, Minutes Clerk

**CITY COUNCIL REGULAR MEETING
APRIL 17, 2013 @ 7:30 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Mayor James Kacsh called the Council Regular Meeting to order at 7:30 pm on April 17, 2013, in the Library Meeting Room.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor James Kacsh led the audience in the Pledge of Allegiance.

C. ROLL CALL

Present for roll call were **Mayor James Kacsh** and Council members **Kristin Carpenter, David Allison, Bret Bradford, EJ Cheshier, David Reggiani** and **James Burton**. Council member **Tim Joyce** was present via teleconference. Also present were Interim City Manager **Don Moore**, City Clerk **Susan Bourgeois** and Student Council Representative **Sarah Hoepfner**.

D. APPROVAL OF REGULAR AGENDA

M/Reggiani S/Bradford to approve the Regular Agenda.

M/Reggiani S/Bradford to amend the Regular Agenda by placing item 24 to just before item 19.

Vote on motion to amend: 7 yeas, 0 nays. Motion passes.

Vote on main motion: 7 yeas, 0 nays. Motion passes.

E. DISCLOSURES OF CONFLICTS OF INTEREST – none were declared

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Guest Speaker – none

2. Audience comments regarding agenda items

Robert Beedle of 609 Spruce asked Council to really look at the North Fill lot, agenda item 22. He asked Council to vote in favor of keeping it as unavailable for sale.

Marvin Van Den Broek 118 South Second Street spoke in favor of the harbor commission's recommendation to Council in item 22 – which was to keep the lot as unavailable for sale.

Alexis Cooper speaking as a representative of CDFU spoke in favor of what the Harbor Commission found and their recommendation to Council concerning keeping Lot 3A as unavailable for sale.

Paul Kelly Bayside Storage Box 265 spoke in favor of Council making lot 3A available for sale – he is interested in expanding his business by purchasing it on the North Fill.

3. Chairpersons and Representatives of Boards and Commissions

HSB representative **Allison** suggested removing this report from the agenda in the future as Council sits as HSB now.

P&R representative **Mayor Kacsh** reported that he was unable to attend.

P&Z representative **Reggiani** reported that P&Z had a meeting as well as the South Fill Community forum which was last night and it was very well attended – more than 40 people and some good ideas were discussed. There is one more in that series – on April 30.

School Board representative **Bret Bradford** said there was a meeting on Monday night which was productive and he will let the superintendent give the details on that. The Close-up kids gave an impressive slide show. We are working on hiring a principal.

4. Superintendent's Report - **Theresa Keel** said that 500 kids are coming for the music event – 250 are on ferry coming today – 250 more tomorrow – boys are at high school, girls at Mt. Eccles. Should be a great event she encourages all to attend the concert Saturday night. This is a precursor to next year when Cordova will host basketball regionals. ASAA (AK school activities association) board visiting next week as well – open forum on Monday. We are deep into interviewing for K-12 counselor position, principal's hiring committee is interviewing 5 candidates (1 local and 4 from Alaska). April 27 the strategic planning will do

the line-item budget – i.e. for discretionary funds. The board has a budget workshop on April 30 and then May 8.

5. Student Council Representative's Report

Hoepfner band festival – 500 students – performance Saturday at 7pm at the high school. AASG (AK association of student government) – 5 of our Student Council members went to Healy for this meeting along with 300 other students from across the state. . Oscar talent night – May 10.

G. APPROVAL OF CONSENT CALENDAR

Mayor James Kacsh informed Council that the consent calendar was before them.

6. Resolution 04-13-20 A resolution of the City Council of the City of Cordova, Alaska, authorizing the City of Cordova to renew a lease for housing of a city employee and appropriating \$15,600 to line item #101-824-52350 to pay for monthly lease payments

7. Approval of exception for Fish Follies Opening Reception June 13, 2013

8. Council approval of Mayor's appointment of Council reps to boards and commissions

9. Record excused absence of Tim Joyce from the March 20 Regular Meeting

Vote on Consent Calendar: 7 yeas, 0 nays. Cheshier-yes; Carpenter-yes; Burton-yes; Bradford-yes; Allison-yes; Reggiani-yes and Joyce-yes and Hoepfner-yes. Consent Calendar was approved.

H. APPROVAL OF MINUTES

M/Reggiani S/Bradford to approve the Minutes.

10. Work Session Minutes 01-23-13

11. Public Hearing Minutes 03-20-13

12. Regular Meeting Minutes 03-20-13

Vote on motion: 7 yeas, 0 nays. Motion passes.

I. CONSIDERATION OF BIDS - none

J. REPORTS OF OFFICERS

13. Mayor's Report

Mayor Kacsh said that we only made the state capital budget for \$1M for Cordova Center. Tough choices will be coming up very soon – we will have a few options, bond, go after legislature again next year. **Cheshier** asked the **Mayor** about his meeting with Providence and hospital administrator – did anything come of that. **Mayor Kacsh** said it was informal and just a “check-up” type meeting – and everything's good. **Moore** said there is a follow-up to that meeting; we discussed a loan repayment agreement. CCMC loan repayment agreement (total of \$1.5M) loans are fine but a repayment agreement needs to be drafted. We met with **Mr. McAllister, Theresa Carte, Stavig** and I and we will bring to the next council meeting such a repayment plan.

14. Manager's Report

Superintendent said the budget was submitted – under new business – we will bring forth at the next Council meeting the resolution necessary to make the City's contribution to the schools. City Manager Assessment Committee had their last meeting Thursday – the review of 28 or 29 is completed and 13 have been forwarded to the Council. We continue to advertise so any new applicants will be forwarded to Council. Auditors will be in next week – busy time for finance staff. Last week and this week we have been testing Cordova Center windows – the contractor even found leaks in the windows. We had our forensic window testers in this week and we have yet to find one that doesn't leave. This is a major problem that needs to be dealt with. The Mayor mentioned the \$1M that is in the legislative budget for Cordova Center – one way to leverage that to complete the building would be bonding. The Manager offered the idea that the City could opt to bond to complete the project – but he clarified that he is not promoting that just now. He said that the priority now is to remedy the leaky windows and settle the REA from the contractor for Phase I. **Reggiani** said he understands that the Manager has been busy with lots of different things especially

Cordova Center but he wonders where negotiations with the PWSSC are presently – can you provide an update. **Moore** said the appraisal came in at \$300K, the difference in price of the filled and unfilled came in at \$700K. **Moore** said he had wished to spend some time on this but he hasn't. He said he hopes to bring a plan to Council within the next couple of weeks.

15. City Clerk's Report was written in the packet.

16. Quarterly Reports – 1Q, 2013

- a. UBS Financial, City Investments
- b. Parks and Recreation Department
- c. Planning Department
- d. Finance Department
- e. Police Department
- f. Harbor Department
- g. Cordova Volunteer Fire Department
- h. Museum Department
- i. Information Services Department
- j. Cordova Center
- k. Library Department

K. CORRESPONDENCE

17. Rasmuson Foundation letter to Mayor in re Cdv Ctr grant 03-28-13

18. Paul Kelly letter to Council et al in re Lot 3A 04-01-13

L. ORDINANCES AND RESOLUTIONS

24. Council election of a vice-mayor

Bradford nominated **Reggiani** to be Vice-mayor. **Cheshier** moved to close nominations. Upon voice vote, **Reggiani** was elected Vice-mayor by a margin of 6-1 (**Reggiani** dissenting).

19. Resolution 04-13-18 A resolution of the City Council of the City of Cordova, Alaska, authorizing Don Moore, Interim City Manager; Cathy Sherman, Acting City Manager; Susan Bourgeois, City Clerk; James Kacsh, Mayor; David Reggiani, Vice-mayor; and Samantha Greenwood, City Planner, to sign checks, vouchers, notes, other documents and have access to the safe deposit box as authorized by the city council

M/Cheshier S/Burton to approve Resolution 04-13-18 a resolution of the City Council of the City of Cordova, Alaska, authorizing Don Moore, Interim City Manager; Cathy Sherman, Acting City Manager; Susan Bourgeois, City Clerk; James Kacsh, Mayor; David Reggiani, Vice-mayor; and Samantha Greenwood, City Planner, to sign checks, vouchers, notes, other documents and have access to the safe deposit box as authorized by the city council.

Vote on motion: 7 yeas, 0 nays. Motion passes.

20. Resolution 04-13-19 a resolution of the City Council of the City of Cordova, Alaska approving the expenditure of \$28,407 from the FY 2013 budget resolution 12-12-48 line item hospital equipment for professional design services for the necessary building modifications to accommodate the future purchase and installation of a CT scanner and awarding a professional services contract to Spark Alaska, to provide the concept design documents for the CT scanner project

M/Bradford S/Reggiani to approve Resolution 04-13-19 a resolution of the City Council of the City of Cordova, Alaska approving the expenditure of \$28,407 from the FY 2013 budget resolution 12-12-48 line item hospital equipment for professional design services for the necessary building modifications to accommodate the future purchase and installation of a CT scanner and awarding a professional services contract to Spark Alaska, to provide the concept design documents for the CT scanner project.

Allison had questions about the contract being for a lesser amount and the resolution mentioning a higher amount (\$28,407 and \$25,407). He offered an amendment.

M/Allison S/Bradford to amend the resolution by deleting the "be it further resolved" last paragraph.

After some discussion it was determined that that paragraph was necessary so **Allison** withdrew his amendment with the concurrence of the second.

M/Allison S/Bradford to amend the resolution by inserting “up to” between of and \$28,407 in the last line of the resolution.

Vote on motion to amend: 7 yeas, 0 nays. Motion passes.

Vote on main motion: 7 yeas, 0 nays. Cheshier-yes; Joyce-yes; Bradford-yes; Burton-yes; Carpenter-yes; Allison-yes and Reggiani-yes and Hoepfner-yes. Motion passes.

21. Resolution 04-13-21 a resolution of the City Council of the City of Cordova, Alaska, adopting a Cordova Center Phase II preparatory budget as summarized pursuant to the following table

M/Bradford S/Allison to approve Resolution 04-13-21 a resolution of the City Council of the City of Cordova, Alaska, adopting a Cordova Center Phase II preparatory budget as summarized pursuant to the following table.

Carpenter was concerned that this marketing plan amount is too small. She is afraid to “cheap-out” on the marketing. **Laura Cloward** came to the table to discuss with Council. After lengthy discussion it became clear that this was not the full-on marketing budget for the Cordova Center. This was a very preliminary step. **Joyce** reminded Council that this is the update of the business plan and we looked at that the second February Council meeting – he recalled that we had spoken then about \$15K and that is where the \$15K in this resolution is coming from.

Vote on motion: 7 yeas, 0 nays. Carpenter-yes; Bradford-yes; Joyce-yes; Cheshier-yes; Burton-yes; Reggiani-yes and Allison-yes and Hoepfner-yes. Motion passes.

M. UNFINISHED BUSINESS

22. Council decision regarding Lot 3A Block 8 North Fill

M/Allison S/Carpenter to direct the City Manager to negotiate an agreement with Bayside Storage for the sale of Lot 3A Block 8 North Fill Development Park.

Allison said that he made this motion because we promised Bayside a couple of times that we would get back with them – we owe them a yes or a no. **Allison** said the issue has been back and forth between the Harbor Commission and the Planning and Zoning Commission and the last directive was to try to make it work for all parties involved. The Harbor Commission meeting that he was at, that did not occur – he said they as a whole were not willing to listen to any other options other than that they need that land. He thinks there is plenty of room and that we should sell the land. **Bradford** said he attended meetings where this item alone took up a great deal of time – the commissions mulled it over and really looked at options and he will go with P&Z’s recommendation. **Joyce** said he appreciates Planning and Zoning but he thinks it is Council’s prerogative to look over the options and he thinks option 4 is intriguing. It would increase the size of the lot which would make it available for anyone who wanted to buy it if we made it available for sale later. **Bradford** appreciates **Joyce’s** opinion but he said giving one summer to see what the usage is is not really realistic. **Cheshier** also said he would like to see what the usage is down there.

Vote on motion: 1 yea (Allison), 6 nays. Motion fails.

M/Joyce S/Allison to refer to staff and replat or start the re-platting process and see how much use it gets.

Bradford and **Carpenter** spoke against the replat idea – they were especially concerned about not giving credence to all the staff and commission time that has gone into this over the past 10 months.

Vote on motion: 1 yea (Joyce), 6 nays. Motion fails.

M/Cheshier S/Reggiani to agree with the Harbor Commission’s and the Planning and Zoning Commission’s recommendation to leave Lot 3A, Block 8, North Fill Development Park as **not available** on the land disposal maps.

Vote on motion: 5 yeas, 2 nays (Allison, Joyce). Motion passes.

N. NEW & MISCELLANEOUS BUSINESS

23. Cordova School District Budget – a discussion item

Theresa Keel said that by statute the school district must present their budget to the City by May 1 and now the Council has 30 days to act as to their local contribution. There were questions about in-kind and the school district staff and City staff are both working on figuring that out. **Allison** said he could just as easily be done with this tonight – he believes in funding to the cap.

~~24. Council election of a vice mayor moved to before item 19~~

25. Council concurrence of Mayor's appointment to fill vacancy of the City representative to PWSRCAC **M/Cheshier S/Carpenter** to concur with **Mayor Kacsh's** appointment of **Robert Beedle** as the City of Cordova representative on the PWSRCAC Board of Directors.

Vote on motion: 7 years, 0 nays. Motion passes.

26. Discussion of Cordova's three year short term plan

Mayor Kacsh went around the table and asked Council members to mention two or three projects/things that they think need to be accomplished in the next few years.

Carpenter: Cordova Center; South Fill; Comprehensive Plan

Bradford: Cordova Center; North Fill – Harbor plan, floating breakwater, harbor expansion in that direction; South Fill

Reggiani: said we have a lot of irons in the fire right now – feeling overwhelmed – he would like to start checking things off; we just passed the water and refuse loans – he wouldn't really want to add anything new in right now. A good idea that came from the South Fill meeting last night – a new harbor master office, two or three stories – put harbor offices on top and rent the space below to expand some business opportunities down on the South Fill.

Allison: what to do with museum/library and City Hall buildings – disposal of these; parking garage on Main Street with a second level – between Seaman's and children's Pallas

Cheshier: he agrees that our load is pretty full – **Josh's** plate is overflowing – money for Cordova Center is his priority

Burton: Cordova Center first and foremost, harbor and some roads around town need some love as well

Joyce: we have to finish Cordova Center, fill plan for North area, City Hall disposal will depend on a new Police and Fire Bldg. to allow us to get rid of the old building

Mayor Kacsh: mentioned a masonry wall at the cemetery

27. Pending Agenda and Calendar

Bourgeois mentioned that tomorrow night (April 18) we are back in here for a training session with City Attorney **Holly Wells** from 5-8pm. Two special meetings need to be set – for Clerk's eval and City Manager applicant review. These were set for Monday April 22 (City Mgr) at 7pm and May 7, noon (Clerk eval).

Bradford asked if we could get **John Bitney** as a guest speaker to give a follow up to the session report – 1st or second May meeting.

O. AUDIENCE PARTICIPATION

Greg LoForte of 319 First Street thanked **Mr. Moore** and wanted Council to know that the staff has done an awful lot of work on this harbor plan – **Moe** with CAD drawings, **Sam** – P&Z – they really put a lot of effort into it. He said it will be a big shift to the other side of the harbor – we are trying to eliminate the AC problem. The entire fleet is aluminum now and they like to pull their boats – hopefully we will see a shift. All in an attempt to avoid a catastrophe in front of AC.

Robert Beedle of 609 Spruce thanked Council for their vote on the North Fill.

P. COUNCIL COMMENTS

28. Council Comments

Joyce appreciates participation at the meetings – and appreciates the long hard work of P&Z and the Harbor Commissions and staffs.

Burton agrees with **Beedle** and doesn't want to see the land yanked out from under the harbor. Hopefully it gets utilized.

Allison said that tonight Council acted to “give it a chance”. He fully hopes that it works – he may have voted against it but it passed and he supports the decision. Sometime before fall he would like Council to reconsider the location of the impound lot – he thinks a great place would be the sewer treatment plant.

Reggiani excavated fill from Cordova Center on the South Fill – we thought it might get used for Saw Mill Ave extension, which isn’t likely – so where’s it going now? He wondered if he could get a concurrence of Council to direct **Moore** to bring some options back to them. Council concurred.

Carpenter said she really wants to see some effort put into the marketing plan for the Cordova Center. She wants to see an inclusive community effort on the marketing plan too.

Mayor Kacsh said his thoughts and prayers go out to the families of the victims of the Boston terrorist incident - makes us grateful for living in our little paradise.

Q. EXECUTIVE SESSION

29. Cordova Center Finances – Attorney advice

M/Reggiani S/Bradford to enter into executive session to discuss Cordova Center attorney advice which is a matter the immediate knowledge of would clearly have an adverse effect upon the finances of the City government.

Vote on motion: 7 yeas, 0 nays. Motion passes.

With no objection, Council recessed for 5 minutes at 10:03.

Council entered executive session at 10:07 pm; Council came out of executive session at 11:00 pm. **Mayor Kacsh** said they discussed privileged information with the City Attorney and no action was taken. Council said they would have a special meeting on Monday April 22.

R. ADJOURNMENT

M/Reggiani S/Bradford to adjourn the regular meeting at 11:00 pm; with no objection, the meeting was adjourned.

Approved: June 5, 2013

Attest: _____
Susan Bourgeois, City Clerk

**CITY COUNCIL REGULAR MEETING
MAY 01, 2013 @ 7:30 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Mayor James Kacsh called the Council Regular Meeting to order at 7:30 pm on May 01, 2013, in the Library Meeting Room.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor James Kacsh led the audience in the Pledge of Allegiance.

C. ROLL CALL

Present for roll call were **Mayor James Kacsh** and Council members **Tim Joyce**, **David Allison**, **Bret Bradford** and **David Reggiani**. Council member **Kristin Carpenter** was present via teleconference. Council members **EJ Cheshier** and **James Burton** were absent. Also present were Interim City Manager **Don Moore**, City Clerk **Susan Bourgeois**, Deputy City Clerk **Tina Hammer** and Student Council Representative **Gabrielle Brown**.

D. APPROVAL OF REGULAR AGENDA

M/Reggiani S/Bradford to approve the Regular Agenda.

Mayor Kacsh added **Paul Swartzbart**, representing Sheridan Alpine Association, as a guest speaker.

Vote on motion: 5 yeas, 0 nays. Motion passes.

E. DISCLOSURES OF CONFLICTS OF INTEREST - none

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Guest Speaker – **Paul Swartzbart** gave an overview of the workings of the ski hill which is a partnership including the ski club, a few telecom companies, the City of Cordova and the State of Alaska. The state owns the land that the ski hill is on – the City owns the chairlift and the buildings and leases the land from the state. The ski club, Sheridan Alpine Association, has a contract with the City to operate the ski area. Cordova Telephone Cooperative and Copper Valley Telecom with GCI have a contract with the State, City and Ski Club to lease land for their cell phone towers at the top of the ski hill. The ski club is a non-profit with one part-time permanent employee, **Dave Branshaw** – manager. A Board of Directors, all volunteers, runs the ski club. Lift ticket sales alone do not support the ski hill – there are other revenue sources; gifts and donations, cell phone tower leases, fund raisers, pull-tab sales, and the City's annual contribution to the hill. All the income goes directly back into ski hill operations, maintenance and improvements. City plows, pays for electricity and provides liability insurance. One meter box runs the ski hill as well as the towers – with all the equipment up there now the electric bill has skyrocketed. We are in the process of working with City staff to remedy this problem. In 1992 the lift was in serious disrepair. **Mike O'Leary** and **Mike Anderson** mortgaged their homes to get enough money to redo the lift. In the last five years a great deal of improvements has occurred – new chairs, foundations and bottom, midway and top station. Unbelievable volunteer work by people such as: **Jerry Blackler**, **Rob Brown**, **Wilson Construction**, **Jeff Thelen**, **Mike Smith**, **Steve Barnes** and many others. Points North has been a great ski hill supporter. Our mission is to provide safe, dependable and affordable skiing for Cordova. He will come forward in the future asking for support for maintenance and capital projects. **Swartzbart** then presented a short slide show of pictures from the ski area.

2. Audience comments regarding agenda items - none

3. Chairpersons and Representatives of Boards and Commissions

HSB representative **Allison** said that during Pending Agenda he would mention that the hospital needs an agenda item for the second May meeting.

P&R representative **Kristin Carpenter** reported that there hadn't been a meeting since she was appointed to the commission.

P&Z representative **Reggiani** and School Board representative **Bret Bradford** reported that each will meet next week.

4. Superintendent's Report - **Theresa Keel** said she had no report this evening.

5. Student Council Representative's Report

Brown reported that over 500 teens were in Cordova for the regional band fest – it went really well. Spring AASG was in Healy and 5 Cordova kids went. Prom was this last weekend and the theme was Mardi Gras. Oscar talent night is coming up – where students can show their edited movies or live acts. Graduation is on May 18.

G. APPROVAL OF CONSENT CALENDAR

Mayor James Kacsh informed Council that the consent calendar was before them.

Bradford called out item 9 and it was placed after item 20 on the agenda.

6. Resolution 05-13-22 A resolution of the City Council of the City of Cordova, Alaska, appropriating \$2,000 from the general fund to sponsor pilot lodging and fuel costs for the 100th Alaska anniversary flight

7. Resolution 05-13-24 A resolution of the City Council of the City of Cordova, Alaska, authorizing the purchase of a new caterpillar 140M2 AWD road grader for the amount of \$378,613.00 plus shipping

8. Resolution 05-13-25 A resolution of the City Council of the City of Cordova, Alaska, authorizing the purchase of new dumpsters in a variety of sizes for the amount of \$36,554.20

~~9. Resolution 05-13-26 A resolution of the City Council of the City of Cordova, Alaska, authorizing the City Manager to contract with Northern Lights Electrical to furnish in whole the electrical upgrades to the City's street maintenance shop for the price of \$98,810~~

10. Council approval of restaurant in bar per ABC board application

11. Cordova Volunteer Fire Department confirmation of 2013 election of officers

12. Proclamation of Appreciation to Robert Beedle

Vote on Consent Calendar: 4 yeas, 0 nays. Carpenter-inaudible; Cheshier-absent; Joyce-yes; Allison-yes; Burton-absent; Reggiani-yes and Bradford-yes and Brown-yes. Consent Calendar was approved.

Mayor Kacsh read the proclamation under item 12 into the record. Item 9 was moved to after item 20.

H. APPROVAL OF MINUTES

M/Reggiani S/Bradford to approve the Minutes.

13. Special Meeting Minutes 01-23-13

14. Special Meeting Minutes 02-08-13

15. Regular Meeting Minutes 04-03-13

Vote on motion: 5 yeas, 0 nays, 2 absent (Cheshier, Burton). Motion passes.

I. CONSIDERATION OF BIDS - none

J. REPORTS OF OFFICERS

16. Mayor's Report

Mayor Kacsh said that he attended a PIO training over the weekend. Also, he had a written report in the packet.

17. Manager's Report – **Moore** had submitted a written report. Title 4 (personnel) has been submitted by the attorney and he wants a thorough staff review of that before it comes to Council. The attorneys also have Title 11 (ports & harbors) set for staff review. The first part of the independent evaluation of the window issue at the Cordova Center is complete. There was a supplemental report sent around – he signed the MOA for the match for the Whitshed Rd pedestrian and bike path – this year's amount had not been budgeted he will bring that back to Council. Auditor's had spent 8 days here – they expect a clean and unqualified audit with a few findings. The Cordova Center accounts are of particular concern – some coding errors had occurred and the auditors have reviewed that to assist us with corrections. He intends to bring an omnibus resolution to Council to fix all that perhaps at the next meeting or after that. **Zamarron** had discovered that the state subsidy for the loan we just bonded for has increased significantly. We thought it would be a

hundred thousand or so and instead it will be approximately \$800K (awesome). PWSSC breakwater filled lot information – **Moore** has been looking into this. Appraisal of the lot came in at \$300K but the difference between the value and the cost to fill is \$700K – however, since the PWSSC is a non-profit, Council can sell that lot to them for whatever it wants.

Council questions – **Joyce** wanted to clarify for those listening that the cost of the Whitshed project was much more than just a bike path – it included realigning a big portion of that road which is why it costs so much. **Joyce** questioned moving the fill from the South Fill to the burn pile area in case we were to need it back for the Saw Mill Avenue extension project. Staff quickly responded that unfortunately, the quality of the material would not make it suitable for use as fill.

18. City Clerk's Report – Bourgeois said that the Deputy Clerk has been working on the Caselle conversion. She said the property tax roll is ready to be certified – at second May meeting or at a special meeting in May. The taxable value now would lead to a collection of \$1.542M in property taxes for 2013 and \$1.5M was the budgeted amount. **Bourgeois** stated that there have been many meetings and she is playing catch-up with minutes. She has recently hired a temp to help in that regard **Erika Empey** a previous Deputy Clerk is working on minutes. **Bourgeois** mentioned also that Friday was **Tracy Merritt's** last day with the City she has been here 15 years and has been a great asset to the Finance Department as well as to the City overall and she will be greatly missed.

Staff Reports

a. John Bitney, Legislative Lobbyist

b. Moe Zamarron – PWD 1Q report

K. CORRESPONDENCE

19. Letter from EVOSTC 04-16-13 in re additional funding for Cordova Center

L. ORDINANCES AND RESOLUTIONS

20. Resolution 05-13-23 A resolution of the City Council of the City of Cordova, Alaska, establishing local government contribution of National Forest Receipts for the Cordova public school district for the school fiscal year ending June 30, 2014

M/Joyce S/ Reggiani to approve Resolution 05-13-23 a resolution of the City Council of the City of Cordova, Alaska, establishing local government contribution of National Forest Receipts for the Cordova public school district for the school fiscal year ending June 30, 2014.

M/Bradford S/Joyce to amend the resolution to include the edits as stated in handout

Vote on motion to amend: 5 yeas, 0 nays, 2 absent (Cheshier, Burton). Motion passes.

Vote on main motion: 5 yeas, 0 nays. Joyce-yes; Allison-yes; Burton-absent; Cheshier-absent; Reggiani-yes; Bradford-yes and Carpenter-yes and Brown-yes. Motion passes.

9. Resolution 05-13-26 A resolution of the City Council of the City of Cordova, Alaska, authorizing the City Manager to contract with Northern Lights Electrical to furnish in-whole the electrical upgrades to the City's street maintenance shop for the price of \$98,810

M/Allison S/Reggiani to approve Resolution 05-13-26 a resolution of the City Council of the City of Cordova, Alaska, authorizing the City Manager to contract with Northern Lights Electrical to furnish in-whole the electrical upgrades to the City's street maintenance shop for the price of \$98,810.

Bradford said he pulled this from the consent calendar because he had a few questions. He was concerned that we keep digging into the general fund for more and more money that was unbudgeted. He wondered if there was another place we could look, or should we keep this as split between two years. After some discussion, others had recalled that they had directed staff to come back with a one-year project instead of splitting it between two years.

Vote on motion: 4 yeas, 1 nay. Cheshier-absent; Bradford-no; Burton-absent; Joyce-yes; Carpenter-yes; Allison-yes and Reggiani-yes and Brown-yes. Motion passes.

M. UNFINISHED BUSINESS

21. Liquor License renewal Cordova Hotel and Bar

(may be discussed in executive session)

M/Allison S/Bradford to waive Council's right to protest the ABC Board's approval of the application for renewal of the Cordova Hotel & Bar Beverage Dispensary Lic. #277 and Cordova Hotel & Bar – Package Store Lic. #278.

Moore said that his recommendation to Council would be to not protest the renewal. *Joyce* asked if we knew the current listed owner – *Schinella* said the Harbor is the current listed owner.

Vote on motion: 5 yeas, 0 nays, 2 absent (Cheshier, Burton). Motion passes.

N. NEW & MISCELLANEOUS BUSINESS

22. Recommendation from the Harbor Commission in re impoundments

M/Reggiani S/Allison to APPROVE the recommendation to dispose of impounded property by maximum bid and if there are no interested bidders, to dispose of impounded property in a responsible manner.

Mayor Kacsh asked if it would be difficult to dispose of these – i.e. are they documented vessels?

Harbormaster Schinella was present and answered disposal would not be a problem.

Vote on motion: 5 yeas, 0 nays, 2 absent (Cheshier, Burton). Motion passes.

23. Pending Agenda and Calendar

Council discussed and concurred to not have a second May Regular meeting and instead planned to ensure that time-sensitive items were handled at Special meetings.

O. AUDIENCE PARTICIPATION

Theresa Keel of 1013 Whitshed Rd. – thanked Council for the resolution tonight. She thanked Don and Jon for a collaborative and easy process; was quite painless and the funding will be well-used next year. She commented on the ski hill presentation as well – she mentioned that the ski hill is one of the reasons she decided to come to Cordova and she would like to see the schools get involved with the ski hill as part of a PE program.

Luke Borer mile 49 CRH said the April report for bridge 339 is out and it says 2016 before construction and it mentions “unbuildable”. He said we have to be the squeaky wheel if we want the grease – must stay vocal on this or we will lose the draw. He said some people hauled tourists out there but it is not cost effective and affordable (he had to charge \$150 per head).

Barbara Beedle of 910 Ingress wanted to bring up kids riding bicycles on the sidewalks. She hopes someone can get it across to the school age kids – i.e. that they shouldn't be riding on sidewalks. She thanked the City Manager for getting a light on the flag and/or raising and lowering it.

P. COUNCIL COMMENTS

28. Council Comments

Joyce commented that maybe the superintendent could ensure that the kids heard about the bicycles on sidewalks and were encouraged not to do so.

Q. EXECUTIVE SESSION

25. Sales Tax issues

26. Cordova Center Finances – Attorney advice

M/Joyce S/Reggiani to enter into executive session to discuss Sales Tax issues and Cordova Center finances attorney advice which are matters the immediate knowledge of would clearly have an adverse effect upon the finances of the City government specifically sales tax issues and Cordova Center finances.

Vote on motion: 5 yeas, 0 nays, 2 absent (Cheshier, Burton). Motion passes.

With no objection, Council recessed for 5 minutes at 8:50.

Council entered executive session at 8:55 pm; Council came out of executive session at 9:35 pm. *Mayor Kacsh* said they discussed sales tax issues and Cordova Center finances and took no action.

R. ADJOURNMENT

M/Allison S/Reggiani to adjourn the regular meeting at 9:36 pm; with no objection, the meeting was adjourned.

Approved: June 5, 2013

Attest: _____
Susan Bourgeois, City Clerk

Mayor's Report May 30, 2013

Have spoken to concerned Cordovans about many issues:

Foot traffic and parking concerns within our Harbor areas

Garbage stacking up within the Harbor

The state of disrepair of a few Cordova roads

Many of the Harbor users wanted to pass thanks on to Council for finally moving the huge pile of dirt on Harbor Loop Road.

I passed all of this on to the City Manager, and Staff is working to deal with all these issues.

Most of my time over the past month has been spent working with Council and Staff on selecting applicants for the City Manager position.

Spent many hours over the past couple weeks speaking with officials from DOT concerning the resurfacing project of Whitshed Road and opening the CRH to 35 mile. It is important that DOT hear from concerned citizens of Cordova about the state of our roads and our need to access the CRH.

Participated with VFW to place flags on the graves of Veterans for Memorial Day



CITY OF CORDOVA

Office of City Manager

To: Mayor and City Council
From: Donald L. Moore, Interim City Manager
Subject: **Manager's Report-June 5, 2013**
Date: May 28, 2013

Construction Projects: Attached is the Construction Manager's status report of active construction projects.

Harbor Boardwalk: I have requested the drawings and background information from DHI Consulting engineers on the Harbor Boardwalk project. We will work on a plan to move this project forward.

Chamber of Commerce: The CofC has hired a new Executive Director, John Ragozzino who began work in early May. We have met and discussed issues of mutual interest and are finalizing the Memorandum of Understanding (MOU) for marketing and event management for the Cordova Center. This is another element of the Business Plan update.

Rasmuson Foundation Representative came to Cordova on May 8th as part of the Foundation's review of the City's grant application. We conducted a tour of the Cordova Center and met to discuss the details of the project. My impression of the discussion and report is favorable. The City has an active application with the Rasmuson Foundation for a \$750,000 grant for the Cordova Center.

Sheridan Alpine Association (Ski Hill): We have had several meetings with the Association and the State of Alaska over the renewal of the State lease which allows the association to operate the Ski Hill. Most issues have been resolved and the agreement should be finalized shortly.

Title 4 (Personnel): We have received and are reviewing the draft update to the City personnel manual from the Attorney.

Safe Routes to Schools: The P & Z commission met in a work session on May 29th to review the SRTS status and discuss the recently proposed alternative (Fifth Street) to the original design.

We are ready to proceed with the original design and will ask the Commission to memorialize their recommendation which appeared to favor the use of the Third St. design. This is the design recommended by the SRTS committee and the School District.

Health Insurance through Blue Cross is due for renewal on July 1st. The City is facing a 16% increase which represents about \$50,000. We will attempt to absorb in the budget as appropriated.

City of Cordova Project Update: 5-09-2013

- Breakwater Extension
 - Remaining work includes placement of the barrier rock stock piled on the fill and final grading.
 - Work will resume pending removal of load limits.
 - Project completion date is 6-1-13
- North Fill Floating Dock
 - Project Substantially complete 5-1-2013
 - Removal of equipment and site clean-up in progress.
 - It should be noted there was minor damage to the floating dock as a result of a collision with a landing craft. The damage was repaired by the contractor and the responsible party will be covering that additional cost.
 - It should also be noted that as the new dock makes the ramp much more user friendly for the majority of the users, it has greatly limited access to other users such as the landing crafts.
 - There are a number of landing craft servicing the community and a new landing craft landing site should be seriously considered to limit the potential damage to the new dock.
 - The new dock is already seeing frequent use and users seem pleased to have an alternate to the main launch in the harbor.
- CCMC EIFS Repair
 - The Contract with Bradshaw & Associates was signed on 4-8-2013.
 - Notice to Proceed was issued on 4-9-2013.
 - Bradshaw will be mobilizing to the site to begin work on 5-16-2012.
 - Submittals are on schedule and color selection has been made.
 - Project completion is scheduled for early July.
- CCMC Pneumatic Control Repair and Restoration
 - It is anticipated that the Agreement will be fully executed by 5-09-2013 pending acceptance of owner requested changes to Addendum #1.
 - Notice to proceed will be issued upon signature of the agreement, and is anticipated to be 5-09-2013.
 - The Siemens project manager and superintendent will be on site 5-10-13 to begin the restoration of the pneumatic control system. This visit will be focused on information gathering and site orientation.
 - Substantial completion will be on 9-7-2013.
- Water Treatment Plant Chemical Mezzanine Column Repair
 - Eagle Contracting completed the column repair portion of the project at the end of April.
 - Epoxy coating of the mezzanine floor is schedule to be completed on 5-14-2013. This activity requires the removal of the chemical dosing system which can only be done

when the system is not required to treat lake water. It was anticipated this activity may extend beyond the contractual completion date to accommodate water production.

- The contractual completion date is 5-1-2013.
- Water Treatment Plant Roof Replacement
 - The loan approval was secured on 3-6-2013
 - RFP packages for structural repairs and roofing are being assembled.
 - The RFP package will be let out as soon as the final loan/grant paperwork is received. This is anticipated to take up to 2 months to acquire (end of June).
 - This will be a summer/fall project.
- Samson Relocate
 - Samson's shop has been successfully moved and is powered up.
 - Remaining work includes hook-up of Samson's office trailer to power, water, phone, cable, and sewer.
 - The remaining work will be completed upon delivery of Samson's new office trailer to the site. Samson is in control of the delivery schedule for the trailer and it has been a moving target thus far; however it is anticipated to be here by the end of May.
 - The completion date has been extended to accommodate delivery of Samson's office trailer to the site.
 - There is no cost associated with extending the completion date for the electrical contractor.
- City Shop Electrical Renovations
 - The construction agreement with NLE was signed on 5-3-2013.
 - The notice to proceed was issued on 5-3-2013.
 - Electrical design drawings were submitted to the state fire marshal for review and were approved on 5-3-2013.
 - A project kick-off meeting was held at the city shop on 5-6-2013 to coordinate shop activities and electrical renovation work.
 - The substantial completion date per the agreement is 7-15-2013.
- Waste Water Plant Vehicle Storage Building Siding Replacement
 - Currently working with Eagle to define a scope of work and cost.
 - Meeting with Eagle on site 5-9-2013 to discuss scope of work.
 - This will be a summer project.
- Baler Facility Renovations
 - DHI Engineering submitted a proposal on 3-26-2013 for the sum of \$16,000.00 to assemble a design build RFP to issue for bids.
 - DHI's proposal is ready to sign pending appropriation of funds.
 - It is anticipated the assembly of the RFP package will take 3 weeks.
 - **THIS PROPOSAL NEEDS TO BE SIGNED VERY SOON OR WE WILL MISS OUR WINDOW OF OPERTUNITY FOR EXECUTING THE PROJECT THIS SUMMER!!!!**
 - Upon appropriation of funds DHI will assemble the design build package and COC will put it out for bids.

- Upon receipt of bids council will be asked to approve a contract with a design build contractor who will then begin the design and construction process.
- It is anticipated this project will occur this summer and be completed by fall.
- Baler Machine Re-build
 - Two proposals were received in response to the RFP.
 - Alpine Diesel was the low bidder and awarded the contract on 4-5-2013.
 - The notice to proceed was issued on 4-5-2013.
 - Alpine Diesel began work on 5-13-2013 and completed the project on 5-27-2013.
 - After removal of the existing wear plates it was determined that the sub structure was damaged and additional repairs were required. Additional repairs consisted of removal of the bale chamber floor plate, repair and reinforcement of the sub structure, and replacement of the floor plate.
 - The additional repairs took about 3 days to complete and the contractor is working up the additional cost per the unit rates established in the RFP proposal.
 - A change order will be issued upon review and approval of the additional cost.
 - It should be noted the contractor completed the project within the allotted time even after encountering the additional damage. This was greatly appreciated by the refuse department.
- Cordova Center Phase I
 - Trinity ERD was on site to observe Dookozian/Capitol Glass window testing the week of 4-8-2013.
 - Trinity issued a observations report that concluded all parties acknowledged the windows and storefronts leak, but the specific reasons for the leaking remained elusive as their testing was rudimentary at best. In the city managers opinion the Dookozian/Capitol Glass testing was a joke. Testing did not follow ASTM testing criteria.
 - Dookozian has not issued a test report documenting their testing efforts as of 5-9-2013.
 - Trinity's began window testing on 4-15-2013 and concluded on 5-23-2013.
 - Trinity tested 7 separate window assemblies to ASTM criteria and all of them failed the test (quickly and badly). Of the windows tested 5 had leaked before (these were claimed to have been fixed last winter) and 2 had not. Trinity issued the first part of their report "Test Results" on 5-25-2013. The findings and Solutions reports are expected by 5-10-2013 and 5-17-2013 respectively.
 - After the final reports are issued and we see what the contractor's response is we can identify a path forward.
 - The initial test report has been forwarded to Dookozian.
 - The rejected sill flashing at the aluminum store fronts have not been corrected by the contractor and it does not appear that they intend to correct it.
 - The cost to remove the aluminum storefronts, install the correct flashing and re-install them will most likely be rolled into the larger claim settlement and done by the Phase II contractor.

- The REA settlement is ongoing with COC staff and OAC consultants scheduled to meet with Dookozian to discuss the REA and a possible settlement on 5-16-2013 in Anchorage.
- Cordova Center Phase II
 - 100% design documents from MRV and subsequent fire marshal approval is pending.
 - MRV states they will have the 100% documents to the state fire marshal for his final approval by 3-29-2013. This has yet to happen as of 5-9-2013.
 - **Value Engineering is on hold with Dawson pending payment and a signed contract.**
 - The Dawson Pre-Construction Services contract is ready for signature by the city manager. The preconstruction services have been completed and we need to get them a contract and payment very soon.
 - **It should be noted the cost for pre-construction services is going to go up as we continue to request Dawson provide revised phasing plans, window/storefront repairs, value engineering, ect.... Dawson has already done more than they were expecting to do for their quoted sum of \$27k.**
 - Funding is the largest hurdle to starting work.
- Emergency Generator Installation at Mt Eccles
 - Haight and Associates is working up a revised engineering proposal to modify the existing electrical system at the school to accept the generator as an automatic back-up system with an ATS (automatic transfer switch). This proposal is due 5-10-2013.
 - A project budget has been established and staff continues to work to define roles and responsibilities for maintenance and operation.
 - The generator turn-over and training with CEC and COC staff has been completed.
 - Generator Techs from Pacific Power have inspected the generator and it is acceptable.
 - The City Manager will be approving the revised Haight and associates proposal when it is received (anticipated coming in below \$5k).
 - Upon approval the design will be executed and a bid package will be released.
 - Upon receipt and review of bids the council will be asked to approve a contract with the low bidder.
 - It is anticipated this project will happen this summer.
 - A project Budget has been included for your information.
- Safe Routes to School
 - The grant has been secured and work can begin any time.
 - A planning and zoning meeting was held on 4-9-2013 to obtain questions and comments from the public on the 35% design drawings.
 - As a result of the 4-9-2013 P&Z meeting Sam has been directed to investigate a 5th street option.
 - Results from this exercise will be presented to P&Z when complete.
 - A survey will be performed on 5-10-2013 to verify property lines and the actual location of road to ensure there are not any conflicts with the current design.

- P&Z will be expected to issue a recommendation to city council on how to proceed after reviewing the findings from the 5th street option.
- Revised construction cost estimates and engineering cost will be generated after a direction is re-established.
- This project is slated for summer 2014 construction.
- Mt Eccles Window leaks
 - Window leaks along the east and south elevations of the school continue to damage interior finishes. The damage will continue to increase as time goes on.
 - The window testing that had been proposed earlier was determined to be unnecessary as the contractor that installed the new glazing as part of the renovation project preformed the work as required by the contract.
 - The window frames are the root cause of the leaks and they were not part of the renovation project.
 - MRV architects could possibly be held responsible for the failure of the window renovation design, as it was one of the driving issues behind doing the renovations, however it would most likely be more costly that just installing new windows and there are no guarantees we would recover anything.
 - There are currently no funds identified for installing new window assemblies.
 - I am currently working with Trinity to get a proposal for designing a new window assembly for the south and east 2nd floor windows (the problem area) and a rough order of magnitude for the cost to remove the old windows and install new windows per their design.
 - Once we have the rough cost established, we will request funding form the council to repair the problem areas.
 - When funding is identified we will initiate the design process and upon completion of the design process we will issue a RFP to perform the work.
- CCMC CT Scanner (New Project)
 - CCMC initiated a project to install a CT scanner at CCMC and requested COC project manager assist in managing the project.
 - CCMC identified and began working with Sparks Design Inc. (architect) prior to turning the project over to the COC project staff.
 - Sparks Design Inc. has worked with Providence in Anchorage multiple times and came highly recommended.
 - After council approval, COC entered into a contract with Sparks Design for the sum of \$25,407.00 on 4-23-2013 to perform the concept design.
 - The concept design includes a third party conceptual cost estimate that will be used to establish an overall project budget for council approval and funding.
 - The total cost for Sparks to perform the design and construction phase services is \$79,372.00.
 - CCMC Staff are currently evaluating proposals from various CT scan equipment providers to determine which machine best fits their needs and budget.

- COC project staff and CCMC staff will be working to assemble an overall project budget as the information becomes available.
- I anticipate this will be a fall/winter project depending on equipment lead time, funding, design, and approval process.

Thank You

Josh Hallquist

MEMO, City of Cordova

To: Mayor and City Council

Through: Donald L. Moore, Interim City Manager

From: Jon K. Stavig, Finance Director

Date: May 29, 2013

RE: Finance Department Report

Following are the traditional financial reports through May 29, 2013.

The report consists of two pages. The first page is a fund summary for the general fund only. The second page includes all funds including the enterprise funds. The highlights of the two pages are;

On the revenue side, while not in the detail of these two reports our 1st Quarter Sales Tax Collections were approx. 453,000, or about a 9.0% decrease over the preceding the 1st Quarter last year. In addition, National Timber Receipts came in at 947,249.68 vs. 1,063,167.00 the budgeted amount for 2013. Overall, the General Fund Revenue is about 500,000, less than last year at this time and expenses are up the same amount as compared to last year.

Our Enterprise Funds seem to be tracking at their seasonal pace; however, revenues are slightly off over the preceding year while expenses are tracking roughly the same as the preceding year.

All to report from the Finance Dept.

Respectfully submitted,

Jon K Stavig

CITY OF CORDOVA
FUND SUMMARY
FOR THE 5 MONTHS ENDING MAY 31, 2013

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	1,042,989.48	1,042,989.48	5,718,500.00	4,675,510.52	18.2
LICENSES & PERMITS	(549.80)	(549.80)	16,300.00	16,849.80	(3.4)
OTHER GOVERNMENTAL	982,771.25	982,771.25	3,066,537.64	2,083,766.39	32.1
LEASES & RENTS	53,703.95	53,703.95	171,020.00	117,316.05	31.4
LAW ENFORCEMENT	154,643.54	154,643.54	333,900.00	179,256.46	46.3
D. M. V.	48,875.44	48,875.44	92,500.00	43,624.56	52.8
PLANNING DEPARTMENT REVENUE	4,125.00	4,125.00	29,000.00	24,875.00	14.2
RECREATION DEPT REVENUE	22,729.50	22,729.50	77,000.00	54,270.50	29.5
POOL REVENUE	10,324.50	10,324.50	34,200.00	23,875.50	30.2
SALE OF PROPERTY	.00	.00	6,500.00	6,500.00	.0
INTERFUND TRANSFERS IN	164,014.60	164,014.60	492,043.75	328,029.15	33.3
OTHER REVENUE	35,406.25	35,406.25	225,000.00	189,593.75	15.7
STATE DEBT SERVICE REIMBURSE	648,475.00	648,475.00	976,276.00	327,801.00	66.4
	3,167,508.71	3,167,508.71	11,238,777.39	8,071,268.68	28.2
<u>EXPENDITURES</u>					
CITY COUNCIL	7,068.94	7,068.94	25,000.00	17,931.06	28.3
CITY CLERK	97,216.69	97,216.69	240,999.77	143,783.08	40.3
CITY MANAGER	139,714.57	139,714.57	399,368.41	259,653.84	35.0
FINANCE	176,252.97	176,252.97	423,517.81	247,264.84	41.6
PLANNING DEPARTMENT EXPENSE	78,081.56	78,081.56	212,763.46	134,681.90	36.7
PLANNING COMMISSION	506.19	506.19	6,500.00	5,993.81	7.8
DEPARTMENT OF MOTOR VEHICLE	26,272.72	26,272.72	76,825.96	50,553.24	34.2
LAW ENFORCEMENT	299,345.79	299,345.79	892,295.09	592,949.30	33.6
JAIL OPERATIONS	72,681.51	72,681.51	231,298.95	158,617.44	31.4
FIRE & EMS	123,613.39	123,613.39	320,000.18	196,386.79	38.6
DISASTER MANAGEMENT DEPT.	148.72	148.72	7,500.00	7,351.28	2.0
INFORMATION SERVICES	162,519.52	162,519.52	472,652.75	310,133.23	34.4
FACILITY UTILITIES	81,145.52	81,145.52	156,300.00	75,154.48	51.9
PW ADMINISTRATION	49,540.11	49,540.11	122,272.32	72,732.21	40.5
FACILITY MAINTENANCE	79,551.18	79,551.18	211,713.28	132,162.10	37.6
STREET MAINTENANCE	183,624.31	183,624.31	619,784.04	436,159.73	29.6
SNOW REMOVAL	14,295.85	14,295.85	79,650.00	65,354.15	18.0
EQUIPMENT MAINTENANCE	120,490.89	120,490.89	299,779.39	179,288.50	40.2
PARKS MAINTENANCE	32,519.51	32,519.51	103,904.25	71,384.74	31.3
CEMETERY MAINTENANCE DEPT.	.00	.00	8,275.00	8,275.00	.0
RECREATION - BIDARKI	135,094.42	135,094.42	406,073.52	270,979.10	33.3
POOL	128,084.85	128,084.85	284,467.98	156,383.13	45.0
SKI HILL	35,915.24	35,915.24	58,400.00	22,484.76	61.5
NON-DEPARTMENTAL	162,438.18	162,438.18	352,745.00	190,306.82	46.1
LONG TERM DEBT SERVICE	1,028,105.58	1,028,105.58	1,699,924.00	671,818.42	60.5
INTERFUND TRANSFERS OUT	978,592.00	978,592.00	978,592.07	.07	100.0
TRANSFERS TO OTHER ENTITIES	1,542,991.08	1,542,991.08	3,101,983.16	1,558,992.08	49.7
	5,755,811.29	5,755,811.29	11,792,586.39	6,036,775.10	48.8
	(2,588,302.58)	(2,588,302.58)	(553,809.00)	2,034,493.58	(467.4)

CITY OF CORDOVA
FUND SUMMARY
FOR THE 5 MONTHS ENDING MAY 31, 2013

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
101 GENERAL FUND	3,167,508.71	3,167,508.71	11,238,777.39	8,071,268.68	28.2
104 CITY PERMANENT FUND	1,154,189.59	1,154,189.59	1,210,007.93	55,818.34	95.4
203 FIRE DEPT. VEHICLE ACQUISITION	17,932.92	17,932.92	10,000.00	(7,932.92)	179.3
205 VEHICLE REMOVAL/IMPOUND FUND	33,000.00	33,000.00	33,000.00	.00	100.0
401 GENERAL PROJ & GRANT ADMN	637,944.52	637,944.52	854,970.00	217,025.48	74.6
410 CHIP SEAL C.I.P.	50,000.00	50,000.00	50,000.00	.00	100.0
435 HOSPITAL REPAIR PROJECT	435,848.85	435,848.85	1,028,155.00	592,306.15	42.4
502 HARBOR ENTERPRISE FUND	176,971.04	176,971.04	1,037,570.41	860,599.37	17.1
503 SEWER ENTERPRISE FUND	206,397.71	206,397.71	731,830.00	525,432.29	28.2
504 WATER ENTERPRISE FUND	179,308.26	179,308.26	735,270.00	555,961.74	24.4
505 REFUSE ENTERPRISE FUND	252,663.23	252,663.23	942,625.00	689,961.77	26.8
506 ODIK CAMPER PARK	6,011.82	6,011.82	61,167.25	55,155.43	9.8
602 HARBOR & PORT PROJECTS	1,023,971.34	1,023,971.34	103,235.00	(920,736.34)	991.9
603 SEWER PROJECTS	104,857.00	104,857.00	709,857.00	605,000.00	14.8
605 SOLID WASTE PROJECTS	284,000.00	284,000.00	1,506,000.00	1,222,000.00	18.9
654 LT2 COMPLIANCE PROJECT	.00	.00	3,605,000.00	3,605,000.00	.0
702 HARBOR FUND DEP'N RESERVE	75,000.00	75,000.00	75,000.00	.00	100.0
703 SEWER FUND DEP'N RESERVE	100,000.00	100,000.00	100,000.00	.00	100.0
704 WATER FUND DEP'N RESERVE	100,000.00	100,000.00	100,000.00	.00	100.0
705 REFUSE FUND DEP'N RESERVE FUN	75,000.00	75,000.00	75,000.00	.00	100.0
805 LANDFILL FUND	50,000.00	50,000.00	25,000.00	(25,000.00)	200.0
911 E-911 SPECIAL REVENUE FUND	1,484.78	1,484.78	.00	(1,484.78)	.0
	8,132,089.77	8,132,089.77	24,232,464.98	16,100,375.21	33.6
<u>EXPENDITURES</u>					
101 GENERAL FUND	5,755,811.29	5,755,811.29	11,792,586.39	6,036,775.10	48.8
104 CITY PERMANENT FUND	466,787.93	466,787.93	466,787.93	.00	100.0
205 VEHICLE REMOVAL/IMPOUND FUND	477.49	477.49	.00	(477.49)	.0
333 2012 SNOWPOCALYPSE	735.60	735.60	.00	(735.60)	.0
401 GENERAL PROJ & GRANT ADMN	232,146.78	232,146.78	994,735.50	762,588.72	23.3
410 CHIP SEAL C.I.P.	.00	.00	50,000.00	50,000.00	.0
435 HOSPITAL REPAIR PROJECT	116,524.71	116,524.71	1,028,155.00	911,630.29	11.3
502 HARBOR ENTERPRISE FUND	413,875.06	413,875.06	1,037,570.41	623,695.35	39.9
503 SEWER ENTERPRISE FUND	363,781.89	363,781.89	731,830.00	368,048.11	49.7
504 WATER ENTERPRISE FUND	308,813.79	308,813.79	735,270.00	426,456.21	42.0
505 REFUSE ENTERPRISE FUND	417,471.21	417,471.21	942,625.00	525,153.79	44.3
506 ODIK CAMPER PARK	6,018.36	6,018.36	57,255.25	51,236.89	10.5
602 HARBOR & PORT PROJECTS	232,725.00	232,725.00	103,235.00	(129,490.00)	225.4
603 SEWER PROJECTS	.00	.00	709,857.00	709,857.00	.0
605 SOLID WASTE PROJECTS	21,535.40	21,535.40	1,506,000.00	1,484,464.60	1.4
654 LT2 COMPLIANCE PROJECT	46,927.00	46,927.00	3,605,000.00	3,558,073.00	1.3
702 HARBOR FUND DEP'N RESERVE	103,235.00	103,235.00	103,235.00	.00	100.0
703 SEWER FUND DEP'N RESERVE	104,857.00	104,857.00	104,857.00	.00	100.0
705 REFUSE FUND DEP'N RESERVE FUN	284,000.00	284,000.00	284,000.00	.00	100.0
	8,875,723.51	8,875,723.51	24,252,999.48	15,377,275.97	36.6
	(743,633.74)	(743,633.74)	(20,534.50)	723,099.24	(3621.



City of Cordova,
Office of the City Clerk
Cordova, AK 99574
602 Railroad Avenue * PO Box 1210

Phone: 907.424.6248
Fax: 907.424.6000
Cell: 907.253.6248
E-mail: cityclerk@cityofcordova.net

CITY CLERK'S REPORT TO COUNCIL

June 5, 2013 Regular Council Meeting

Date of Report: May 30, 2013

Things I need feedback on or am reporting to Council on:

Let's set a date for City Clerk contract negotiations – if second June meeting isn't as packed maybe that is a good time

I have requested time off June 6 & 7 and July 19 – 30 (Mayor has signed the appropriate leave requests)

Things the Clerk's Office has been working on:

- Signed paychecks/other AP checks
- Prepared agendas and packets for special meetings on 05-07, 05-17, 05-20, 05-21, 05-24, 05-29 and 06-04 and regular mtg on 06-05-13
- Minutes catch-up is in progress – contracted minutes are coming in quickly and accurately
- Attended Department Head meetings on May 21 & May 28
- Handled a few requests for records
- Worked with family members and public works department on a burial in the Cordova Cemetery
- Renewed vehicle registrations
- Deputy Clerk has 2013 property tax roll ready to go – we have training scheduled for June 10-11 with Caselle to learn the new system – last piece is the mill rate to be set tonight
- Deputy Clerk is at the last stages of the expiration of the redemption period for 2011 delinquent properties (only one left) – last day for the owner to redeem the property is June 10 or else it gets deeded to the City
- Deputy Clerk has also worked hard to collect on 2012 delinquencies which is lower than usual as well, 22 accounts with balances owing – including trailers and leases
- Deputy Clerk to attend PDI training in Tacoma, WA week of June 3-7
- Worked with planner on trail easement/surrounding property ownership issue (to be a P&Z commission agenda item in June)
- Helped grants coordinator find archived finance records in re Cordova Center billing from 2010
- Forwarded a voter registration application to Juneau for processing

April 2013 Update

Copper River Highway

Bridge 339, Cordova Alaska

AKSAS Project # 60555

April 18, 2013

Update

We have recently completed several key steps in the preliminary design process:

- With the assistance of U.S. Geological Survey hydrologists, our hydraulic engineers have streamflow estimates, channel survey data, a river model to evaluate various design scenarios, scour depth estimates and water surface elevation information.
- Our highway designers have developed the horizontal and vertical road alignment.
- Our structural (bridge engineers) have developed a preliminary bridge design based on the hydraulic information and highway design criteria.

Review and evaluation of the preliminary design has raised important questions relating to constructability and compatibility of the proposed bridge with site specific challenges. This is an uncommon bridge project because the river is so deep (almost 70-feet) with very fast moving currents, and we do not presently have access to the far (east) bank. Fundamental questions we seek to answer include:

1. How to transport construction equipment and materials across the river?
 - a. Using an ice road during the winter to cross the river is not predictable or dependable due to fluctuating coastal temperatures and snow depths. Ice thickness is temperature and snow cover dependent.
 - b. Winter construction is known to be challenging and may not be feasible due to the extreme snow fall and wind on the delta
 - c. We don't know if a temporary floatable bridge can withstand the fast-moving river current.
2. How to remove the existing bridge and build the new bridge?
 - a. Bridge demolition and construction requires access to the far end (east) approach embankment which has completely eroded away.
 - b. Construction of a temporary bridge adjacent to the existing bridge may be impracticable (due to extreme costs). The temporary bridge would have to accommodate deep and fast moving river currents.
 - c. Barge access to the site would likely be hindered by sand bars and shallow water depths across the braided delta. We are also skeptical a large barge could be anchored in the fast moving river current.
 - d. The deep and fast moving river current would make pile placement and driving operations challenging. Additional assessment is needed to determine if pile driving operations are feasible under these conditions.

These questions introduce unacceptable risks to the project. We have determined the project would benefit with assistance from a specialized Bridge/Engineer/Construction Consultant. We intend to procure a consultant to evaluate the preliminary design for constructability, develop a sequenced method of construction and develop an independent construction cost estimate. In addition the consultant will develop recommendations for alternative bridge concepts, construction methods and cost estimates that may be more compatible with conditions at the site.

Then a preferred design alternative will be chosen and used to prepare an environmental document analyzing project impacts. Once the environmental document is approved we will develop and submit Corps Wetlands, Fish & Game, and Coast Guard permits for review and approval. We expect two years will be required to obtain all required permits. At the same time we will begin the right-of-way acquisition (ROW) process for bridge/river guide banks that extend beyond the existing ROW limits.

We plan to perform geotechnical field and laboratory investigations after a preferred bridge design is chosen. This is expected to be the summer field season of 2014. Once the geotechnical lab data has been reduced the hydraulic design, foundation design and bridge design will be coordinated to complete the final design and prepare contract documents for advertising.



Figure 1 – Bridge 339 looking south August 14, 2012

Schedule Update

Progress:

1. Received the reduced survey topographic data mid November 2012
2. Preliminary Civil design completed late November 2012
3. Preliminary Bridge & Hydraulic design completed early January 2013

Current Schedule:

1. Summer 2013 – Procure Bridge/Engineer/Construction Consultant
2. Winter 2013/2014 - Evaluate preliminary design & develop alternate suitable bridge designs
3. Winter 2013/2014 - environmental document approval, begin permitting
4. Summer 2014 – field bridge foundation investigation
5. Winter 2014/2015 thru fall 2015 – final design
6. Winter 2015/2016 – permitting & Right-of-Way acquisition complete
7. Winter 2015/2016 – advertize for construction bids
8. Summer 2016 – construction



COPPER RIVER WATERSHED PROJECT

© *Voices for a wild salmon economy* ☺

May 17, 2013

Mayor Kacsh and City Council
City of Cordova
P.O. Box 1210
Cordova, AK 99574

Dear Mayor Kacsh and Council Members,

A small group of volunteers has been working to restore one of Cordova's oldest trails, the Eyak Mountain Trail, and we are hopeful that the City of Cordova will accept an easement for this trail from the current private landowner.

As shown on the attached survey map, the Eyak Mountain Trail runs east from Fifth Street along the hillside. Originally it led to Eyak Lake, but now there's a section that connects with the "Sven and Olie" trail on the Sheridan Alpine Association land leased from the State of Alaska.

We are currently working with the Parks and Recreation Commission and the Planning and Zoning Commission to discuss the feasibility of the City's accepting this easement, and hope to bring this item to the Council for discussion in June.

In the meantime, attached is the survey map so that you can familiarize yourselves with its route. Trail work is being funded by a grant from the Secure Rural Schools Title II timber receipts program, and the project was selected for funding by the PWS Resource Advisory Committee. Restoring the trail will consist of re-building two water crossings and brushing the trail route. Also, the beginning part of the trail will be re-routed to fall within the Browning Street right of way (rather than crossing the privately owned parcels of lots 12 and 13, Block 24 and lot 1, Block 35).

If and when we reach the point of Council support for this project, we'll have the easement for the part of the trail that crosses lots 1 – 11, Block 45 and lots 16 – 17,

P.O. Box 1560, Cordova, AK 99574

tel 907.424.3334

web www.copperriver.org

Board of Directors

Molly Mulvaney, President, Cordova
Gloria Stickwan, Vice Pres., Tazlina
Brad Reynolds, Secretary, Cordova

Joel Azure, Cordova
Audubon Bakewell IV, Gakona
Mike McQueen, Copper Center

Copper Basin, open seat
Maria Wessel, Cordova

Block 46, recorded with the State of Alaska. A draft easement document is attached for your reference.

I'm happy to answer any questions about this volunteer-initiated project that will expand Cordova's trail network. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Kristin Carpenter". The signature is written in a cursive, flowing style.

Kristin Carpenter
Executive Director

Attachments

GRANT OF PEDESTRIAN EASEMENT

Linden's Land Company, an Alaska limited liability company, whose address is P.O. Box 1875, Cordova, Alaska, 99574 (the "Grantor"), for and in consideration of the sum of ten dollars (\$10.00) and other good and sufficient considerations received, does hereby grant to the CITY OF CORDOVA, whose address is 602 Railroad Avenue, Cordova, Alaska (the "Grantee"), for the benefit of the public, an easement for pedestrian access, ingress and regress (the "Easement") over and across the property described as:

Block 46, lots 17 and 16; and Block 45, lots 1 – 11 of Cordova Town Site, Records of the Cordova Recording District, Third Judicial District, State of Alaska ("the Property").

The Easement shall run through the Property from the Southwest side of Block 45, lot 1 to the northeast corner of Block 45, lot 11, and then from the southwest corner of Block 46, lot 17 along the existing trail across Block 46, lots 17 and 16, all in Township 15 South, Range 3 West, Copper River Meridian, Third Judicial District, State of Alaska, in the location shown on the attached map labeled Exhibit "A".

The Easement shall be ten (10) feet in width, and shall be for non-motorized, non-commercial, pedestrian use only.

The Grantee shall have the right to construct, maintain, and use a hiking trail in the easement.

The Easement may be relocated only with the agreement of both parties hereto, or their successors.

The Easement shall be perpetual and shall run with the land as an easement and encumbrance on the Servient Estate, appurtenant to the real property owned by Grantee and commonly known as **Cordova Town Site**, a portion of which is described for reference purposes as Section 28, Township 15 South, Range 3 West, Copper River Meridian, State of Alaska, for the benefit of the public.

TO HAVE AND TO HOLD unto Grantee, its successors, and assigns forever.

IN WITNESS WHEREOF, Linden's Land Company hereunto sets its hand and seal this _____ day of _____, 2013.

GRANTOR:

Linden O'Toole

STATE OF ALASKA)
)ss.
)

THIS IS TO CERTIFY that on the _____ day of _____, 2013, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Linden O'Toole of Linden's Land Company, to me known and known to be the person she represented herself to be, and the same identical person who executed the above and foregoing GRANT OF PEDESTRIAN EASEMENT on behalf of Linden's Land Company, in the name of and for and on behalf of Linden's Land Company.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public in and for the State of Alaska
My commission expires:

Return to:
Cindy Schoniger
Department of Natural Resources
Division of Mining, Land and Water
550 West Seventh Avenue, Suite 1050A
Anchorage, Alaska 99501-3561

Location Index: Section 28, T. 15 S., R. 3 W., Copper River Meridian, Alaska.

STATE BUSINESS, NO CHARGE

February, 2010- Cordova inquired about the procedure to reduce the speed limit on the second half mile on Whitshed Road from 35 mph to 25 mph. We were directed to Colleen Ackiss from Northern Region- Highway Safety Improvement Program. Colleen Ackiss said that the Cordova City Council had to agree to the speed limit change first and only then could a person from Northern DOT come down to do a speed study.

March 17, 2010- Karen Swartzbart presented a letter (Document #1) to the Cordova City Council about concerns for safety for foot and bike traffic traveling along Whitshed to the newly built Orca Inlet Recreational Area Park. Both the Cordova Police Chief Robert Baty and State trooper Mike Hicks testified in favor of the speed reduction.

March 31, 2010- During the City Council meeting, the Council unanimously voted to pass a resolution to reduce the speed limit from 35mph to 25mph on Whitshed Road. (Document # 2) In addition, the Alaska Association of Student Council Government passed a resolution titled “Increased Safety on Whitshed Road” (Document # 3).

Early April, 2010- City of Cordova, Alaska Resolution 03-10-14 was sent to DOT in Cordova, Valdez, and Fairbanks recommending reducing speed limits from 35 mph to 25 mph on Whitshed Road from the Copper River Highway to Orca Inlet Drive.

April 26, 2010- Per telephone conversation, Colleen Ackiss said there was no money to do the speed study this fiscal year, maybe after July, still no guarantee the study would be done this year.

April 28, 2010- Per telephone conversation, Colleen Ackiss received approval to come to Cordova to do the onsite portion of the speed study. Colleen Ackiss said Cordova City Council is not a governing body and it is only a recommendation for the speed reduction.

July, 2010- Throughout July Cordova DOT Jack Stevenson had not heard from Colleen Ackiss.

August, 2010- Colleen Ackiss visit was delayed due to the Eccles Creek culvert construction project. The Eccles Creek project was completed in mid- August.

September 9, 2010- Per telephone conversation, Colleen Ackiss told Karen Swartzbart that because of the plane schedule to Cordova it would take a whole three days to come to Cordova and Northern DOT and they just do not have the time or staff to send at this time. Perhaps next spring they can come to Cordova.

October, 2010- Cordova DOT contacted Colleen Ackiss about the possibility of hanging a yellow cautionary 25 mph sign during baseball season. C. Ackiss told Jack he is not allowed to display the yellow sign.

January 10, 2011- Per email, when Cordova asked C. Ackiss what Cordova could do to move the speed study forward; Ackiss said she wanted to get more phone calls. Cordova suggested a teleconference.

January 13, 2011- Per email, C. Ackiss Agreed to a teleconference on Friday January 28, @ 10:00am, in the PWSSAC conference room, Cordova.

January 25, 2011- Per email, John Bennett, acting for Janet Brown. J. Bennett felt it would be important for J. Brown to attend the teleconference and J. Brown was unavailable. J. Brown will be available after February 2nd.

February 3, 2011- Per email, to Janet Brown regarding rescheduling a teleconference.

February 9, 2011- Per telephone, Janet Brown stated a teleconference was not needed and assured Cordova that a Speed Study will be accomplished in April. 2011. J. Brown wanted

Karen Swartzbart to send weather updates starting in April. K. Swartzbart sent weather conditions throughout the month of April. Janet Brown stated that a yellow 25 mph speed sign does not fit the national standards for our purpose, the isolated incident of baseball season.

April 1, 2011- Per email, K. Swartzbart contacted C. Ackiss with a poor weather report for several days. C. Ackiss replied the Speed Study will be conducted this spring as weather and time allows.

May 9, 2011- Per email K. Swartzbart contacted C. Ackiss, J. Brown, Trooper Hicks, and Police Chief Baty about the stretch of good weather.

May 13, 2011- Per telephone contacted C. Ackiss about coming to Cordova. Yes, it is Colleen Ackiss plan to come to Cordova. Karen Swartzbart offered to show C. Ackiss Cordova's concerns about the conditions on Whitshed Road.

June 1, 2011- Per telephone, Karen Swartzbart contacted Northern DOT and was informed by Jessica that C. Ackiss was in Cordova May 15, for one day. While in Cordova C. Ackiss made no contact with concerned members of Cordova.

June 7, 2011- Per telephone, K. Swartzbart contacted Police Chief Baty. Chief Baty said C. Ackiss emailed him with little notice; he was unavailable to meet with her. Chief Baty quoted "I feel like C. Ackiss is playing the avoidance game".

June 14, 2011- Per telephone, K. Swartzbart left a message for C. Ackiss to contact me when she was able. C. Ackiss returned call and indeed she was in Cordova on May 16th, and completed the on-site portion of the speed study and assured me she had enough on-site data to complete the Speed Study Report. C. Ackiss. Cordova could expect to see the completed report in late fall or early winter.

January, 27 2012- Per email, Cordova inquired on the progress of the Speed Study report. (Document # 8)

January 31, 2012- Per email, C. Ackiss replied she would only speak with Mayor Kallander regarding the study and it would be out late spring or early summer, another 6 month delay. (Document # 9).

December 12, 2012- Per telephone, Karen Swartzbart contacted Mayor Jim Kallander regarding contact with C. Ackiss. Mayor Kallander had not heard from C. Ackiss. Per telephone Karen Swartzbart contacted C. Ackiss to follow up on the progress of the Speed Study. C. Ackiss told Karen she is not divulge and not at liberty to talk about the Speed Study. C. Ackiss gave me a new contact Berry Hooper, as she is no longer in charge of the Speed Study.

March 15, 2013- Per telephone, K. Swartzbart contacted C. Ackiss to see if she could contact Mayor Kallander to notify him of the new contact Berry Hooper at Northern DOT that will be taking over the Speed Study Report. C. Ackiss said it is no longer her responsibility; Berry Hooper must contact Mayor Kallander.

Per telephone, K. Swartzbart contacted Berry Hooper. B. Hooper said additional information is required to complete the Speed Study Report. Informed K. Swartzbart that Pam Golden would be coming to Cordova this May or June to do another on-site study before they can complete the Speed Study Report. K. Swartzbart made contact with Pam Golden and Pam Golden would like to start New with this Speed Study Report. Pam Golden would like K. Swartzbart to send all information regarding this issue. Pam Golden is willing to work with K. Swartzbart and is planning an on on-site visit to Cordova in June, 2013.

**CITY OF CORDOVA, ALASKA
RESOLUTION 03-10-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA,
RECOMMENDING THAT THE STATE OF ALASKA DEPARTMENT OF
TRANSPORTATION & PUBLIC FACILITIES REDUCE THE SPEED LIMIT
FROM 35 MPH TO 25 MPH ON WHITSHED ROAD FROM
COPPER RIVER HIGHWAY TO ORCA INLET DRIVE.**

WHEREAS, Whitshed Road is a narrow and winding state maintained road bordered on one side by a steep mountain and on the other side by a deep ravine; and

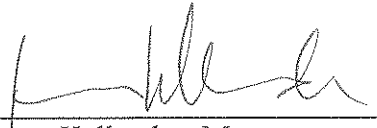
WHEREAS, Whitshed Road is heavily used by children as a walking and bicycling route to and from the Baseball field known as the Field of Dreams; and

WHEREAS, the recreational area around the Field of Dreams area is growing in popularity and is used for various activities; and


WHEREAS, the Cordova Police Department, Alaska State Troopers, Cordova City Council, and numerous local residents see a need for a reduction in the speed limit from 35 MPH to 25 MPH on Whitshed Road from Copper River Highway to Orca Inlet Drive to help prevent possible future life-threatening accidents.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Cordova, Alaska, hereby recommends that the State of Alaska Department of Transportation and Public Facilities reduce the speed limit from 35 MPH to 25 MPH on Whitshed Road from Copper River Highway to Orca Inlet Drive, and post such speed limit as necessary to make drivers aware of the reduction.

PASSED AND APPROVED THIS 31st DAY OF MARCH, 2010


James Kallander, Mayor

ATTEST:


Lila J. Koplin, CMC, City Clerk



Alaska Association of Student Governments

Resolution

Increasing Safety on Whitshed Road

Submitted by Keegan Crowley, Laura Kacsh, Angie Kelly,
Christina Morrisett, and Alvin Velasco

Cordova Jr/Sr High School

1 **Whereas**, the portion of Whitshed Road from the Copper River Highway to the
2 new park, “Field of Dreams” is used heavily by pedestrian and bicycle traffic where
3 there are no shoulders on the road, a cliff on one side and a drainage ditch on the
4 other, thereby inhibiting safe passage;

5 **Whereas**, there are 130 children in Cordova Little League between the ages of
6 five and fifteen that use the “Field of Dreams” for baseball and softball practices
7 and games (Reggiani);

8 **Whereas**, the Cordova Parks and Recreation Department have made available a
9 new multi-use soccer, volleyball, kickball, football field that can also be used for
10 festivals and community events adjacent to the “Field of Dreams,” thereby
11 significantly increasing use of the property (Herschleb);

12 **Whereas**, there are blind corners before and after the “Field of Dreams” on
13 Whitshed Road in which drivers cannot see pedestrians until within short distances
14 of them;

15 **Whereas**, within 1/8 of a mile of the ball field there is a Public Works building, a
16 working gravel pit, and a baler facility, requiring the use of heavy industrial
17 vehicles that pass the ball field throughout the day;

18 **Whereas**, there is increased summer traffic on Whitshed Road throughout the
19 summer going to the Eccles Creek boatyard;

20 **Whereas**, the new road development at the end of Hartney Bay Road will further
21 increase traffic including residential traffic and construction crews;

22 **Whereas**, many drivers tend to drive 1 to 5 miles per hour over the posted speed
23 limit, thereby increasing the average miles per hour to 40 miles per hour;

24 **Whereas**, although posted speeds are not necessarily the same as travel speeds or
25 impact speeds, the data gathered by the U.S. Department of Transportation clearly
26 suggest a strong relationship between higher vehicle speed and the greater severity

27 of resulting personal injury due to pedestrian/vehicle accidents (“Literature Review
28 on Vehicle Travel Speeds and Pedestrian Injuries”).

29 **Whereas**, it was concluded that 3.7% of pedestrian/vehicle accidents are fatal at 25
30 miles per hour vehicle speed, but 12.5% of pedestrian/vehicle accidents are fatal at
31 35 miles per hour vehicle speed (“Literature Review on Vehicle Travel Speeds and
32 Pedestrian Injuries”).

33 **Whereas**, reducing the speed limit by 10 miles per hour would increase commute
34 time in that half mile section by approximately 20 seconds, a negligible increase.

35 **Whereas**, the Cordova Parent Teacher Organization received a grant through the
36 Safe Routes to School program from which \$185,000 will be allocated to designing
37 a bike path to the “Field of Dreams,” providing funding for a part of the project.

38 **Therefore be it resolved by the Alaska Association of Student Governments**
39 **that the City of Cordova reduce the speed limit on Whitshed Road from the**
40 **Copper River Highway to the “Field of Dreams” to 25 mph and install a**
41 **bike/pedestrian pathway along this same stretch of road as soon as possible to**
42 **avoid potential injuries and death among the members of our community.**

Action Statement-If ratified by the GA of AASG, this resolution is to be presented to the Cordova City Council and the Cordova School Board by a delegation from Cordova Student Council, and the Vice-President of the Executive Council will present the ratified resolution via mail to the same bodies.

Sources:

Herschleb, Susan. Telephone interview. 11 March 2010

“Literature Review on Vehicle Travel Speeds and Pedestrian Injuries.” *U. S. Department of Transportation, National Highway Traffic Safety Administration*. National Highway Traffic Safety Administration. October 2009. Web. 11 March 2010. <<http://www.nhtsa.dot.gov/people/injury/research/pub/hs809012.html>>

Reggiani, David. Telephone interview. 11 March 2010.

Alaska Dept. of Transportation and Public Facilities
Northern Region
Colleen Ackiss, Northern Traffic and Safety Chief
(907) 451-5359

1/19/2011

Re: Speed limit reduction from 35 mph to 25 mph on Whitshed Road, Cordova

Dear Colleen,

This is a summery of our concerns with the speed limit of 35 mph on Whitshed road between the Copper River Highway and our new recreational area.

In 2008, Cordova built Orca Inlet Recreational Area, a multiuse park on the State owned Whitshed Road. Currently the speed limit along Whitshed Road to the park is 35 mph. There is widespread support from the community to reduce the speed limit to 25 mph, for a distance of .8 mile from the Copper River Highway to the City's RV campground and recreational park. This park is now part of the school districts athletic program and students are required to walk from the school to the park.

At approximately one and one half mile out Whitshed road there is an industrial area including Cordova's public works shop, a working gravel pit, baler plant, Alpine Diesel Shop, and boat storage facility. In addition, construction of a new subdivision is adding increased traffic. All these facilities require heavy industrial vehicles passing by the park to do their business.

The road to the park is a narrow road with no shoulders, steep drop offs, and six blind curves. While the posted speed is 35 mph, many vehicles are going 40 mph or more. Even at 35 mph, there is little margin of error along the winding blind curves when a vehicle is passing a pedestrian or bicyclist, and meets a vehicle coming from the opposite direction. The road is too narrow to accommodate two vehicles and a pedestrian.

Recognizing that DOT desires adherence to their policies for determining speed limit postings, Cordova is asking the Department to prioritize a speed study and community safety evaluation along Whitshed Road for early spring of 2011. Until the Department can complete the study, Cordova would like to see a yellow advisory speed sign of 25 mph along the first mile of Whitshed Road to Orca Inlet Drive for the start up of baseball season on April 15th, 2011.

Cordova is actively seeking a multiuse separated pathway that could be constructed along Whitshed to the park. Last fall we submitted a Tiger II planning grant application and also a nomination for a Whitshed Road multiuse pathway project to the STIP. The City Council of Cordova and the Native Village of Eyak together agreed to supply the 9.3% match and the City agreed to accept maintenance if the State would consider helping us build it. The Native Village of Eyak is also very supportive and looking into the possibilities of including the project in their IRR designations under “trails” category.

Cordova has shown proactive leadership and expressed widespread support concerning this important safety issue. This speed limit reduction has the unanimous written support from the Cordova DOT, Cordova City Council, Cordova School District, Cordova City Police, Cordova Parks and Recreation, Cordova Safe Routes to School, and Alaska State Troopers. Numerous Cordova residents testified at a city council meeting held to discuss the STIP nomination and are passionate about this safety issue. We have contacted you numerous times over the past year about this issue.

It would be highly irresponsible for AKDOT to let this dangerous and potentially fatal situation to continue. The City of Cordova is in opposition to the situation being allowed to continue. This issue is not something Cordova can ignore and we plan to continue to pursue it. We hope that the Department can authorize an advisory speed limit sign and make plans for the required speed study in the near future.

We are looking forward to the conference call with you to discuss this further scheduled for Friday January 28, 2011 at 10:00 in Prince William Sound Aquaculture conference room. Please call (907) 424-4038

Sincerely,

Jack Stevenson, AKDOT, Cordova
Mike Hicks, Alaska State Troopers
Robert Baty, Cordova Police Chief
Dave Reggiani, Vice Mayor Cordova
Mark Lynch, Cordova City Manager
Angela Arnold, Executive Director, Native Village of Eyak
Jim Nygaard, Cordova School District Superintendent
Susan Herschleb, Cordova Director of Parks and Recreation
Tom Cohenour, Cordova Director of Public Works
Karen Swartzbart, Safe Route to School

Cc: Jeff Jeffers, P.E.

Commissioner Marc Luiken

James S. “Steve” Titus, P.E.

AK. State House Representative Bill Thomas

A MEMO FROM SUSAN BOURGEOIS, CITY CLERK

DATE: May 21, 2013
TO: Mayor and City Council
SUBJECT: Resolution 06-13-28

The 2013 Mill Rates need to be set by June 15, 2013. On May 17, 2013, Council certified the roll and saw mill rate scenarios presented by the City Clerk. Last year's mill rates of 9.43 in the City and 8.43 in the rural area would put Cordova at property tax revenues of \$1,541,273.81. Mill rates of 9.19 and 8.19 would achieve revenue of \$1,501,142.06 – the closest I could get to \$1.5 million going out only 2 decimal places. Attached is a mill rate scenarios worksheet that shows last year's mill rates as well as the \$1.5M scenario.

Recommended Motion: Move to approve Resolution 06-13-28 with **x** inserted as the in-town mill rate and **(x-1)** inserted as the out of town mill rate.

Staff Recommendation: Majority voice vote.

MILL RATE SCENARIOS 2013

**TOTAL TAXABLE VALUE IS \$167,215,600, THEREFORE,
EACH MILL GAINS \$167,215.60 IN PROPERTY TAXES**

IF MILL RATES STAY THE SAME AS LAST YEAR

		Total Tax Revenue by Area	
In Town Total Taxable	\$131,646,300.00		\$1,241,424.61
in town mill rate		9.43	
Out of Town Total Taxable	\$35,569,300.00		\$299,849.20
out of town mill rate		8.43	
total taxable	\$167,215,600.00		
			\$1,541,273.81 TOTAL PROPERTY TAXES

CLOSEST TO BUDGETED REVENUE AMOUNT OF \$1.5M

mill rate decrease of .24 mills or 2.55%

		Total Tax Revenue by Area	
In Town Total Taxable	\$131,646,300.00		\$1,209,829.50
in town mill rate		9.19	
Out of Town Total Taxable	\$35,569,300.00		\$291,312.57
out of town mill rate		8.19	
total taxable	\$167,215,600.00		
			\$1,501,142.06 TOTAL PROPERTY TAXES

**CITY OF CORDOVA, ALASKA
RESOLUTION 06-13-28**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA,
SETTING THE MILL RATES FOR 2013**

WHEREAS, Alaska Statute, Section 29.45.240 requires that the mill levy be established prior to June 15, 2013; and

WHEREAS, in accordance with Cordova Municipal Code Section 5.36.245, property in the Rural Zone shall be taxed at a mill rate that is 1.00 mills less than all other property in the City.

NOW, THEREFORE BE IT RESOLVED THAT the City Council of the City of Cordova, Alaska, hereby sets the mill rates for 2013 real property at _____ mills for the City and _____ mills for the Rural Zone.

PASSED AND APPROVED THIS 5th DAY OF JUNE, 2013.

James Kacsh, Mayor

ATTEST:

Susan Bourgeois, City Clerk



CITY OF CORDOVA

Office of City Manager

City of Cordova
602 Railroad Ave.
P.O. Box 1210
Cordova, Alaska 99574

Phone: (907) 424-6200

Fax: (907) 424-6000

Email: citymanager@cityofcordova.net

Web: www.cityofcordova.net

To: Mayor and City Council
From: Donald L. Moore, Interim City Manager
Subject: Resolution 06-13-32
Date: June 5, 2013

The City Attorney provided the Council a memorandum (Attorney-Client Privileged) at the April 17th Council meeting that gave a preliminary budget estimate necessary to address the request for additional compensation received from Dokoozian. There are two items that need to be addressed;

One, attached is a list of several outstanding invoices from consultants and contractors related to the City's defense effort so far that need to be paid. These invoices total \$188,578.74 which we recommend be paid from the city appropriated funds for the project. There is a balance of \$883,629 remaining in this appropriation and these invoices will be partially eligible for reimbursement through EVOS.

Two, Resolution **06-13-32** appropriates \$325,000 from the General Fund, Fund Balance to pay consultant fees and legal services regarding the Cordova Center Construction Project. This amount is not the entire budget necessary to take this dispute through arbitration. That amount is identified in the attorney's privileged memorandum which should be discussed in executive session. The \$325,000 requested here is the minimum increment necessary to continue engaging the experts and legal team necessary to conduct a careful analysis of the additional amount owed, if any, to Dokoozian.

Memo, City of Cordova

To: Donald L. Moore, Interim City Manager

From: Jon K. Stavig, Finance

Date: May 23, 2013

RE: Cordova Community Center, updated 05-28-13

Following is a recap of outstanding invoices as of the above date;

• MRV	\$28,451.76
• OAC	\$22,309.45
• Bailer's Cabinet & Trim	\$11,427.50
• NLE LLC	\$ 525.00
• Eagle Contracting	\$ 250.00
• Demand Construction	\$13,085.47
• North Star Lumber	\$ 45.79
• Trinity ERD	\$24,442.05
• Shipyard Rental	\$ 3,032.50
• BHB	\$69,009.22
• Dawson Construction Inc	<u>\$27,700.00</u>

Total	\$188,578.74
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Paid Invoices (Not appropriated)

• BHB	\$14,497.68
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City \$\$ left of 1.5MM earmark is \$883,629.00

Unknowns

- MRV additional
- OAC additional
- Trinity additional
- BHB additional
- Jim Quick-Dawson
- Windows Fix (?)
- REA Defense related items

Other

• Payment to Denny's in May '13	\$900,000.00
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**CITY OF CORDOVA, ALASKA
RESOLUTION 06-13-32**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA,
APPROPRIATING \$325,000 FROM THE GENERAL FUND, FUND BALANCE
(CENTRAL TREASURY) TO PAY CONSULTANT AND LEGAL SERVICES
RELATED TO THE CORDOVA CENTER CONSTRUCTION PROJECT**

WHEREAS, the City of Cordova, through its legal counsel, has engaged the services of the consultant firms, OAC and Demand Construction Services, to review all project documents and determine the amount owed, if any, to Dokoozian and to defend the City from any future dispute regarding the amount owed; and

WHEREAS, there are no funds currently appropriated to continue the services of the consultants necessary to provide for the city's defense of the referenced dispute.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Cordova, Alaska that the Council appropriates \$325,000 from the General Fund, Fund Balance to pay costs of consultants and legal services necessary to determine the amount owed, if any, to Dokoozian and to defend the City from any future dispute regarding the amount owed.

PASSED AND APPROVED THIS 5th DAY OF JUNE, 2013.

James Kacsh, Mayor

Attest:

Susan Bourgeois, City Clerk

MEMORANDUM

**TO: MAYOR AND CITY COUNCIL
CITY OF CORDOVA**

FROM: HOLLY C. WELLS

RE: TITLE 11 CODE RE-WRITE

CLIENT: CITY OF CORDOVA

FILE NO.: 401777.187

DATE: MAY 22, 2013

Submitted with this memorandum is an ordinance revising Cordova Municipal Code Title 11, "Port and Harbor Facilities." Title 11 of the CMC has been revised to: (1) update the language and provisions to reflect current operations and management of the City of Cordova ("City") port and harbor facilities; (2) to add definitions to the Title to clarify the scope of the Title; (3) to remove language and, where necessary, add provisions to ensure compliance with current federal and state law regarding search and seizure and due process. More specifically, the following revisions have been made to Title 11:

1. Sections designating the Small Boat Harbor and the Port of Cordova were relocated to definitions and the definition for the Port of Cordova was expanded to include the Small Boat Harbor.
2. Section Regarding State of Alaska Operations Policy was removed from the Title as the State of Alaska no longer owns any part of the Port of Cordova.
3. Definitions for "derelict," "harbormaster," "operator," "vessel," and "waterway," among others, were added to the Title to expand the scope of what constitutes a vessel and what constitutes a derelict vessel and to create clear and concise parameters for the application of the Title.
4. Revised Title to specify that Harbormaster may board a vessel to inspect for compliance with this title and removed the search and seizure provisions of CMC 11.24.040, which exceed the requirements under State and local law regarding inspection of a vessel.

5. Removed the penalty provision given that the general penalty provision under CMC 1.28.010 applies to Title 11.
6. CMC 11.28.010 was revised to expand the definition of a nuisance to include both vessels that are in disrepair and vessels that are otherwise in violation of Title 11 to simplify the application of Title 11.
7. CMC 11.28.060 was revised to permit the Harbormaster to take custody of a vessel, if done so in writing. This allows the Harbormaster greater flexibility on disposing of a vessel.
8. Revised the provisions governing nuisance vessels to provide a post-impoundment hearing (CMC 11.32.045) when a pre-impoundment hearing is not held. This revision permits the City to impound a vessel if needed to prevent clear and present danger to the public health and welfare while still protecting the vessel owner's right to defend against impoundment of his/her/its vessel. See *generally* CMC 11.32.
9. CMC 11.32.060 was revised to comply with the limitations under federal law regarding the City's ability to recover its fees via a locally held auction. In the event that the City hopes to recover moorage fees and costs, it is required to bring an action in federal court to enforce its lien against the vessel for such fees. Thus, if it chooses to forego federal action, the auction proceeds may only be used to pay for the cost of impoundment and storage fees, with the remainder held in trust for the vessel owner.
10. CMC 11.32.070 was revised to permit the harbormaster to dispose of a vessel where warranted.

The above list of revisions is by no means exhaustive and is intended only to highlight the most significant changes to Title 11. Additionally, Title 11 was revised to clarify the language and to make the Title more concise.

**CITY OF CORDOVA, ALASKA
ORDINANCE 1109**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA,
AMENDING CORDOVA MUNICIPAL CODE TITLE 11 ENTITLED “PORT AND
HARBOR FACILITIES” TO UPDATE ALL PROVISIONS, TO IMPROVE
READABILITY AND CLARITY, TO COMPLY WITH FEDERAL AND STATE LAW,
AND TO REVISE THE AUCTION PROCEDURES FOR IMPOUNDMENT OF
NUISANCES AND THE DISPOSAL OF VESSELS**

WHEREAS, The City of Cordova, Alaska has not substantially updated Title 11 of the Cordova Municipal Code since acquiring ownership of the City’s Port and Harbor; and

WHEREAS, the City’s current auction procedures do not permit the City to dispose of a vessel for less than outstanding fees and costs of impoundment and do not provide a post-impoundment hearing procedure for nuisance vessels posing clear and present danger to the health, welfare, and safety of the public; and

WHEREAS, it is in the City’s best interest to have the authority to dispose of derelict vessels in whatever means available and to revise Title 11 to comply with current federal and state law.

THEREFORE BE IT ORDAINED by the City Council of the City of Cordova, that:

Section 1. Cordova Municipal Code Title 11 entitled “Port and Harbor Facilities” is amended to read as follows:

Title 11 - PORT AND HARBOR FACILITIES

Chapters:

Chapter 11.04 - GENERAL PROVISIONS

Chapter 11.08 - ADMINISTRATION AND ENFORCEMENT

Chapter 11.12 - COLLECTION OF FEES AND CHARGES

Chapter 11.16 - MOORAGE AND ~~HARBOR~~ PORT OF CORDOVA USE
PRIVILEGES

Chapter 11.20 - UNLAWFUL ACTS

Chapter 11.24 - POLLUTION CONTROL

Chapter 11.28 - NUISANCES DECLARED-REMOVAL

Chapter 11.32 - IMPOUNDED VESSEL-DISPOSITION PROCEDURE

Title 11 - PORT AND HARBOR FACILITIES
Chapter 11.04 – GENERAL PROVISIONS

Chapter 11.04 - GENERAL PROVISIONS

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11.04.040 - Use of revenues.

11.04.010 - Purpose of provisions.

- A. The purposes of the ~~port and harbor~~ regulations set forth in this title are to protect and preserve the lives, health, safety, and well-being of the people who have property in, or use or work upon the boat therein, or who use the facilities in the course of visits for commercial or pleasure purposes; to protect the property of such boat owners by regulating the ~~harbor~~ Port of Cordova and its facilities to insure the widest possible public use thereof; to prevent the maintenance of nuisances, fire, and health hazards; and to make reasonable charges for the use of certain facilities to enable the City to pay the costs of maintenance, operation and supervision of the ~~port and harbor~~ Port of Cordova facilities from the revenues derived therefrom.
- B. All of the sections of this title shall be liberally construed for the accomplishment of the purposes described in this chapter.

11.04.015 - Definitions

Unless otherwise provided or required by the context, in this title:

“Derelict” means any vessel moored or otherwise located within the City which is forsaken, abandoned, deserted or cast away, or which in the opinion of the harbormaster, is unsound, unseaworthy or unfit for its trade or occupation;

“Harbormaster” means the official hired by the city manager to serve as harbormaster, and any other city employee authorized or designated by the harbormaster or city manager to enforce the provisions of this title;

“Houseboat” means any vessel used or maintained primarily as a residence;

“Operator” means any lessee of a vessel, and master or captain who has actual physical use, control and/or possession of a vessel and who is in the employ of, or who has a contractual relationship with the owner;

“Port of Cordova” means the property beginning at the northeasterly corner of ATS 220 where it intersects USMS 902 thence N53 degrees 00 minutes W a distance of 2,047.36 feet being the westerly boundary of ATS 220 thence following the westerly boundary of ATS 220 to a point where it intersects with the Cordova Small Boat Harbor breakwater thence returning to the point of beginning using the shoreline as the eastern boundary and including all of ATS 1589, ATS 1004, and the Ocean Dock Subdivision. The Port of Cordova includes the Cordova Small Boat Harbor;

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“Cordova Small Boat Harbor” means the portion of the City and tidelands seaward of and adjacent thereto and bounded on the north by the south boundary of the Cordova Industrial Park Tract, on the southeast by the northwest boundary of the South Fill Development Park, on the east by the west boundary of the Tidewater Fill Development Park, and on the west and southwest by the breakwater, and by a line connecting the northern end of the breakwater and the southwest corner of the Cordova Industrial Park Tract, and the portion of the approach to and the City dock proper, and the portion of the approach to and the dock proper and the boat launch ramp that are located on the North Fill Development Park, and all seaplane floats on the Nirvana Park spit;

“Vessel” means any boat, motor boat, ship, aircraft when waterborne, houseboat, floats, scows, rafts, pile drivers, oil rigs or any floating structure or object used for recreational or any other purpose upon the waterways or moored or stored at any place in the City;

“Vessel Owner” means the person, persons or entity that is designated in the moorage agreement as the “owner” of the vessel;

“Waterway” means any water, waterway, lake, river, tributary or lagoon within the boundaries of the City.

11.04.020 - Description of ~~port and harbor~~ Port of Cordova facilities.

~~The Cordova Small Boat Harbor is a public facility, maintained and operated by the city. The Port of Cordova is owned, maintained and operated by the city.~~

The Port of Cordova is maintained and operated by the City.

~~11.04.030 – Small boat harbor – Area designated.~~

~~All that portion of the city and tidelands seaward of and adjacent thereto and bounded on the north by the south boundary of the Cordova Industrial Park Tract, on the southeast by the northwest boundary of the South Fill Development Park, on the east by the west boundary of the Tidewater Fill Development Park, and on the west and southwest by the breakwater, and by a line connecting the northern end of the breakwater and the southwest corner of the Cordova Industrial Park Tract, also to include all that portion of the approach to and the city dock proper, and all that portion of the approach to and the dock proper, and the boat launch ramp which are located on the North Fill Development Park, and all seaplane floats on the Nirvana Park spit, shall be and the same is set apart and dedicated to use as a public landing, moorage area, and dock facility operated by the city manager for use and benefit of the public and governed by the provisions of this title and regulations duly promulgated hereunder.~~

~~11.04.040 – Port of Cordova – Area designated.~~

~~The Port of Cordova is described as follows:~~

~~Beginning at the northeasterly corner of ATS 220 where it intersects USMS 902 thence N53 degrees 00 minutes W a distance of 2,047.36 feet being the westerly boundary of ATS 220 thence following the westerly boundary of ATS 220 to a point where it intersects with the small boat harbor breakwater thence returning to the point of beginning using the shoreline as the eastern boundary and including all of ATS 1589, ATS 1004, and the Ocean Dock Subdivision.~~

~~11.04.050~~ 11.04.030 - Conflicts with federal laws and regulations.

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Chapter 11.04 – GENERAL PROVISIONS

When any section of this title is found to be in conflict with federal laws and regulations governing the equipping, operation and licensing of ~~boats and~~ vessels on navigable waters of the United States, then such federal laws and regulations shall prevail, but the remaining sections of this title shall not be affected.

~~11.04.060 - State of Alaska operations policy.~~

~~It is the intent of the city to operate the Cordova Small Boat Harbor in conformance with the conditions of the lease between the city and the state.~~

~~11.04.070~~ 11.04.040 - Use of revenues.

All revenues from the Port of Cordova ~~and from the Cordova Small Boat Harbor~~ shall be expended for the maintenance, operation and improvement of the Port of Cordova ~~and the Cordova Small Boat Harbor~~ and other lawful purposes as the city council may direct. Accounting within this fund shall be on the enterprise fund basis.

Title 11 - PORT AND HARBOR FACILITIES
Chapter 11.08 – ADMINISTRATION AND ENFORCEMENT

Chapter 11.08 - ADMINISTRATION AND ENFORCEMENT

Sections:

11.08.010 - Harbormaster–Jurisdiction.

11.08.020 - Harbor commission.

11.08.030 - Absences to terminate membership.

11.08.010 – Harbormaster–Jurisdiction.

- A. The city manager shall employ a harbormaster who shall have general control and supervision of public landings and related ~~small boat harbor~~ Port of Cordova facilities and shall preserve order at all times about the same. The harbormaster shall enforce all regulations, tariffs and ordinances governing public use of the ~~small boat harbor~~ Port of Cordova facilities in general.
- B. The harbormaster shall be a peace officer of the City, and as such shall enforce all ordinances and regulations governing the public use of ~~the small boat harbor and~~ the Port of Cordova. ~~The jurisdiction of the harbormaster shall not extend beyond the area included within the small boat harbor and port facilities.~~
- C. The harbormaster may request permission to board any vessel in the Port of Cordova at any time to inspect for compliance with this title.
- ~~E~~D. The harbormaster may prohibit the use of any wharves and docking facilities owned or controlled by the City at any time when closing the facilities is required to protect and preserve the public welfare and safety.
- ~~D~~E. The utilization of any ~~e~~City-owned or ~~e~~City-operated mooring facility or waterway within the ~~port or small boat harbor~~ Port of Cordova shall be deemed as a grant of authority to the city manager, harbormaster, or any other person authorized by the city council to board the vessel for the purpose of enforcing this title and/or to move the vessel if it is moored in violation of any provision of this title or if required by an emergency or a provision set forth in this title.
- ~~E~~F. The harbormaster is granted the power and authority to, from time to time, but without any obligation or duty to do so, and without any obligation or liability on the harbormaster or the City for the harbormaster's failure to do so, replace defective mooring lines, pump vessels that are in dangerous condition for lack thereof, and to move any vessel for the purpose of protecting the vessel from fire or other hazard, or for the protection of other vessels, ~~therefrom~~.
- ~~F~~G. The authority granted to the harbormaster shall not create an obligation or duty requiring the harbormaster to take any action to protect or preserve any vessel or property located within the ~~port or harbor~~ Port of Cordova or utilizing Port of Cordova ~~the port or harbor~~ facilities. The ~~e~~City shall not be responsible for loss or damage from fire or other casualty, or theft, vandalism or any other causes of injury to vessels or property moored or located within the Port of Cordova ~~or the Cordova Small Boat Harbor~~. The ~~e~~City shall not be responsible for any items which have been impounded.
- ~~G~~H. The harbormaster shall classify areas within the ~~port and harbor~~ Port of Cordova for various uses, ~~shall~~ including marking reserved and transient mooring areas and loading zones and ~~shall~~ post ~~such~~ other signs, markings numbers or informational devices ~~as will~~ to notify and inform interested parties of authorized and prohibited uses of the ~~port and harbor~~ Port of Cordova.

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Chapter 11.08 – ADMINISTRATION AND ENFORCEMENT

H. ~~“Harbormaster” means the official hired by the city manager to serve as harbormaster, and any other city employee authorized or designated by the harbormaster or city manager to enforce the provisions of this title.~~

11.08.020 - Harbor commission.

- A. A harbor commission shall be established for the purpose of advising the city council on the operation, maintenance and improvement of the Port of Cordova’s ~~city’s port and harbor~~ facilities, and for such additional purposes as the city council may from time to time designate. The harbor commission shall consist of five voting members. The city manager and harbormaster shall be ex officio members of the commission and shall have the right of the floor to participate in all discussions, however, they shall not have a vote. The commission shall elect a chairman and vice-chairman from its membership each January.
- B. Only residents of the ~~e~~City who qualify as municipal voters pursuant to Section 2.08.010 of this code shall be entitled to serve on the harbor commission. One of the members of the commission shall be designated by the council from its number. Each of the remaining four members shall be nominated by the mayor and confirmed by the council.
- C. Terms of membership for the members, not including the council member, shall be for three years each or until a successor in office is appointed by the council. Terms of individual members shall be overlapping, and shall commence January 1st of each year. The member from the council shall serve at the pleasure of the council. Members shall serve without compensation.
- D. The harbor commission shall hold a minimum of one meeting per quarter or as needed at a date, time and place as set by the commission, except that the commission shall not be required to have meetings during the fishing season or any like period as may hereafter be set by the commission, during any given year, said period not to exceed six months.
- E. The harbor commission shall conduct its meeting in accordance with Robert’s Rules of Order.
- F. The unexpired portion of any term remaining after a vacancy exists on the commission shall be filled as the original appointment.
- G. The harbor commission shall recommend for adoption by the city council a general plan for the ~~harbor~~ Port of Cordova, ~~harbor~~ Port of Cordova rules and regulations, and ~~harbor~~ Port of Cordova ~~privilege~~ fees, payments and assessments, which recommendation shall be presented to the city council, in writing, by the city manager at the first regular city council meeting in the month of March each year.
- H. The harbor commission shall review all plans for construction and development within the confines of the ~~port and harbor~~ Port of Cordova or anywhere within ATS 220, and shall report to the city council the expected impact of such construction or development on the ~~port and harbor~~ Port of Cordova. The harbor commission shall make appropriate recommendations to the council concerning such construction or development.

11.08.030 - Absences to terminate membership.

- A. If a commissioner is absent from more than one-half of all the regular meetings of the harbor commission held within the period of one year, without being excused from attending such meetings, the chair of the commission shall declare the commissioner’s seat vacant, except that in the case of a commissioner appointed from the council, the chair of the commission shall report such commissioner’s unexcused absences to the council. The commission shall determine whether any absence is excused.

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Chapter 11.08 – ADMINISTRATION AND ENFORCEMENT

- B. For purposes of this section, an absence will be considered excused if due to the following causes and shall require approval by the commission at the next regularly scheduled meeting:
 - 1. The illness or injury of the commissioner or a family member;
 - 2. The death of a family member;
 - 3. An employment-related commitment;
 - 4. A commitment for city business; or
 - 5. Other good cause approved by the commission.
- C. Whenever possible, absences should be noticed to the commission chair prior to the meeting for purposes of securing a quorum at the meeting.
- D. A commissioner may participate in a commission meeting by teleconference.

Title 11 - PORT AND HARBOR FACILITIES
Chapter 11.12 – COLLECTION OF FEES AND CHARGES

Chapter 11.12 - COLLECTION OF FEES AND CHARGES

Sections:

- 11.12.010 - Duty of vessel owners to pay charges.
- 11.12.020 - Fees for use of ~~port and harbor~~ Port of Cordova facilities.
- 11.12.030 - Delinquent accounts.
- 11.12.040 - Lien created.
- 11.12.050 - Other remedies.

11.12.010 - Duty of vessel owners to pay charges.

The owners or operators of vessels ~~or aircraft~~ using any ~~port or harbor~~ Port of Cordova facility or service shall pay the fees thereon established by resolution of the city council.

11.12.020 - Fees for use of ~~port and harbor~~ Port of Cordova facilities.

- A. All rates, fees and charges for the use of facilities and services of the Port of Cordova ~~and Cordova Small Boat Harbor~~ shall be established by resolution of the city council.
- B. All annual and monthly moorage fees, reserved or transient, must be paid in advance to the ~~e~~City for the period prescribed and may be billed on account to the customer for future periods. All other fees not paid in advance shall be billed on account to the customer. All fees shall be non-refundable, except that pro rata refunds of moorage fees may be made, upon the approval of the harbormaster due to death of the owner or accidental loss of vessel by sinking, fire or theft.
- C. Transient moorage fees for less than a twenty-four hour period shall be computed and assessed as follows:
 - 1. The fee for a period of twelve hours or less shall be one-half of the daily moorage fee.
 - 2. The fee for a period greater than twelve hours and not more than twenty-four hours shall be the daily moorage fee.
- D. Rates, fees and charges billed to a customer shall be due and payable on or before the earlier of ~~(i)~~ the last day of the month following the date of billing, or ~~(ii)~~ the due date stated on the ~~e~~City billing notice. Rates, fees and charges that are not paid when due shall be considered delinquent.

11.12.030 - Delinquent accounts.

Delinquent accounts shall be subject to collection procedures as followed by the ~~e~~City and as allowed by federal and state laws. Further, a penalty of ~~five dollars~~ thirty-one dollars (\$31.00) shall accrue to such account for each calendar month or portion thereof the account is delinquent. In addition to a penalty, delinquent accounts shall accrue interest at a rate of ten percent per year on the unpaid delinquent balance.

11.12.040 - Lien created.

- A. In addition to any other remedy provided for herein or at law, all mooring, grid and other miscellaneous ~~harbor~~ Port of Cordova fees shall constitute a lien against the vessel, its tackle, gear, appurtenances and other similar property of the owner or operator, under federal and state law, ~~the provisions of AS 34.35.175 and AS 34.35.220.~~

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Chapter 11.12 – COLLECTION OF FEES AND CHARGES

- B. Fees and charges delinquent ninety days or longer may be foreclosed on by impounding and selling the vessel against which the lien has vested under federal law and the provisions of Chapter 11.32.

11.12.050 - Other remedies.

All liens created shall not be exclusive remedies. A proceeding to foreclose any lien or suit thereon by the eCity shall not preclude any other remedy, including impoundment as above, at law or in equity. The procedure for foreclosure or suit thereon of any lien shall be as set out in applicable state or federal law.

Title 11 - PORT AND HARBOR FACILITIES
Chapter 11.16 – MOORAGE AND ~~HARBOR~~ PORT OF CORDOVA USE PRIVILEGES

Chapter 11.16 - MOORAGE AND ~~HARBOR~~ PORT OF CORDOVA USE PRIVILEGES

Sections:

- 11.16.010 - Duty to register.
- 11.16.020 - Safeguarding.
- 11.16.030 - Utilization of mooring facilities.
- 11.16.040 - Transient mooring spaces.
- 11.16.050 - Reserved mooring spaces.
- 11.16.060 - Denial of facilities, equipment or services.
- 11.16.065 – Houseboats.
- 11.16.070 - Safe condition of vessel.
- 11.16.080 - Accident reports.
- 11.16.085 - Responsibility for property damage.
- 11.16.090 - Fire hazards prohibited.
- 11.16.100 - Testing of waste oil.
- 11.16.110 - Operation of commercial businesses.

11.16.010 - Duty to register.

- A. Every owner, operator, agent of any vessel ~~or aircraft~~ using the facilities of the ~~small boat harbor~~ Port of Cordova is required to register the name, address and telephone number of the registered owner, operator and agent of the vessel ~~or aircraft~~; the vessel's length, breadth, registered tonnage (if any) description and uses, and any other pertinent information required by the harbormaster on forms provided to him for that purpose, and pay the required fees immediately, but no later than twenty-four hours after first using any facilities; ~~and shall execute an agreement providing for payment of moorage fees and other charges.~~
- B. Every owner, operator or agent of any vessel using the facilities of the Port of Cordova shall execute a moorage agreement providing for payment of moorage fees and other charges; and shall provide proof of insurance of the type and in the amounts specified in the moorage agreement.
- C. In the event of a change of ownership or in operator, a new vessel mooring agreement shall be signed within thirty days after the change.

11.16.020 - Safeguarding.

Every vessel ~~or aircraft~~ owner or operator shall use all reasonable effort and precautions in keeping the vessel ~~or aircraft~~ in his charge well-secured with mooring lines in reasonable fit condition, sufficiently pumped at all times to keep afloat, free from fire hazards of any kind, and to otherwise attend to the needs of the vessel ~~or aircraft~~.

11.16.030 - Utilization of mooring facilities.

The harbormaster shall classify all mooring spaces in the Port of Cordova facilities as either transient mooring or reserved mooring.

11.16.040 - Transient mooring spaces.

Areas designated for transient mooring shall be open to all members of the public. Such areas shall be used primarily for temporary mooring. Transient mooring spaces shall be utilized on a "first-come-first-served" basis. No vessel or vessel owner or operator shall have any exclusive right to transient mooring space. Should any vessel

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leave a transient mooring space for any purpose, it shall have no exclusive right to return to the same space if, upon return, that space is occupied by another ~~boat~~ vessel.

11.16.050 - Reserved mooring spaces.

- A. Every vessel owner desiring reserved mooring space shall apply therefore to the harbormaster and enter into a moorage agreement provided by the City.
- B. The harbormaster shall lease such space, if available, on an annual basis.
- C. The harbormaster shall assign or re-assign such reserved moorage so as to achieve the most efficient use of ~~harbor~~ Port of Cordova space.
- ~~BD.~~ The harbormaster has full authority and responsibility for making reserved mooring assignments or temporary arrangements.
- E. Reserved moorage spaces may not be assigned or subleased by the owner or operator of the vessel entitled to such reserved space. ~~Only the harbormaster may make temporary arrangements.~~
 - ~~1. All houseboats shall be restricted to space available on I Float. If such space is not available, those vessel owners requesting such moorage may be placed on a slip assignment waiting list.~~
- ~~EF.~~ During such periods when the assigned vessel will not be utilizing reserved moorage space, the harbormaster may assign such space for transient moorage. Upon notice by vessel entitled to reserved moorage, the harbormaster shall cause the removal of any transient vessel utilizing the reserved moorage space. Immediately upon notice from the harbormaster, the owner or operator of such temporarily assigned transient vessel shall remove the vessel from the assigned space. If the vessel owner fails to move immediately upon receipt of such notice, the harbormaster may move the vessel from the reserved space, and the owner shall be charged such fee as established by resolution of the city council. In case the harbormaster is unable to contact the owner or operator of such temporarily assigned transient vessel, the harbormaster may move the vessel from the reserved space.
- ~~DG.~~ If a vessel owner with reserved moorage sells the vessel or loses the vessel to fire, sinking or natural disaster, he may retain the reserved space for a period of one year. ~~beginning on the next anniversary date of his vessel mooring agreement. If the vessel has not been replaced by the end of that period, the reserved moorage agreement shall be terminated.~~ The harbormaster may assign such stalls for temporary use during their vacancy.
- EH. No property rights are created by this section or this title. The holder shall have only a license to use the space reserved to him or her as provided in this title.
- FI. Both the owner and the operator of a vessel which moors in a reserved mooring space without the written permission of the harbormaster or executing the required moorage agreement shall be guilty of a misdemeanor and the vessel shall be deemed to trespass.

11.16.060 - Denial of facilities, equipment or services.

- A. The harbormaster may, at his or her discretion, refuse the use of any Port of Cordova ~~port or harbor~~ facilities to a vessel ~~houseboats, floats, scows, rafts, pile drivers and other cumbersome floating structures, or to any boat, vessel or floating structure~~ which is or may become or create a fire hazard or otherwise become a menace to the safety and welfare of other vessels, their occupants or the any property or facility ~~facilities~~.
 - ~~1. For purposes of this title, a houseboat is described to be any vessel used or maintained primarily as a residence.~~
 - ~~2. Houseboats must meet the following requirements to qualify for moorage within the small boat harbor:~~

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- a. ~~Maximum length allowed...40 feet~~
 - b. ~~Maximum beam allowed...16 feet. If over 16 feet, harbormaster would require vessel to reserve and pay for two slips.~~
 - c. ~~Maximum height allowed...from waterline to roof peak must not exceed two-thirds of vessel's beam measurement.~~
- B. The harbormaster may refuse moorage facilities or other services or equipment to any person or vessel in violation of the provisions of this title or delinquent in the payment of any authorized fee or charge.

11.16.065 - Houseboats.

Houseboats must meet the following requirements to qualify for moorage within the Port of Cordova:

- A. All houseboats shall be restricted to space available on I Float. If such space is not available, those vessel owners requesting such moorage may be placed on a slip assignment waiting list.
- B. Maximum length allowed is 40 feet
- C. Maximum beam allowed for one slip is 16 feet. Houseboats with beams over 16 feet, must reserve and pay for two slips.
- E. Maximum height allowed from waterline to roof peak must not exceed two-thirds of vessel's beam measurement.

11.16.070 - Safe condition of vessel.

- A. To qualify or remain qualified for moorage space a vessel must:
 - 1. At all times meet federal, state and local laws which include those pertaining to navigational and safety equipment;
 - 2. Have a fixed propulsion system and have sufficient ~~motive~~ motor power to permit the vessel to be maneuvered and controlled safely while transiting, entering or leaving the ~~small boat harbor~~ Port of Cordova under wind and water conditions which are not unusual;
 - 3. Be completely seaworthy and ready for immediate cruising in local waters; and
 - 4. Shall not discharge of sewage into the waterways of the ~~small boat harbor~~ Port of Cordova.
- B. Whenever the harbormaster has probable cause to believe that a vessel is not qualified under the conditions of this section, he or she may require, upon seventy-two hours notice to the owner or operator of any such vessel that such vessel demonstrates that it is or remains qualified. An exception may be made where repairs are being diligently pursued or where other extenuating circumstances prevent demonstration of qualification, but such exception shall be for only a reasonable time, considering the circumstances.
- C. The harbormaster may refuse mooring space to any vessel which does not qualify; it shall be a condition of every moorage agreement that any vessel authorized to moor in the Port of Cordova ~~small boat harbor~~ shall remain qualified so long as it remains in the ~~small boat harbor~~ Port of Cordova. The harbormaster may terminate the moorage agreement for any mooring space which is occupied by a vessel which is authorized to occupy such space, but which vessel is not qualified in accordance with this section. Upon failure of a vessel to qualify, the harbormaster may require, upon notice to the owner or operator of such vessel that the moorage agreement has been terminated, that such vessel is illegally moored and must be removed from the Port of Cordova ~~small boat harbor~~ within seven calendar days ~~one~~

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~~week.~~ Any such vessel remaining after the time specified in the notice shall be subject to impoundment or removal as a nuisance under chapters 11.28 and 11.32.

11.16.080 - Accident reports.

The operator of any vessel involved in an accident within the Port of Cordova ~~or the Cordova Small Boat Harbor~~ resulting in the death or injury of any person or damage to property in excess of five hundred dollars shall immediately give oral notice of the accident to the harbormaster, or if he or she is unavailable to receive the notice, to the Cordova police department. In addition, the operator shall, within twenty-four hours after the accident, file a written report with the harbormaster containing the name of the vessel, the name of the vessel owner and operator, a description of the accident, a description of the resulting injuries or damage, a description of possible causes or contributing factors, and such other information as the harbormaster may require. Failure of the operator to report the accident as herein specified shall be a misdemeanor punishable by a fine of one hundred dollars. A separate violation of this section occurs each day a violation of this section continues.

11.16.085-Responsibility for property damage.

Those damaging City docks, floats, ramps or other City property shall be responsible for the cost of repairs. Those damaging City property shall be billed for repairs to damaged property at cost, including overhead.

11.16.090 - Fire hazards prohibited.

- A. No person may leave a fire or flame unattended aboard a vessel in the Port of Cordova ~~Small Boat Harbor~~.
- B. No person may store, deposit or leave on any float, dock or other ~~harbor~~Port of Cordova facility any gasoline, lubricating oil or other combustible liquid of any nature or description, except for temporary purposes in conjunction with the loading or unloading of a vessel.
- C. A person using a torch or other flame-producing device in or upon any vessel, dock, float or other ~~boat harbor~~ Port of Cordova facility shall provide and have immediately available for use an approved fire extinguisher adequate for suppressing any fires that may result from the use of the flame-producing device.
- D. No person shall ignite or detonate fireworks within the boundaries of the ~~small boat harbor~~Port of Cordova, except by permit from the fire chief.

11.16.100 - Testing of waste oil.

The operator of any vessel desiring to dispose of one hundred gallons or more of waste oil at the Port of Cordova ~~or Cordova Small Boat Harbor~~ shall be required to provide the harbormaster with a test certificate from a testing firm approved by the harbormaster, to show that such oil meets all state and federal standards for disposal as oil to be burned for energy recovery, and shall provide any other test certificates as may be required by the harbormaster. Such test certificates must be presented prior to acceptance of any oil by the ~~port or small boat harbor~~ Port of Cordova, and the cost of testing shall be borne by the vessel or its operator.

11.16.110 - Operation of commercial businesses.

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Chapter 11.16 – MOORAGE AND ~~HARBOR~~ PORT OF CORDOVA USE PRIVILEGES

- A. Except for ~~boat~~ or vessel rentals or charters, or other businesses directly related to navigation or commerce on the sea, including fishing, no commercial businesses shall be allowed to operate in mooring spaces in the ~~small boat harbor~~ Port of Cordova unless ~~specifically authorized~~ recommend by resolution of the ~~H~~harbor ~~C~~ommission to the planning and zoning commission. The resolution will then be reviewed and approved or denied by the planning and zoning commission.
- B. Notwithstanding ~~paragraph Section 11.16.110(A)~~ A of this section, any commercial business operating in a mooring space in the ~~small boat harbor~~ Port of Cordova on April 3, 2003, pursuant to valid state and local business licenses and as of such date not in violation of any applicable statute, ordinance or regulation or contract with the City, and not delinquent in any obligation to the City, may continue to operate such commercial business, provided however, that such commercial business must sign a waiver of liability in such form as the ~~C~~city ~~M~~anager shall determine and that if such commercial business is sold or operations are discontinued for a continuous period of more than one hundred twenty days, paragraph A shall apply.

Title 11 - PORT AND HARBOR FACILITIES

Chapter 11.20 – UNLAWFUL ACTS

Chapter 11.20 - UNLAWFUL ACTS

Sections:

- 11.20.010 - Animals.
- 11.20.020 - Wheeled equipment.
- 11.20.030 - Mooring restricted.
- 11.20.040 - Obstruction of floats.
- 11.20.050 - Unauthorized bumpers.
- 11.20.060 - Blinding lights.
- 11.20.070 - Obstruction of waterways.
- 11.20.080 - Reckless operation.
- 11.20.090 - Excessive wake.
- 11.20.100 - Unauthorized signs.
- 11.20.110 - Unauthorized construction.
- 11.20.120 - ~~Water contact sports prohibited~~ Recreation water activity.
- ~~11.20.130 - Parking in the lanes.~~
- ~~11.20.140~~ 11.20.130 - Unauthorized blocking of stored vessels.

11.20.010 - Animals.

No person shall permit any ~~dog or~~ animal to enter the ~~harbor~~ Port of Cordova facilities unless such ~~dog or~~ animal is restrained on a leash. The owner or person in charge of such ~~dog or~~ animal shall be in charge of removing and disposing of any feces deposited by the animal on any ~~harbor~~ Port of Cordova facility.

11.20.020 - Wheeled equipment.

No person shall ride a bicycle or any wheeled or tracked motorized piece of equipment upon the float facilities except as authorized by the harbormaster.

11.20.030 - Mooring restricted.

Except in case of extreme emergency, no vessel may anchor within the confines of the ~~harbor~~ Port of Cordova or be moored anywhere except at the designated floats or docks without the prior consent of the harbormaster. A vessel so moored for emergency purposes is still required to immediately check in with the ~~harbor master~~ harbormaster or the police department of public safety.

11.20.040 - Obstruction of floats.

No person shall deposit, place or leave any cargo, merchandise, supplies, freight, articles or ~~thing~~ item upon any float, ramp, wharf, decline, walk or other public place in the ~~harbor facilities~~ Port of Cordova, except for a maximum of one hour at such places as may be designated as loading and unloading spaces by the harbormaster. Fishing nets shall be excepted from this section.

11.20.050 - Unauthorized bumpers.

No person may utilize in the ~~small boat harbor~~ Port of Cordova float bumpers that are attached, permanently or temporarily to the float facilities made from used tires, old fire hose, or similar materials. The owner or operator of a vessel assigned reserved

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Chapter 11.20 – UNLAWFUL ACTS

moorage space may install standardized pre-molded rubber or vinyl bumpers of commercial manufacture as approved by the harbormaster.

11.20.060 - Blinding lights.

No person may operate a vessel searchlight or other bright light in a manner that will temporarily blind or interfere with the vision of the operator of any other vessel in the ~~harbor~~ Port of Cordova.

11.20.070 - Obstruction of waterways.

No person may tie or attach a skiff, scow, raft or any other auxiliary craft alongside, astern or ahead of a vessel moored within the ~~harbor~~ Port of Cordova if such auxiliary craft will obstruct or interfere with the normal movement of any vessel or be likely to cause rubbing or chafing damage to any other vessel.

11.20.080 - Reckless operation.

The operation of any vessel in any manner which unreasonably interferes with the free and proper use of the ~~harbor~~ Port of Cordova or unreasonably endangers the users of the waters of the ~~harbor~~ Port of Cordova is prohibited.

11.20.090 - Excessive wake.

The speed of any ~~boat, vessel or aircraft~~ within the Port of Cordova ~~or Small Boat Harbor harbor~~ shall ~~not exceed three knots and shall not create no a wake, wash or wave~~ action which will damage, endanger or cause undue distress to any ~~harbor~~ Port of Cordova facility, other vessel or occupant thereof.

11.20.100 - Unauthorized signs.

No person shall erect, place, post or maintain any advertising matter, sign or other printed matter, other than legal notices, on any part of the ~~harbor~~ Port of Cordova facilities without approval thereof from the harbormaster. All signs authorized by the harbormaster shall conform to the provisions of Chapter 13.20 of this code. All unauthorized advertising and signs shall be removed by the harbormaster.

11.20.110 - Unauthorized construction.

No persons shall construct any improvement, building, pier, piling fence, gate or other facility, commercial or residential, or for any other purpose within the confines and ~~exterior~~ boundaries of the ~~small boat harbor~~ Port of Cordova unless authorized under ~~state or federal law or this code, unless he first: (i) petitions for and receives approval of building plans and specifications from the planning commission; (ii) presents in writing a proposal for land use to the city council which shall include a precise description of land area required, summary of proposed use of facility, and proposed a payment of ground rent to the city; (iii) upon city council approval enters into a written contract of lease or right of entry for such land use upon such terms, limitations and conditions consistent with law as may be required by the city council.~~

11.20.120 - ~~Water contact sports prohibited~~ Recreational water activity.

- A. It is unlawful for any person to engage within the ~~small boat harbor~~ Port of Cordova in any recreational activity in which the body of the person comes into physical contact with water,

Title 11 - PORT AND HARBOR FACILITIES

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including, but not limited to, swimming, wind surfboarding, paddle boarding or diving, unless written application is made and permission is obtained in advance from the harbormaster. ~~The harbormaster shall develop such procedures and regulations as may be necessary for the granting of permission as modified if necessary, upon adoption by the city council by resolution.~~

- B. Upon notification to the harbormaster it shall be lawful for a person to engage within the ~~small boat harbor~~ Port of Cordova in the activity of diving if the purposes for which the dive is being conducted are related:

1.(i) to the inspection, maintenance or repair of any vessel moored within the ~~small boat harbor~~ Port of Cordova, or of any equipment attached thereto; or

2.(ii) to the inspection, maintenance, repair, construction or improvement of ~~port and harbor~~ Port of Cordova facilities. All divers shall prominently display a diver's-down flag in the area in which the diving occurs with a minimum size of twelve inches by twelve inches. No diver shall be submerged below the surface of the water without providing an observer at the surface. All divers shall observe all appropriate diving safety precautions.

11.20.130 – Parking in the lanes.

~~Parking unattended vehicles in fire lanes or approach tressles of the small boat harbor shall be a violation of this section. The penalty for violation of this section is seventy-five dollars.~~

11.20.140 11.20.130 - Unauthorized blocking of stored vessels.

No fifty-five gallon drums will be used to block any vessel stored within the Port of Cordova. All blocking for vessels stored within the ~~port~~ Port of Cordova must be approved by the harbormaster.

Title 11 - PORT AND HARBOR FACILITIES
Chapter 11.24 - POLLUTION CONTROL

Chapter 11.24 - POLLUTION CONTROL

Sections:

- 11.24.010 - Petroleum spills prohibited.
- 11.24.020 - Petroleum pollution prevention devices required.
- 11.24.030 - Petroleum spill reporting required.
- ~~11.24.040 - Enforcement.~~
- ~~11.24.050 - Waiver of rights.~~
- ~~11.24.060 - Refusal of search.~~
- ~~11.24.070 - Violation Penalties.~~

11.24.010 - Petroleum spills prohibited.

It is unlawful for any vessel owner or owner's agent or any other person to spill or allow to be spilled any petroleum product within the Port of Cordova ~~small boat harbor~~.

11.24.020 - Petroleum pollution prevention devices required.

All vessels moored in the ~~small boat harbor~~ Port of Cordova shall be required to have aboard them at all times absorbent materials designed to soak up petroleum products, ~~a device designed to prevent petroleum products from being pumped or otherwise spilled overboard into the waters of the small boat harbor~~. However, open skiffs powered by outboard engines and with no inboard machinery are exempted from this requirement. The following devices are approved types for purposes of this chapter:

- A. ~~Absorbent materials designed to soak up petroleum products;~~
- B. ~~Oil water separators designed to be located on the outlet side of a bilge pump in such a manner as to remove any petroleum products from the bilge waters being pumped overboard. These pollution prevention devices must be cleaned or drained or replaced as required by the manufacturer or as frequently as necessary to insure their proper operation.~~

11.24.030 - Petroleum spill reporting required.

Any person having knowledge of a petroleum spill within the ~~small boat harbor~~ Port of Cordova shall immediately report such spill to the harbormaster ~~or his designee, US Coast Guard~~ or to the ~~department of public safety~~ Police Department.

~~11.24.040 - Enforcement.~~

- ~~A. In the event that the harbormaster or his designee has reason to believe that a certain vessel is responsible for an instance of petroleum pollution in the small boat harbor, he may make request the vessel's owner or owner's agent to investigate the suspect vessel for the purpose of determining if the pollution devices are in place as required by this chapter or for purpose sampling a suspected pollution source.~~
- ~~B. If the vessel's owner or the owner's agent agrees to the investigation, he shall sign the following form:~~

~~"WAIVER OF SEARCH~~

~~I, _____ having been informed of my constitutional rights not to have a search made of the vessel hereinafter mentioned without a search warrant and of my right to refuse consent to such a search, hereby authorize _____ Harbor Master/Harbor Master's designee of the City of Cordova to conduct a search of my vessel _____ located at~~

Title 11 - PORT AND HARBOR FACILITIES
Chapter 11.24 - POLLUTION CONTROL

Float _____, Stall _____, Cordova Small Boat Harbor for the purpose of determining if the required pollution devices are in place and properly maintained and to sample any suspected pollution source. This officer is authorized by me to take from my vessel any materials or other property which he may deem necessary on enforcing the pollution control ordinance.

This written permission is being given by me to the above named Harbor Master or his designee voluntarily and without threats or promises of any kind.

	Signed

	Date
_____”	
Witness	

11.24.050 – Waiver of rights.

If the harbormaster or his designee believes that the vessel owner or the owner’s agent may make a statement that could be used against him in court, the harbormaster or his designee must read and provide the vessel owner or the owner’s agent their individual rights and provide them a copy of same. The rights provided shall state:

“Before we ask you any question, you must understand your rights.

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to talk to a lawyer and have him present with you while you are being questioned.
4. If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish.
5. You can decide at any time to exercise these rights and not answer any questions or make any statements.”

Thereupon the vessel owner or owner’s agent shall be requested to sign the following form:

“WAIVER OF RIGHTS

I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

	Signed

	Time and Date
_____”	

Title 11 - PORT AND HARBOR FACILITIES
Chapter 11.24 - POLLUTION CONTROL

Witness	
---------	--

~~11.24.060 - Refusal of search.~~

~~If a vessel owner or the owner's agent refuses to allow the harbormaster or his designee to investigate his vessel, the harbormaster may follow the approved procedure to acquire a search warrant.~~

~~11.24.070 - Violation Penalties.~~

- ~~A. Failure to obey or comply with any provision of this chapter or any rule, order or regulation issued thereunder is a violation.~~
- ~~B. The minimum penalty upon conviction for a violation under this subsection is fifty dollars; provided, however, that the penalty for a second or other subsequent violations shall be no less than fifty dollars nor no more than three hundred dollars for each such violation.~~

Title 11 - PORT AND HARBOR FACILITIES
Chapter 11.28 – NUISANCES DECLARED-REMOVAL

Chapter 11.28 - NUISANCES DECLARED-REMOVAL

Sections:

- 11.28.010 - ~~Derelicts~~ Nuisances declared.
- 11.28.020 - Other nuisances.
- 11.28.030 - Abatement or disposal.
- 11.28.040 - Abandoned property.
- ~~11.28.050 - Sunken or obstructive vessels.~~
- ~~11.28.060~~ 11.28.050 - Floating objects.
- ~~11.28.070~~ 11.28.060 - No custody of ~~derelicts~~ nuisances.

~~11.28.010 - Derelicts.~~

~~For the purposes of this title and in the interest of the greatest use of the facilities of the boat harbor and the municipal waters by the general public, vessels in the boat harbor and elsewhere on the municipal waters which are derelicts and unfit and unseaworthy or which are maintained in such manner as to make them liable to sinking for lack of being pumped or other maintenance, or which have been declared unqualified by the harbormaster under the provisions of Section 11.16.070, or which are maintained in a manner as to constitute a fire hazard, and sunken vessels and vessels in imminent danger of sinking, are declared to be nuisances and subject to abatement and removal from the boat harbor or other municipal waters, by the city or its agents, without liability on the city or its agents for any damage done by virtue of the removal or for any of its consequences.~~

11.28.010 - Nuisances declared.

- A. For the purposes of this title and in the interest of the greatest use of the facilities of the Port of Cordova and the waterways, a vessel is a nuisance if:
1. The vessel is in violation of the parking, mooring or traffic regulations of the Port of Cordova;
 2. Any rent, fee or charge due to the City for the vessel has not been paid within ninety (90) days of the rent, fee or charge due date;
 3. The vessel is not properly identified by name and/or number and the owner, operator or agent is not on board;
 4. The vessel causes an obstruction to navigation;
 5. The vessel is unfit, unseaworthy or maintained in such a manner as to make it liable to sink for lack of being pumped or other maintenance;
 6. The vessel is unqualified under the provisions of Section 11.16.070;
 7. The vessel constitutes a fire hazard; or
 8. The vessel is sunken or is in imminent danger of sinking.
- B. A vessel declared to be a nuisance is subject to abatement and removal from the Port of Cordova or other waterways by the City or its agents, without liability on the City or its agents for any damage done by virtue of the removal or for any of its consequences.

11.28.020 - Other nuisances.

Title 11 - PORT AND HARBOR FACILITIES
Chapter 11.28 – NUISANCES DECLARED-REMOVAL

Refuse of all kinds, brine, slime and fish processor waste, structures or pieces of any structure, dock sweepings, dead animals or parts thereof, timber, logs, piles, broomsticks, lumber, boxes, paint, plastic bags, empty containers and oil of any kind floating uncontrolled on the water, and all other substances or articles of a similar nature are declared to be public nuisances, and shall be unlawful for any person to throw or place in or permit to be thrown, or placed any of the above-named articles or substances in the ~~boat harbor~~ Port of Cordova or the waterways ~~municipal waters~~, either by high tides, storms, floods or otherwise.

Nets, gear and other material left on any float or dock for more than twenty-four hours are declared a nuisance, and shall be tagged with a warning tag by the harbormaster. Any person causing or permitting the nuisances to be placed on any float or dock as aforesaid shall remove the ~~same~~ nuisance and upon ~~his~~ the failure to do so within twenty-four hours of ~~tagging of~~ the nuisance being tagged by the harbormaster, the same may be removed or caused to be removed by the harbormaster. When the harbormaster has authorized such nuisances to be removed or stored, all costs of such removal or storage shall be paid by and recoverable from the person creating the nuisance. The abatement of any such public nuisances shall not excuse the person responsible therefor from prosecution under this chapter.

11.28.030 - Abatement or disposal.

- A. Nuisances described under this chapter constituting a clear and present danger to the public health, safety or general welfare may be summarily abated and are not subject to the notice requirements of Section 11.32.030 or the pre-impoundment hearing requirements of Section 11.32.040. Nuisances constituting a clear and present danger to the public health, safety or general welfare are subject to the post-impoundment hearing requirements of Section 11.32.045. Vessels declared nuisances under Section 11.28.010 which do not constitute a clear and present danger to the public health, safety or general welfare may be removed, impounded and disposed of as provided in Section 11.32. Other nuisances under Section 11.28.020 may be impounded, disposed of by destruction, private sale, or any other means deemed reasonable by the harbormaster. Such disposition is to be made without liability of the city to the owner of the nuisance.
- B. Vessels declared nuisances that do not constitute a clear and present danger to the public health, safety or general welfare may be removed, impounded and disposed of as provided in Section 11.32.
- C. Other nuisances under Section 11.28.020 may be impounded, disposed of by destruction, private sale or any other means deemed reasonable by the harbormaster. The City holds no liability to the owner of the nuisance for the disposition of the nuisance.

11.28.040 - Abandoned property.

Any vessel or object in the ~~boat harbor~~ Port of Cordova or in any of the ~~municipal waters~~ waterway ~~which~~ that is abandoned may be impounded, sold or otherwise disposed of as provided in this title, herein. ~~Failure of any vessel owner,~~

Title 11 - PORT AND HARBOR FACILITIES
Chapter 11.28 – NUISANCES DECLARED-REMOVAL

~~master, operator or managing agent to register, pay moorage fees or service fees provided by this title shall be presumed to constitute an abandonment. A vessel or object is considered abandoned if a vessel owner, master, operator or managing agent has failed to register or pay moorage or service fees for the vessel or object as is required by this title.~~

~~11.28.050 – Sunken or obstructive vessels.~~

~~When any vessel or watercraft or obstruction has been sunk or grounded, or has been delayed in such manner as to stop or interfere with or endanger navigation, moored boats or any harbor vessels, the harbormaster may order the same immediately removed, and if the owner or other person in charge thereof after being so ordered does not proceed immediately with such removal the harbormaster may take immediate possession thereof and remove the same, using such methods as in his judgment will prevent unnecessary damage to such vessel or watercraft or obstruction, and the expense incurred by the harbormaster in such removal shall be paid by such vessel or watercraft or obstruction or the owner or other person in charge thereof; and in case of failure to pay the same the city may maintain an action for the recovery thereof.~~

~~11.28.060~~ 11.28.050 - Floating objects.

All vessels, watercraft, logs, piling, building material, scows, houseboats or any other article of value found adrift in the ~~municipal waters~~ waterways of the Port of Cordova ~~of small boat harbor~~, may be taken in charge by the harbormaster and may be subject to the reclamation by the owner thereof on payment ~~by him~~ to the ~~e~~City of any expenses incurred by the ~~e~~City, and in case of a failure to reclaim may be sold or disposed of as abandoned property.

~~11.28.070~~ 11.28.060 - No custody of derelicts nuisances.

The ~~Cordova Small Boat Harbor and the~~ Port of Cordova shall not accept ownership or custody of sunken or derelict vessels or any nuisance as declared under Section 11.28.010 unless expressly accepted by the harbormaster in writing.

Title 11 - PORT AND HARBOR FACILITIES
11.32 - IMPOUNDED VESSEL-DISPOSITION PROCEDURE

Chapter 11.32 - IMPOUNDED VESSEL-DISPOSITION PROCEDURE

Sections:

- 11.32.010 - Impoundment of ~~boats or~~ vessels for violations.
- 11.32.020 - Storage charge.
- 11.32.030 - Notice to owner.
- 11.32.040 - Right to pre-impoundment hearing.
- 11.32.045 – Right to post-impoundment hearing.
- 11.32.050 - Notice of sale.
- 11.32.060 - Sale.
- 11.32.070 - Other disposition.

11.32.010 - Impoundment of ~~boats or~~ vessels for violations.

~~The harbormaster is authorized to impound any boat or vessel in the small boat harbor whose owner, operator or agent is not aboard and which is not properly identified by name and/or number; or any boat or vessel in the small boat harbor which is in violation of any of the parking, mooring or traffic regulations of the small boat harbor; or any boat or vessel in the boat harbor whose owner, operator or agent, has not paid the stall rent or any other fee or charge due the city for the boat or vessel by the due date of such rental, and such rental, fee or charge is thirty days past due, or any vessel which has failed to qualify and whose owner, operator, or agent has failed to remove in accordance with the notice given under Section 11.16.070.~~

The harbormaster may impound a vessel that is in violation of this title by immobilizing it, removing it or having it towed from the waterway and placed in City or commercial storage with all expenses and risks of haul-out and storage to be borne by the vessel owner.

11.32.020 - Storage charge.

~~The owner, operator or agent or person entitled to possession~~operator or agent of any~~the~~ vessel impounded by the eCity shall be subject to and liable for a storage ~~charge~~ fee set by the city council by resolution, and shall be subject to and liable for all costs incurred by the eCity by reason of the impounding or removal.

11.32.030 - Notice to owner.

Except as provided in Section 11.32.045, a~~At~~ least ten days prior to impounding ~~any~~ vessel, the eCity shall cause to be posted on the vessel, in the harbormaster's office, in ~~the~~ eCity ~~H~~hall and on the bulletin board at the United State Post Office, notice of ~~such~~ the action to be taken by the eCity. A copy of the notice shall be mailed to the owner, operator or agent of the vessel at his or her last known address, which address shall be the same as that furnished in accordance with ~~the provisions of~~ Section 11.16.010. The notice shall contain the name and/or number of the vessel, the name and address, if known, of the owner, ~~operator or agent~~ and the vessel's location ~~of vessel~~.

11.32.040 - Right to pre-impoundment hearing.

Title 11 - PORT AND HARBOR FACILITIES
11.32 - IMPOUNDED VESSEL-DISPOSITION PROCEDURE

- A. ~~Except as provided in Section 11.32.045, As to any vessel proposed for impoundment pursuant to this chapter by or at the request of the city, its agents or employees, the owner of a vessel or person entitled to possession of the vessel, operator or agent of the vessel has the right to a pre-impoundment preimpoundment administrative hearing to determine whether there is probable cause to impound the vessel if the owner or person entitled to possession of the vessel~~such person files a written demand ~~on forms so provided for such a hearing with the city clerk within ten days after such person has learned such vessel will be impounded or within ten days after the mailing of the notice required by Section 11.32.030 being mailed, whichever occurs first.~~
- B. A pre-impoundment administrative hearing shall be conducted before a hearing officer designated by the city manager within forty-eight hours of receipt of a written demand ~~therefor~~ from the person seeking the hearing unless such person waives the right to a speedy hearing. Saturdays, Sundays and ~~e~~City holidays are to be excluded from the calculation of the forty-eight-hour period. The hearing officer shall be someone other than the persons who will direct the impounding and storage of the vessel. The sole issue before the hearing officer shall be whether there is probable cause to impound the vessel in question. "Probable cause to impound" shall mean such a state of facts as would lead a person of ordinary care and prudence to believe that there was a breach of local, municipal, state or federal law or regulations rendering the vessel subject to impoundment. The hearing officer shall conduct the hearing in an informal manner and shall not be bound by technical rules of evidence. The person demanding the hearing shall carry the burden of establishing that such person has the right to possession of the vessel in question. The harbormaster shall carry the burden of establishing that there is probable cause to impound the vessel in question. At the conclusion of the hearing, the hearing officer shall prepare a written decision. A copy of such decision and the reasons thereof shall be provided to the person demanding the hearing and the owner of vessel if such owner is not the person requesting the hearing. The hearing officer's decision in no way affects any criminal proceeding in connection with the impound in question and any criminal charges involved in such proceeding may only be challenged in the appropriate court. The decision of the hearing officer is final. Failure of the owner or person entitled to possession of the vessel, operator or agent to request or attend a scheduled pre-impoundment hearing shall be deemed a waiver of the right to such hearing.
- C. The hearing officer shall only determine that as to the vessel in question either that there is probable cause to impound the vessel or that there is no such probable cause. In the event that the hearing officer determines that there is no probable cause, the hearing officer shall prepare and date a certificate of no probable cause, copies of which shall be given to the owner or person entitled to possession of the vessel, operator or agent and to the harbormaster. In the event that the hearing officer determines that there is probable cause, the hearing officer shall prepare and date a certificate of probable cause, copies of which shall be given to the owner or person entitled to possession of the vessel, operator or agent and the harbormaster. Upon receipt of such certificate of probable cause, the harbormaster may proceed with impoundment and disposition of the vessel by removal, sale or destruction as authorized by this chapter.

11.32.045 – Right to post-impoundment hearing.

- A. Unless otherwise provided, the procedure set forth in this section shall apply whenever a vessel has been impounded or removed or a nuisance vessel abated pursuant to Section

Title 11 - PORT AND HARBOR FACILITIES
11.32 - IMPOUNDED VESSEL-DISPOSITION PROCEDURE

- 11.28.030(A) or the pre-impoundment hearing procedures under Section 11.32.040 were not followed.
- B. When a vessel poses clear and present danger to the public health, safety or general welfare notice shall be personally delivered or mailed to the owner of the vessel, if the name and location of the owner is known, within twenty-four hours after the vessel's impoundment, removal or abatement.
- C. The owner of the vessel or person entitled to possession of the vessel has a right to a post-impoundment hearing if that person submits a written demand for a post-impoundment hearing to the city clerk within fifteen days after the City mailed the impoundment notice. The post-impoundment hearing shall be held within forty-eight hours after a written demand is timely submitted. Saturdays, Sundays and City holidays are to be excluded from the calculation of the forty-eight hour period. The hearing officer shall be someone other than the persons who directed the impounding and storage of the vessel. The hearing officer shall conduct the hearing in an informal manner and shall not be bound by technical rules of evidence.
- D. A post-impoundment hearing officer shall determine whether there was probable cause to impound the vessel. If the hearing officer determines that there was not probable cause to impound the vessel, the hearing office shall require the release of the vessel to the owner without payment of the towing, storage or other accrued storage, impoundment, and abatement fees or the hearing officer will entitle the owner to a refund or reimbursement if the owner already paid the fees. If the hearing officer determines that there was probable cause for the impoundment of the vessel, the harbormaster may proceed to dispose of the vessel as provided in this Chapter.
- E. Failure of the owner or person entitled to possession of the vessel, ~~operator or agent~~ to request or attend a post-impoundment hearing shall be deemed a waiver of the right to such hearing.

11.32.050 - Notice of sale.

Any vessel impounded shall be held by the eCity for a period of not less than thirty days during which the city shall publish in a newspaper of general circulation in Cordova a notice describing the vessel in general terms, including the name and/or register number, ~~if any,~~ the name and address of the owner, ~~operator or agent,~~ if known, or if not known shall so state the location of the vessel and the intention of the eCity to sell the same at public auction, on a day and at a place and time certain, not less than ten days prior to the sale, for cash to the highest ~~and best~~ bidder. At any time prior to the auction, the owner, operator or agent may redeem the vessel by a cash payment of all eCity charges against the vessel ~~boat~~.

11.32.060 - Sale.

~~The minimum acceptable bid shall be a sum equal to the city's charges against the vessel.~~ The proceeds of the sale shall be first applied to the costs of sale, then to impoundment fee and storage charges ~~moorage and service fees accrued~~, and the balance, if any, shall be held in trust by the eCity for the owner of the vessel to claim; and if not claimed within one year, the balance shall be deposited into the ~~port and harbor~~ Port of Cordova enterprise fund. Upon the sales being ~~made~~ executed, the eCity

Title 11 - PORT AND HARBOR FACILITIES
11.32 - IMPOUNDED VESSEL-DISPOSITION PROCEDURE

shall make and deliver ~~its~~ a bill of sale, without warranty, conveying the vessel to the buyer.

11.32.070 - Other disposition.

If at the public sale there are no responsive bidders for the vessel or the harbormaster determines that the value of the vessel does not exceed the costs of towing, storage, sale, and other Port of Cordova charges, ~~the harbormaster commission shall~~ may use alternative means for disposition of the vessel ~~to the city council~~. The disposition is to be made without liability of the ~~e~~City, its employees or agents to the owner, operator or lienholder of the vessel.

Section 2. This ordinance shall be effective thirty (30) days after its passage and publication. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska, and published in the Cordova Times, a newspaper of general circulation in the City, within ten (10) days after its passage.

1st reading: June 5, 2013

2nd reading and public hearing: June 19, 2013

PASSED AND APPROVED THIS 19th DAY OF JUNE, 2013

James Kacsh, Mayor

Attest:

Susan Bourgeois, City Clerk

A MEMO FROM SUSAN BOURGEOIS, CITY CLERK

DATE: May 29, 2013

TO: Mayor & City Council

SUBJECT: Quarterly Council review of CIP List

The Council has decided to revisit the Capital Improvements Projects Resolution and list at least quarterly. The most recent list was approved as Resolution 12-12-49 in December of 2012. At the March 6, 2013 meeting, Council reviewed the resolution and concurred to take no action to change the list. Tonight this is a discussion item and if Council has edits, staff can bring back a resolution at the June 19 Regular Meeting for approval.

**CITY OF CORDOVA, ALASKA
RESOLUTION 12-12-49**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA,
DESIGNATING CAPITAL IMPROVEMENT PROJECTS.**

WHEREAS, the Cordova City Council has identified several Capital Improvement projects that will benefit the citizens of Cordova, and in several cases the entirety of Prince William Sound; and

WHEREAS, the City Council of the City of Cordova has identified the following Capital Improvement projects as being critical to the future well being and economy of Cordova and the surrounding area:

1. Cordova Center
2. Shipyard Fill
3. G Float Replacement
4. Shipyard Building
5. Municipal Dock (Ocean Dock) Renovation
6. South Fill Sidewalks
7. South Fill Expansion & Sawmill Avenue Extension
8. Public Safety Building
9. Recreation Building
10. Ferry Trail


and;

WHEREAS, some or all of these projects will be submitted to State or Federal legislators and agencies as Capital Improvement projects in the City of Cordova, Alaska.


NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Cordova, Alaska, hereby designates the above listed projects as Capital Improvement projects.

PASSED AND APPROVED THIS 19th DAY OF DECEMBER, 2012




James Kallander, Mayor

ATTEST:


Susan Bourgeois, City Clerk



CITY OF CORDOVA

Office of City Manager

To: Mayor and City Council
From: Donald L. Moore, Interim City Manager
Subject: Cordova Center-Marketing Services RFP
Date: May 26, 2013

At the City Council Special Meeting of May 24, 2013 several council members indicated under the "Council Comments" section that they wished to give the Manager direction on the Cordova Center Marketing Plan RFP.

The issue was unavailable for discussion at that time because it was not included on the published agenda for the meeting.

With this memo, I am placing the issue on the Agenda for the June 5th Council meeting so the Council can have the desired discussion.

The status of the project as of this writing (5/27) is that the RFP was advertised the first week in May with a response deadline extended to May 30th.

We will open and evaluate proposals received, if any, on that date but I will withhold any award if there is a successful proposer until after the June 5th meeting so I can answer Council's questions and hear your concerns.

If there are no successful respondents I will report that fact and we can discuss how best to proceed.

Pending agenda:

Second meetings of the month plan – June, July, and Aug, 2013?

Capital Priorities List Meeting –**September 2013, December 2013, March 2014, June 2014**

Discussion of City Auditor RFP – **September 4, 2013** Regular Meeting

Committees:

Cordova Center Committee: Tim Joyce, Sylvia Lange, Dan Logan, Mark Lynch, Sam Greenwood, Moe Zamarron, Dave Reggiani, Cathy Sherman

Fisheries Advisory Committee: David Reggiani, PWSAC; Ken Roemhildt, Seafood Sales; Jim Holley, AML; Torie Baker, Marine Advisory Program Coordinator; John Bocci; and Jeremy Botz, ADF&G

Cordova Trails Committee: Elizabeth Senear, VACANCY, Jim Kallander, Toni Godes, and David Zastrow

Public Services Building Design Committee: David Reggiani - Chairman, Chief George Wintle, vacancy, Jim Kacsh, Dick Groff, Mike Hicks, Tom Bailer

E-911 Committee: Chief George Wintle – Chairman, Bret Bradford, Gray Graham, Dick Groff, Mike Hicks (and/or Paul Trumblee), David Allison, George Covel

City Manager Assessment Committee: Cindy Bradford, Mark Frohnapfel, Don Sjostedt, Kelly Weaverling, EJ Cheshier, James Kacsh, Dave Reggiani

Calendars:

4 months of calendars are attached hereto
May 2013; June 2013; July 2013; August 2013

May 2013

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
Location Legend CH-City Hall Conference Room LMR-Library Mtg Rm HSL-High School Library			<i>1</i> 7:30 reg mtg LMR	<i>2</i>	<i>3</i>	<i>4</i>
<i>5</i>	<i>6</i>	<i>7</i> Noon special mtg CH	<i>8</i> 7:00 Sch Bd HSL 7:00 Hrbr Cms CH	<i>9</i>	<i>10</i>	<i>11</i>
<i>12</i>	<i>13</i> 5:30 Parks & Rec LMR	<i>14</i> 6:30 P&Z LMR	<i>15</i>	<i>16</i>	<i>17</i> Noon special mtg LMR	<i>18</i>
<i>19</i>	<i>20</i> Noon special mtg LMR	<i>21</i> 6:30 special mtg LMR	<i>22</i>	<i>23</i>	<i>24</i> Noon special mtg LMR	<i>25</i>
<i>26</i>	<i>27</i> Memorial Day City Hall Offices Closed	<i>28</i>	<i>29</i> HSB noon 12:15 Special Meeting 6:30 P&Z wksn	<i>30</i>	<i>31</i>	Location Legend CH-City Hall Conference Room LMR-Library Mtg Rm HSL-High School Library 102

June 2013

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
Location Legend CH-City Hall Conference Room LMR-Library Mtg Rm	HSL-High School Library RFI-Reluctant Fisherman Inn					1
2 City Mgr Candidates arrive CDV	3 5-7 Candidate meet and greet RFI—public invited	4 11am Special mtg—interviews; recess till 7pm	5 6:15 HSB LMR 7:30 reg mtg LMR	6 Clerk out of office	7 Clerk out of office	8
9	10 5:30 Parks & Rec LMR	11 6:30 P&Z LMR	12 7:00 Sch Bd HSL 7:00 Hrbr Cms CH	13	14	15
16	17	18	19 7:15 pub hrg LMR 7:30 reg mtg LMR	20	21	22
23	24	25	26	27	28	29
30					Location Legend CH-City Hall Conference Room LMR-Library Mtg Rm	HSL-High School Library RFI-Reluctant Fisherman Inn

July 2013

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
Location Legend CH-City Hall Conference Room LMR-Library Mtg Rm HSL-High School Library	<i>1</i>	<i>2</i>	<i>3</i> tbd HSB LMR 7:15 pub hrg (maybe) LMR 7:30 reg mtg LMR	<i>4</i> Independence Day City Hall Offices Closed	<i>5</i>	<i>6</i>
<i>7</i>	<i>8</i> 5:30 Parks & Rec LMR	<i>9</i> 6:30 P&Z LMR	<i>10</i> 7:00 Sch Bd HSL 7:00 Hrbr Cms CH	<i>11</i>	<i>12</i>	<i>13</i>
<i>14</i>	<i>15</i>	<i>16</i>	<i>17</i> 7:15 pub hrg (maybe) LMR 7:30 reg mtg LMR	<i>18</i>	<i>19</i> ——Clerk vaca——	<i>20</i>
<i>21</i>	<i>22</i> ——Clerk vaca——	<i>23</i> ——Clerk vaca——	<i>24</i> ——Clerk vaca——	<i>25</i> ——Clerk vaca——	<i>26</i> ——Clerk vaca——	<i>27</i>
<i>28</i>	<i>29</i> ——Clerk vaca——	<i>30</i> ——Clerk vaca——	<i>31</i>			Location Legend CH-City Hall Conference Room LMR-Library Mtg Rm HSL-High School Library

August 2013

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				<i>1</i>	<i>2</i>	<i>3</i>
<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i> tbd HSB LMR 7:15 pub hrg (maybe) LMR 7:30 reg mtg LMR	<i>8</i>	<i>9</i>	<i>10</i>
<i>11</i>	<i>12</i> 5:30 Parks & Rec LMR	<i>13</i> 6:30 P&Z LMR	<i>14</i> 7:00 Sch Bd HSL 7:00 Hrbr Cms CH	<i>15</i>	<i>16</i>	<i>17</i>
<i>18</i>	<i>19</i>	<i>20</i>	<i>21</i> 7:15 pub hrg (maybe) LMR 7:30 reg mtg LMR	<i>22</i>	<i>23</i>	<i>24</i>
<i>25</i>	<i>26</i>	<i>27</i>	<i>28</i>	<i>29</i>	<i>30</i>	<i>31</i>
						105