Regular City Council Meeting
June 7, 2017 @ 7:00 pm
Cordova Center Community Rooms
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 Clay Koplin, Council members James Burton, Kenneth Jones, Jeff Guard, Robert Beedle, Josh Hallquist, David Allison and James Wiese

D. Approval of Regular Agenda ................................................................. (voice vote)

E. Disclosures of Conflicts of Interest

F. Communications by and Petitions from Visitors
1. Guest Speakers
2. Audience comments regarding agenda items .................................. (3 minutes per speaker)
3. Chairpersons and Representatives of Boards and Commissions (Harbor, CCMCABoD, Parks & Rec, P&Z, School Board)
4. Student Council Representative Report

G. Approval of Consent Calendar .......................................................... (roll call vote)

5. Resolution 06-17-18 ....................................................................... (page 1)
A resolution of the City Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a sole source contract with Construction Machinery Industrial, LLC, for the purpose of purchasing an emergency shelter backup portable generator for the City of Cordova

6. Resolution 06-17-19 ....................................................................... (page 4)
A resolution of the City Council of the City of Cordova, Alaska, requesting FY 18 payment in lieu of taxes funding from the Department of Commerce, Community, and Economic Development

7. Proclamation of Appreciation to Bill Gilbert ................................. (page 7)

8. Record excused absence of Council members Burton from the May 17, 2017 Regular Meeting

H. Approval of Minutes ....................................................................... (voice vote)

9. Minutes of 05-17-17 Council Public Hearing .................................... (page 8)
10. Minutes of 05-17-17 Council Regular Meeting ............................... (page 9)

I. Consideration of Bids

J. Reports of Officers

11. Mayor’s Report ........................................................................... (page 12)
12. Manager’s Report
13. City Clerk’s Report
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
May 23, 2017

Mayor Clay Koplin
City Council
City Manager Alan Lanning.

This memo is to advise City Council that the State of Alaska Division of Homeland Security and Emergency Management granted an award of $36,000.00 to the City of Cordova for purchasing an additional emergency back-up generator for our community. This generator will power a designated emergency shelter in the event a disaster displaces local community members, the hospital residents, and staff.

This office is requesting City Council under Cordova Municipal Code in Section 5.12.040 - Council approval of contracts. No contract for supplies, services or construction which obligates the city to pay more than twenty-five thousand dollars may be executed unless the council has approved a memorandum setting forth the following essential terms of the contract; Section 5.12.150 (a)(5) - providing for sole source procurements for professional services, to move forward with Construction Machinery Industrial, LLC, (CMI) as the Sole Source Vendor for this grant.

The City of Cordova utilized CMI in 2015 after a Request for Proposal (RFP) claimed CMI as the lowest bidder at the direction of the State of Alaska. This Grant was used to purchase a Doosan G25 Back-up Generator for the Water Treatment Facilities in the event of a disaster.

Purchasing an identical generator through CMI under this year’s SHSP Grant will save valuable staff time in research and development in the event of an emergency. It will also reduce city funds in training costs and preventive maintenance costs, which will also allow ease of city wide utilization and redundancy requiring no additional vendors and or supplies for future connectivity.

Sincerely,

Paul Trumblee
City Fire Marshal
CITY OF CORDOVA, ALASKA  
RESOLUTION 06-17-18 

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A SOLE SOURCE CONTRACT WITH CONSTRUCTION MACHINERY INDUSTRIAL, LLC, FOR THE PURPOSE OF PURCHASING AN EMERGENCY SHELTER BACKUP PORTABLE GENERATOR FOR THE CITY OF CORDOVA

WHEREAS, the Alaska Department of Homeland Security, under the 2016 State Homeland Security Grant Program (SHSP), awarded the City of Cordova a Grant of $36,000 to purchase an Emergency Portable Generator on a towable Trailer; and

WHEREAS, CMI is a State recognized vendor of Commercial Grade Generators and has extensive experience working with state and local officials; and

WHEREAS, the City of Cordova has used CMI on a previous SHSP Grant as the successful lowest bidder to purchase an emergency towable generator within its jurisdiction; and

WHEREAS, the Doosan G25 self-contained portable generator is fully compatible and functionally seamless with the additional Cordova Emergency Backup Generator, and recognized City Emergency Shelters; and

WHEREAS, no additional equipment or training will be needed to be purchased or installed by additional companies or vendors to be necessary for full compatibility within our organization saving our community future funds; and

WHEREAS, this request meets the provisions of the Cordova Municipal Code in Section 5.12.040 - Council approval of contracts. No contract for supplies, services or construction which obligates the city to pay more than twenty-five thousand dollars may be executed unless the council has approved a memorandum setting forth the following essential terms of the contract: and Section 5.12.150 (a)(5) - providing for sole source procurements for professional services.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Cordova, Alaska hereby authorizes the City Manager to enter a contract with Construction Machinery Industrial, LLC to purchase a Doosan G25 20kw portable trailer mounted self-contained unit and associated equipment and materials for the City of Cordova in an amount not to exceed $25,000.

PASSED AND APPROVED THIS 7th DAY OF JUNE, 2017.

______________________________
Clay R. Koplin, Mayor

ATTEST:

______________________________
Susan Bourgeois, CMC, City Clerk
5.12.040 Council approval of contracts.

No contract for supplies, services or construction which obligates the city to pay more than twenty-five thousand dollars may be executed unless the council has approved a memorandum setting forth the following essential terms of the contract:

A. The identity of the contractor;
B. The contract price;
C. The nature and quantity of the performance that the city shall receive under the contract; and
D. The time for performance under the contract.


(Ord. No. 1093, § 1, 1-4-2012)

5.12.150 Sole source procurements.

A. The city may procure supplies, services or construction without competition where the city manager determines in writing that one of the following circumstances applies:
   1. Supplies, services or construction that reasonably meet the city's requirements are available from only one vendor;
   2. The supplies, services or construction have a uniform price wherever purchased;
   3. The supplies, services or construction may be purchased from or through another governmental unit at a price lower than that obtainable from private vendors;
   4. The price of the supplies, services or construction is fixed by a regulatory authority; or
   5. The contract is for professional services that the council by resolution determines to procure without formal competition.

B. The award of any contract under this section shall be subject to prior council approval in accordance with Section 5.12.040

(Ord. 809 (part), 1998).
May 24, 2017

Randy Robertson, City Manager
City of Cordova
PO Box 1210
Cordova, AK 99574

RE: FY 18 PAYMENT IN LIEU OF TAXES PROGRAM FOR CITIES IN THE UNORGANIZED BOROUGH

Dear Municipal Official:

On May 5, 2017, the President signed the Consolidated Appropriations Act, 2017 (H.R. 244) which appropriated $465 million in discretionary funding for Payment in Lieu of Taxes (PILT). The U.S. Department of Interior is currently preparing the necessary calculations to issue payments for the FY 2017 PILT program.

The State of Alaska expects to receive the funds for the PILT program in June 2017. This will allow the Department of Commerce, Community, and Economic Development to disburse payments to PILT recipients in July 2017. At this time, it is unknown how much the State of Alaska will receive for the cities in the unorganized borough.

If your city is waiting for an estimated payment in order to prepare an annual budget, please know that DCRA has not received any payment information from the US Department of the Interior yet. As in prior years, DCRA suggests that the city budget $0 if possible under this program. If a balanced budget is unattainable with a $0 line item for PILT, then it is suggested that the city estimate a minimum of a 25% reduction of the FY17 actual PILT payment received.

In order to receive payment under the PILT program, a city must submit to the Department the attached application, which includes a cover page and resolution requesting payment. A number of requirements have been waived for the State Fiscal Year 2018, so please read the application and resolution thoroughly to understand what is required to receive a payment.
The completed application must be received by June 30, 2017. Enclosed is a sample resolution for the FY 18 Payment in Lieu of Taxes (PILT) Program for cities in the unorganized borough. The cover page and adopted resolution should be submitted to:

Division of Community and Regional Affairs  
Attention: Robin Park  
Payment in Lieu of Taxes Program  
P.O. Box 110809  
Juneau, AK 99811

Or submitted via email to robin.park@alaska.gov

Should you have any questions regarding the FY 17 PILT program, please feel free to contact me. I can be reached via email at robin.park@alaska.gov, or you may call me at 907-465-4731. You may also contact Debi Kruse at debi.kruse@alaska.gov or call her at 907-465-4451.

Sincerely,

Robin Park  
Grants Administrator II

Enclosures: FY 18 PILT Cover Page  
Sample FY 18 PILT Resolution
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA, REQUESTING FY 18 PAYMENT IN LIEU OF TAXES FUNDING FROM THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

WHEREAS, 3 AAC 152.100 requires the governing body of a city to adopt a resolution requesting funding from the Payment in Lieu of Taxes Program for cities in the unorganized borough and to submit the resolution to the Department of Commerce, Community, and Economic Development; and

WHEREAS, the City has conducted a regular election during the preceding state fiscal year and has reported the results of the election to the commissioner; and

WHEREAS, regular meetings of the governing body are held in the city and a record of the proceedings is maintained; and

WHEREAS, ordinances adopted by the city have been codified in accordance with AS 29.25.050.

NOW, THEREFORE BE IT RESOLVED THAT the City Council of the City of Cordova, Alaska, by this resolution hereby requests distribution from the FY 18 Payment in Lieu of Taxes Program by the Department of Commerce, Community, and Economic Development on the date required by law.

PASSED AND APPROVED by a duly constituted quorum of the City Council this 7th day of June, 2017.

______________________________
Clay R. Koplin, Mayor

Attest:

______________________________
Susan Bourgeois, CMC, City Clerk
City of Cordova, Alaska

PROCLAMATION OF APPRECIATION TO

William “Bill” Gilbert

I, Mayor Clay R. Koplin, do hereby issue this Proclamation of Appreciation to William “Bill” Gilbert, Trident South Plant Manager, for his years of invaluable contributions to Cordova, its fisheries, fishermen, plant employees and families, upon his retirement from Trident Seafoods and the Alaska Seafood Industry.

WHEREAS, Bill arrived in Cordova to manage the Norquest/Silver Lining Seafoods plant in 1992; and

WHEREAS, throughout his time as plant manager, he worked tirelessly to bring the highest quality Copper River and Prince William Sound salmon, halibut, and sablefish to markets around the world; and

WHEREAS, over his tenure, longline boats from across Alaska came out of their way to make deliveries in Cordova out of respect and admiration for Bill; and

WHEREAS, such deliveries contributed significantly to the economy of the community of Cordova and allowed Bill the opportunity to perfect his smoked black cod recipe which has been enjoyed by countless visitors to Trident’s South Plant; and

WHEREAS, Bill generously volunteered many personal hours, resources and guidance in aiding many organizations, causes, and fellow waterfront businesses; and

WHEREAS, he always strove for the betterment of the livelihoods of generations of fishermen, tendermen, and resource managers working in Cordova; and

WHEREAS, Bill’s passion for the science, management and sustainability of Alaska’s fishery resources is a cornerstone of his life philosophy.

NOW, THEREFORE, BE IT PROCLAIMED that the Mayor, the City Council, and the citizens of Cordova hereby express their sincerest appreciation to Bill Gilbert for his long-time devotion as a resident, seafood professional and personal champion and supporter of the economy, resources and residents of the City of Cordova, Alaska.

Signed this 7th day of June, 2017

__________________________
Clay R. Koplin, Mayor
A. Call to order

Mayor Clay Koplin called the Council public hearing to order at 6:50 pm on May 17, 2017, in the Cordova Center Community Rooms.

B. Roll call

Present for roll call were Mayor Clay Koplin and Council members Ken Jones, Jeff Guard, David Allison and James Wiese. Council members James Burton, Robert Beedle and Josh Hallquist were absent. Also present were City Manager Alan Lanning and Deputy City Clerk Tina Hammer.

C. Public hearing

1. Ordinance 1154 an ordinance of the City Council of the City of Cordova, Alaska, authorizing the transfer of $240,500 from the general reserve fund for the purpose of bringing current, PERS obligations for CCMC – 2nd reading

Mayor Koplin opened the hearing up for public testimony on Ordinance 1154.

Scot Mitchell of 5 Alpine Falls Drive and CEO of the hospital encouraged Council passage of the ordinance – he is also available to answer any questions.

Jeff Guard asked if they would be able to stay current after this payment. Mitchell replied that with all they have going on, he does not believe they will be able to remain current in this PERS obligation as it is $30 - $40 thousand for each payroll.

D. Adjournment

With no objection, Mayor Koplin adjourned the hearing at 6:58 pm

Approved: June 7, 2017

Attest: ____________________________________  
Susan Bourgeois, CMC, City Clerk
Regular City Council Meeting
May 17, 2017 @ 7:00 pm
Cordova Center Community Rooms A & B
Minutes

A. Call to order
Mayor Clay Koplin called the Council regular meeting to order at 7:04 pm on May 17, 2017, in the Cordova Center Community Rooms.

B. Invocation and pledge of allegiance
Mayor Koplin led the audience in the Pledge of Allegiance.

C. Roll call
Present for roll call were Mayor Clay Koplin and Council members Ken Jones, Jeff Guard, Robert Beedle, David Allison and James Wiese. Council member Josh Hallquist arrived via teleconference at 7:29 pm. Council member James Burton was absent. Also present were City Manager Alan Lanning and Deputy City Clerk Tina Hammer.

D. Approval of Regular Agenda
M/Allison S/Jones to approve the Regular Agenda.
Vote on the motion: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Motion was approved.

E. Disclosures of Conflicts of Interest - none

F. Communications by and Petitions from Visitors
1. Guest Speakers - none
2. Audience comments regarding agenda items
   Dave Roemhildt of Mile 6 CRH, spoke to the pending agenda and requested that Council add a special meeting, a real quick one, to approve the Ocean Beauty site plan that was approved at P & Z last night. They are in a time crunch to try to get this housing project up prior to seine season.
   Katrina Hoffman of 301 South Second Street, spoke in support of the request being made in correspondence, item 17 of the agenda.
   Scot Mitchell of 5 Alpine Falls Drive spoke in favor of Council passage of Ordinance 1154, agenda item 18.
   Stephanie Rusinski of 930 Lake Avenue, spoke in favor of her request in correspondence item 17, for the City to put power to the lot where her business is located.
3. Chairpersons and Representatives of Boards and Commissions
   Harbor Commission – Beedle said the commission met last Wednesday, they discussed tideland moorage (rates, etc. for vessels that don’t fit in the harbor), there has been a dumpster and an outhouse put down at the shipyard, they discussed the oil centrifuge – waste oil (the Harbor needs a shop anyway) – he’d like to see this on the pending agenda or some direction for the City Manager to start working with the Harbormaster to get this project started
   CCMCABoD – Scot Mitchell reported that the Board will have regular meetings now on the 4th Thursday of the month; he mentioned that since the first of the year usage is up at the hospital in all departments; the 340B pharmacy project has been approved at the federal level - they have begun the recruitment of a pharmacist; rates will be looked at and adjustments made as it appears we are low compared to Alaska on a lot of charges; also, they will propose changes to the billing company that’s being used currently.
   P&R, P&Z, School Board – no reports
4. Student Council Representative Report – Cori Pegau was not present.

G. Approval of Consent Calendar
Mayor Koplin declared the consent calendar was before the City Council.

5. Resolution 05-17-15 A resolution of the City Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a three (3) year lease with Carl and Jane Jensen for Lot 20, Block 23, Original Townsite which includes an option to purchase
6. Record excused absences of Council members Burton and Beedle from the May 3, 2017 Regular Meeting
Vote on the consent calendar: 5 yeas, 0 nays, 2 absent. Wiese-yes; Jones-yes; Beedle-yes; Hallquist-absent; Allison-yes; Burton-absent and Guard-yes. Consent Calendar was approved.

H. Approval of Minutes
M/Allison S/Wiese to approve the minutes.
7. Minutes of 05-03-17 Council Public Hearing
8. Minutes of 05-03-17 Council Regular Meeting
Vote on the motion: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Motion was approved.

I. Consideration of Bids - none

J. Reports of Officers
9. Mayor’s Report – **Mayor Koplin** said he had a written report and nothing to add. **Beedle** had asked **Mayor Koplin** to comment on Council commenting in the public. **Mayor Koplin** said that as far as getting on social media, best practice for the Council should probably be to contact the City Manager to discuss and/or to put it on a future agenda as that is the appropriate venue for it to be discussed.

10. Manager’s Report – **Lanning** said to clarify the waste oil centrifuge and project - he said it is a Harbor project, they’ll be taking it over - that’s the direction that has been given; as far as **Stephanie’s** business on the breakwater fill lot, he needs direction from council as to whether or not they want power put on that lot – then he’ll come back with a proposal, he’d request a Council motion (**Beedle** and **Wiese** said yes). After some discussion, **Lanning** said he would spend a little time on this, there is a permanent and a temporary answer – he’ll write it up and present council the options. **Lanning** said head nods are sufficient for him at this time to get working.

11. City Clerk’s Report – **Hammer** said she has been working on the 2015 expiration of the redemption period as that is coming to a close.

K. Correspondence

12. 04-27-17 Letter from Senator Murkowski re Sea Grant Program funding
13. 05-01-17 AKDoT&PF Southcoast Region Director’s Quarterly newsletter
14. 05-02-17 Letter from Bruce & Sally Campbell re Lots 8 & 9, Odiak Park Subdivision
15. 05-05-17 Letter from Mayor Koplin to Governor & ADF&G Commissioner re Copper River Fishery and SHTF
16. 05-06-17 Letter from Mayor Koplin to Senator King re field meeting in Cordova June 10
17. 05-10-17 Letter from S Rusinski Bernard re power to breakwater fill lot

**Beedle** said he wanted to thank the Mayor for the letters being sent to the Governor and Commissioner - and for his time. **Mayor Koplin** wanted to remind Council that SHTF would be meeting Saturday from 9 - 11 am in this room.

Council member **Hallquist** called in to the meeting at this time.

L. Ordinances and Resolutions

18. Ordinance 1154 An ordinance of the City Council of the City of Cordova, Alaska, authorizing the transfer of $240,500 from the general reserve fund for the purpose of bringing current, PERS obligations for CCMC – 2nd reading

**M/Allison S/Beedle** to adopt Ordinance 1154 an ordinance of the City Council of the City of Cordova, Alaska, authorizing the transfer of $240,500 from the general reserve fund for the purpose of bringing current, PERS obligations for CCMC

**Beedle** said he will not vote against this but he believes that first reading also required 7 yes votes. **Allison** said that the Code language is clear that only on final approval are the 7 votes required which means second reading.

Vote on the motion: 6 yeas, 0 nays, 1 absent (Burton), 1 yea vote by Mayor Koplin. **Allison-yes; Hallquist-yes; Guard-yes; Beedle-yes; Wiese-yes; Burton-absent and Jones-yes**, therefore, **Mayor Koplin-yes. Motion was approved 7 - 0**.

M. Unfinished Business

N. New & Miscellaneous Business

19. Council right to protest or waive protest to liquor license renewals license #s 61 & 62 Anchor Bar and Grill and Anchor Liquor Store

**Hammer** had a handout – **Mayor Koplin** read it into the record for Council members on the phone. It was a memo from **Finance Director Stavig** that said he had no reason to recommend Council protest these liquor license renewals.

**M/Allison S/Wiese** to waive Council’s right to protest renewals for liquor licenses #61 & #62.

Vote on the motion: 6 yeas, 0 nays, 1 absent (Burton). Motion was approved.

20. Pending Agenda, Calendar and Elected & Appointed Officials lists

Special meeting was set for May 23 at 6 pm. **Beedle** suggested revisiting a council member being on each board/commission so the information flow comes back. **Hallquist** said he would like a Nirvana Park item on the next agenda. **Jones** asked about the possibility of opening up the parking in front of fishermen’s memorial. **Lanning** said he’ll look into that.

O. Audience Participation

**Stephanie Rusinski** of 930 Lake Avenue thanked Council for their support.

P. Council Comments
Jones thanked everyone for coming out.

Wiese thanked Scot (Mitchell) and Lee (Holter) for coming to meetings to let them know what's going on there. Thanked Mayor Koplin for all of the letters and extra time he puts in. He said best of luck to Stephanie.

Beedle praised the Streets crew for the work around his neighborhood.

Allison safe and good fishing to all those heading out tomorrow.

Q. Adjournment

M/Allison S/Jones to adjourn the meeting.

Hearing no objection the meeting was adjourned at 7:49 pm.

Approved: June 7, 2017

Attest: ____________________________________

Susan Bourgeois, CMC, City Clerk
Mayor’s Report
6-2-17
Clay Koplin

Last week Cordova Electric Cooperative and Alaska Village Electric Cooperative hosted the Canadian Off Grid Utility Association biennial Prime Power Diesel Inter-Utility Conference in Cordova. The 75 participants from Alaska, Canada, and Greenland and vendors from across the US and Canada thoroughly enjoyed the hospitality and quality of their experience in Cordova. Special thanks to the staffs of The Reluctant Fisherman, Orca Adventure Lodge, The City of Cordova, and the countless businesses, accommodations, restaurants, and individuals that contributed to such a great conference.

I have worked with manager Lanning to prepare the agenda and capital priorities for the work session before this meeting.

I wrote a letter to the Governor and Commissioner Cotten thanking them for engaging Area E and Prince William Sound fisheries stakeholders by hosting a Salmon Harvest Task Force meeting in Cordova on May 20th. I also communicated our frustration with the measurement, management, and allocation inconsistencies embedded in current policy and management practices and the negative economic and subsistence impacts on our community and region.

We are excited to be hosting U.S. Senators Murkowski, Cantwell, and colleagues for a Senate Energy and Natural Resources Committee field hearing in Cordova June 10th at the Cordova Center to showcase both our successes and needs as the new administration considers infrastructure investments and program funding.

Have a safe, enjoyable summer.

Mayor Clay
May 19, 2017

The Honorable Clay Koplin
Mayor
City of Cordova
P.O. Box 1210
Cordova, AK 99574

Dear Mayor Koplin,

President Trump has made investment in national infrastructure a priority for his new Administration. As a result jurisdictions all around the country have been assembling their wish lists of projects for possible consideration. Governor Walker recently sent an initial list of Alaskan infrastructure projects for consideration by the Trump Administration. However, the Governor also provided notice that additional projects may be nominated by the State for qualifying municipal projects.

The State is therefore soliciting proposals for municipal or tribal infrastructure projects that might qualify for consideration under this federal program. If interested in offering projects for consideration, please follow the criteria below:

- Limit submissions to a maximum of three projects for communities of less than 10,000; or five projects for communities over 10,000 in population.
- Rank order all projects, highest to lowest.
- Projects must have a significant local match or private sector component to the overall funding package – provide project budget proposal.
- Preference should be given to projects that are shovel-ready.
- Identify if any project qualifies for other federal capital funding programs; these projects will likely receive lower priority in this solicitation.
- Project nominations must include a narrative explaining how the project would contribute to one or more of the federal goals for this program, including:
  - Promote American jobs and economic growth
  - Improve the balance of international trade
  - Promote American energy security
  - Rebuild failing public critical infrastructure
  - Meet an immediate life/safety concern not readily addressable by other means
The Honorable Clay Koplin  
May 19, 2017  
Page 2


Don’t hesitate to let me know if you have any questions.

Sincerely,

[Signature]
John Hozey  
Deputy Chief of Staff  
Local Government Liaison
----- Forwarded Message -----  
From: Samantha Stevenson Renner  
Cc: CouncilSeatA@cityofcordova.net, CouncilSeatB@cityofcordova.net,  
CouncilSeatC@cityofcordova.net, CouncilSeatD@cityofcordova.net,  
CouncilSeatE@cityofcordova.net, CouncilSeatF@cityofcordova.net,  
CouncilSeatG@cityofcordova.net  
Sent: Mon, 22 May 2017 17:45:08 -0400 (EDT)  
Subject: Nirvana Cemetery Park/Spit  

To Whom It May Concern,

I am writing in this e-mail because I left the meeting about the spit last Thursday afternoon even more confused than I was when I went in. I attended this meeting to try to understand the process of how it was ultimately decided by the committee to shut the spit down to recreating, as I felt like that process was not transparent from simply reading the materials provided from each meeting and the letters and recommendations from each group involved. I also wanted to try to understand where each group from the core committee was coming from and ultimately hear what the justification was for shutting it down. Lastly, I was hoping to better understand what the grant money was actually supposed to be used for.

I have been following this process for some time now but have not been attending meetings as they are during normal work hours, which does not work for people who have 8-5 jobs other than those getting paid to attend the meetings. I have looked through all of the letters published by the city pertaining to this issue and have read all the recommendations by each party involved in the core committee. All of these letters seem to have a few things in common in their recommendations such as restricting motor vehicle access, improving the spit beach including doing work to the beach to help with erosion, keeping recreation opportunities open to the public and acknowledging the site as a graveyard with the appropriate markings and signage. What I do not see is any of the recommendations is to shut the place down to the public yet that is the decision the core committee ultimately made. How did we get from using the grant and improving the spit in various ways to “Swimming, live fires and other activities will not be permitted as the area will be treated like any of the other four cemeteries in Cordova?”

To me this is where the transparency seems to disappear in the whole process.
I attended the meeting regarding the spit on Thursday May 18th and as I mentioned before I left more confused than when I went in. I went into this meeting hoping to understand what I thought I missed in the letters and agendas, how the decision to shut down the spit to the public was made. First off, this meeting seemed to begin with a closed-door meeting attended by the committee members that I believe is not permitted per the State of Alaska. As for the public part of the meeting, everyone was brought into a room, including committee members and asked to voice their opinion and although there were some differences in ideas, they all had the same theme, keep the spit open to the public. So again I ask, how was the choice made to close it down? In addition, if this is a recreational grant and they have deemed it a cemetery as announced on the city website wouldn’t the grant money need to be sent back? There seems to be a piece of the puzzle that is missing and the whole process is not making sense to me.

I would also like to note that I felt that the portion of the meeting that the committee spent shaming individuals for talking on facebook was inappropriate. While there were definitely some comments that were unproductive, without this dialog the spit would soon be shutting down for recreational use despite the fact that according to everyone at the meeting we are on the same page to keep it open. It is my understanding that this committee is coming together to decide how to best use this money so when I see comments from committee members saying things like “if you can’t find somewhere else in this town to recreate than I feel sorry for you”, it makes it hard for me to believe that the committee’s real intention is to keep this place open to the public. Also I believe that the question of if the spit is closed down to public recreating (as was listed on the city’s website) why are special events such as wedding allowed is a valid question, so why couldn’t anyone just take the time to answer it?

Ultimately, I would like to know what the missing piece of the puzzle is? If everyone is on the same page how did a decision in the complete different direction get made? Also if people do not continue to take time off work to attend these meetings are the plans going to switch directions again? To me it seems that the committee is not being completely transparent in their decision making as the info made public just does not seem to add up. In addition, I find it frustrating that when someone asked at the meeting if the spit was currently open or not the question was answered with a shoulder shrug. Who is making the decisions? Why does no one really seem to know what’s happening and what the plan is? Lastly I saw requests for recreational recommendations from the burial caucus from the City of Cordova but I never saw those recommendations. Did the caucus ever give any recommendations?

Thank you for your time and I look forward to your response.

-Samantha Renner
Via email
May 22, 2017

To the Members of City Council,

I want to just say that this whole argument and controversy over the spit is childish and ignorant. The lack of knowledge and awareness about this issue is embarrassing. I do not understand how this became a race issue or an argument, everything was fine down there, the only issue was the motorized vehicles and the erosion problem and that should be the issue that gets address. I think the main problem is education. There is no place except for the museum for people to be educated on the history of Cordova and I think Nirvana Park would be a wonderful place to start.

I think it is inconceivable to find out what bodies are Native or non-Native (which there are both in the ground) but either way they should still be respected. They have been laying there peacefully for many years and to disturb them is corrupt so moving them should be out of the equation.

I believe there should be no motorized vehicle access to the spit because that was an accident waiting to happen however foot traffic, swimming, weddings, ceremonies, and any other activities would not disrupt the area. As for the jet skis and planes (and may help with the erosion issue) set boulders up in the water with cork markers to protect the beach from waves.

I think a toilet and trash receptacles be great to have in that area because many times I have gone down there with trash dispersed all over the area and I pick it up without anywhere to dispose of it, I have also seen piles of human waste in the park and that is disgusting. There should NOT be a trash or toilet within the park or on the spit, that is disrespectful and in my opinion gross. It would be convenient to have one off the premise near the parking area or at the top of the spit access. People can walk to use them.

I also believe that whoever had the idea that the foot traffic and motor vehicles are the only reason there is erosion on the spit is senile. Yes, the trucks and cars probably did help however the flooding and storms are what have mainly impacted the spit and that is a fact. Before this whole problem became a problem, the city would dump gravel down there because of natural erosion and if they didn’t we would not have a spit today. Keep doing what you have been already doing, fill the beach in. Plus, nobody wants to see bones come out of the ground. Refill in the beach.

Over the past two years I have been researching the history of Cordova. I think Nirvana park would be a great area to preserve and turn into a place where people can go to learn about the history both Native and non-Native. Cordova has been the hub of the Gulf of Alaska for over ten thousand years and has become the melting pot of Native and non-Native cultures. Eyak people were considered the middleman for all trades between the other Native groups as well as intermarrying with other tribes. This led to the Eyak being multi-cultural people, we were influenced by the other tribes around us. That is what makes this area so special, we are a group of people who have come together to live cohesively even though we have diverse cultural and religious backgrounds. As I said in my letter, as a part of colonization, people came and swept over this land, pushing the Indigenous people from the 18th century until the mid-to-late-20th century. Here is where cultural genocide took place. Being the 21st century, I do find it dire to preserve areas that are still sacred to the Indigenous people, the spit being a sacred place. This is piece of Cordova that can be used to promote cultural awareness and history where we and others can
be influenced and informed by ALL cultures that resides here. Bringing in local artist to carve up totem poles, possibly having a memorial rock that honors the people that live here, having a nice pathway with casual benches where people can sit and respect, having signs (like the ones out at Alaganik) describing Cordova’s history, and cultural importance would be a beautiful addition. There is so much that could be done to revitalize this ground, and restricting access is not one of them.

This issue has caused us to become segregated within our own community, we are becoming ugly, racist and malicious. Yes, Eyak people have been here and we should give my people that respect, BUT we but so have had major influences from the Alutiiq, Aleut, Athabascan, Tlingit, and other Native AND non-Native groups. I know from when I grew up that Nirvana was a burial ground but I was taught to respect it. Now 15 years later there is no education on the area and that is why there is no respect.

From the meetings I’ve attended, which has been many, everyone seems to agree with no motorized vehicles, yes to swimming, education, signage, fire rings and having toilets and garbage receptacles outside of the park, the only thing stirring the pot is lies and drama.

As members of the City Council, it is your job to make the decisions that will best fit the community and I hope you do so keeping in mind that there is no other place in Cordova where you can go not only have fun but be educated. We are a community that lives and breathes together and to separate ourselves is wrong. We live on this land together, we cry together, we celebrate together why try to take away and discredit where we can all come together.

Please set aside the drama and make and educated, unbiased decision that will benefit your WHOLE community.

Sincerely,

Raven Madison
To whom it may concern:

As a long time resident of Cordova, and having two grown children that were raised here, I have had the pleasure of utilizing this prime recreation area many times. It has always been a gathering place for Cordova's residents in the summer. Many sunny days, flocks of children can be seen heading down Lake Avenue with their towels around their necks and floats in tow. Coming from a community that has always struggled with finding suitable recreational activities for our youth, it is always a hard hit when established activity sites are taken away. I believe that weather is the biggest factor in the erosion of the spit, not the recreational users. I am hoping alternative resolutions, like reinforcer of the spit would be a better solution to preserving the area than "restricting access". Either way, I hope a compromise can be reached between both groups, that allows use of the spit by the community while ensuring the site is respected for it's historical background.

Sincerely,

Becki Shipman
Cordova Resident
May 23, 2017

Dear City Council,

I am writing to you as a concerned Eyak citizen regarding the situation at the Spit. For the life of me, I cannot understand how so much drama and ugliness could arise from identifying grave sites and requesting respect for those who have passed before us. I have witnessed accusations, racism and ugliness unbecoming to our beautiful community.

I have grown up knowing that the spit was a grave yard but I was under the impression that all the graves were dug up in less understanding times and that I was recreating on a former grave site. I strongly urge you to block the spit from vehicle traffic. Driving atop graves does not happen at the other cemeteries and should not happen at this one. I strongly urge you to mark the graves and to install educational signage. This is an important area and we could all stand to have better understanding of the history of the area and the people.

The spit is a wonderful place for children to swim and I encourage the continued use of the spit for recreational uses like swimming. I want to express to you how strongly I feel against fire rings being installed at the spit. The spit is a wonderful place for children to swim on warm days. Children have no business starting fires and fire rings become collection spots for broken glass. I know that some parents might argue that they cannot possibly swim on a hot day without starting a fire. For those parents, I encourage the building of a fire pit on the concrete slab in Nirvana Park.

**Contrary to rumors I have heard, and despite my best research efforts, I can find NO evidence that recreating atop grave sites is an Eyak tradition.** Swimming has occurred here for many years and sometimes tradition, history and new ideas collide and compromises and understanding must be reached.

I encourage the exploration of grave finding through ground penetrating technology. I have heard a Council member ask at a public comment meeting for the spit, “who cares where the graves are?”

**Council members, I care. I want to honor and respect those who have passed before me and I do not wish to traverse across their resting places. You do the best with what you know. When you know better, you do better.** I further urge you, Council Members, to support recommendations by the committee members who have worked tirelessly to meet throughout the past year, in sometimes hostile conditions.

I encourage you to support the committee recommendations for the spit and Nirvana park and to bring closure on what has become an extremely divisive issue.

Respectfully,

Angela Butler
TO: City Council of Cordova
FROM: Becky Chapek
DATE: May 31, 2017
RE: Variance – RJ Kopchak

I attended the initial meeting of the planning commission to comment on the proposed variance concerning the request put forward by Mr. Kopchak to completely remove a cabin on a 15’ of Lot and then rebuild a new structure with a living unit and shop. Due to a lack of quorum, the meeting was dismissed, but not rescheduled at that time. I completely missed the “emergency meeting” where action was taken and the variance was granted.

It’s really hard to imagine that such an outrageous request with its multitude of transgressions not only passed, but in fact an additional concession was made by the Commission to make the “improvement” even further non-compliment. One can only wonder at the process in considering the outcome. In speaking with members of the commission, I heard that it will be a $200,000 improvement that will generate additional revenue in property tax. Hmm.... I’ll be checking the property tax rolls to see if that happens.

It was also said by a member that RJ could do whatever he wanted with the existing building so why not make it “better”. I do not understand how the commission can consider creating yet another living unit on a 15’ lot without parking in a neighborhood already fraught with existing variances is better! If the line that created that 15’ lot is lifted, RJ could have built an addition on to his existing house to create a shop and mother-in-law unit and in my opinion that would have been better. It would seem that better is working with applicants to create outcomes that bring properties closer to the regulations as set forth by ordinances. If the sub-sized lot gets reincorporated into the adjoining lot and an addition to the house is made, this would mean there would be an opportunity to have code compliant setbacks, a bigger lot and the requirement that all new housing units have off street parking could have been factored in to the additional housing unit.

This is wrong on so many levels; I ask that this be sent back to the planning commission for reconsideration. I am not opposed to progress or improvements. The plan as presented is quite attractive and well thought out. RJ is a wonderful, imaginative thinker and it would be a good plan on a 6,000 square foot lot, but given the location this is a regressive variance with a negative impact on the neighborhood.
Cordova City Council

Recipient: Cordova Historical Society

Letter: Greetings,

This is a petition to keep nirvana park spit/old eyak cemetery open to recreating.
This is a petition to keep nirvana park spit/old eyak cemetery open to recreating.

Diana Riedel
Cordova, AK

179
Supporters

the Cordova historical society has received a grant of $25,000 to make improvements to Nirvana park/spit. We would like to prioritize this spending and make it happen before the grant deadline expires. We would like the spit beach resurfaced, add a fire pit, maintain garbage bins, add a picnic table and benches, add restroom facilities, and also share the history of the area in signage similar to the ones found at Alaganik.

This petition will be delivered to:

- Nirvana Park Commission
  Cordova Historical Society
Comments
Dear Parks and Rec and the City of Cordova,

This letter is in response to your meetings concerning Nirvana Park and the spit. I am a full time resident of Cordova, NVE member, Eyak descendant, and mother of 2 daughters. Kiley age 11 and Elora age 2. I am also a commercial fisherman and will most likely not be able to attend the next meeting as it is scheduled on the first opener.

However I feel very strongly about this issue. I have my degree in Rural development with an emphasis in lands and natural resource management and a minor in Alaskan Native studies and art. I am continually studying Native American spirituality and art In work. I fully support Native beliefs and culture and respecting our dead and elders...but cutting off access and swimming at nirvana does not make any sense to me. I grew up not having taboos about graves and no one ever told me it was wrong to still live your life and play around the dead. I truly do believe that the sound of children's laughter is the best sound in the world and is a joy to be around and hear. I believe my ancestors would want children playing around them and enjoying life. I could go on and on about native beliefs, however I think we all have our own religions and spiritually and I feel like it's people with other beliefs telling me that it's disrespectful to play around graves and not how I was raised or taught. My parents were part of the repatriation where the native community got bodies back from the museum and they went around and helped re bury them. In the village sites the bodies and graves were buried next to the dwellings and where people lived and worked and played. There are graves all over Cordova that many might not know about. There are bodies under the trailer court on the lake, next to the 5 mile boat launch, next to the houses by the high school, out at orca, and the railroad and highway cut right thru the cemetery at 21 mile at the original village site.

The whole world is sacred and a burial spot. It should be respected and loved and taken care of. Picnics ,swimming, birthdays ,weddings, and other outside activities at Nirvana park are not hurting anyone! These activities are enriching the area and make it more special. I was very excited about the grant and proposed improvements to this special spot.

Please do not further restrict access and recreation on the spit. It is an important place to the whole community. It is the safest and warmest place for us to take the toddlers and kids for swimming. Skaters cabin is not an option for walking to with gear and food. Its not as warm and its not as safe. Kids swimming is not going to further erode the beach. Instead of going this route I would rather see more area created and the beach extended and built up if the graves need more protection.

Also I would like to address the Eyak burial caucus. On the last letter I read from them it was signed by four people and only one of them lives here in town. I do not think that this fairly represents the Native voice in this. I am Eyak and I was never invited into the Eyak burial caucus, and none of my 25 or so Eyak cousins have been invited either. This is not a fair representation of the feelings and views of the Eyak people. But I also believe that non natives should have just as much of a voice in this. This spot is special to everyone who uses it. Please listen to everyone's input on this issue equally.

I think nirvana park should be open for the community to picnic, swim, and play. We have been taught it was a burial spot and continue to enjoy it. It has cohesively been a cemetery, park, and swimming spot for over 60 years. It can and should continue this way. Nirvana park should remain a park for our children and future generations.

Thank you,

Diana Rae Riedel
<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Date</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teal (Webber) Hansen</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>As an Alaskan Native and life time Cordovan with roots within the community, I'm signing in order to proceed with using the generous funding to better the Spit. I'm signing for my children so that they can enjoy this area as I did in my childhood.</td>
</tr>
<tr>
<td>Crystal Hughes</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>Thank you Diana for spearheading this petition!</td>
</tr>
<tr>
<td>Emily Taylor</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>It makes sense.</td>
</tr>
<tr>
<td>Bryan Mills</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>I'd like to see an expansion and improvement of this area so that all Cordovans may respect and enjoy it for years to come.</td>
</tr>
<tr>
<td>Penny Johnson</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>We love using the spot to swim at and play all summer!</td>
</tr>
<tr>
<td>Steven Renfeldt</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>Recreation absolutely can be done with cultural sensitivity and respect. Let's keep this beautiful place open so that we can all enjoy it.</td>
</tr>
<tr>
<td>Tyler Dillon</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>The spit has been a part of most Cordovans lives a great place for healthy outdoor activities near town and wonderful for families with young children. I want to see my niece's enjoy it growing up just as we all have. The beautification of the spit described in this petition sounds like an amazing addition to our community that everyone will benefit from.</td>
</tr>
<tr>
<td>mimi silveira</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>It make a lot of sense it's Cordova's beach!</td>
</tr>
<tr>
<td>Chris Bolin</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>Also signing for my wife who is a native and my 3 children whom enjoy this area. Please considie the loss of using this area as a huge impact to this community year round... more erosion is done due to weather there then anything other activity..... thanks Bolin Family</td>
</tr>
<tr>
<td>Jeremiah Beckett</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>The Spit is a vital community recreation spot for families and has been for decades. Unsure who's not so bright idea it was to try n change that but obviously they didn't grow up here or share the same values of local natives and community on how this area should be enjoyed by the generations. Please reopen the spit, it's summer time and schools almost out.</td>
</tr>
<tr>
<td>Angel Edwards</td>
<td>Norfolk, VA</td>
<td>2017-05-18</td>
<td>I was raised in Cordova and the Eyak Spit is where we spent most of summers...its sale its convenient and is used by many. It should remain how is has been the last 60 years as Diana said....</td>
</tr>
<tr>
<td>Rachel Hoover</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>I'm happy to see the motorized traffic go from the spit, it was an accident waiting to happen. The spit is a beautiful place with much history. I feel we can respect the dead and continue to have our children grow up along side them.</td>
</tr>
<tr>
<td>JJ Stevenson</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>I've had some good times with friends at the spit during the summers and would like to continue to do so.</td>
</tr>
<tr>
<td>Anica Estes</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>The spit is a sacred place for everyone. Cordova's ancestors would not want its children to stop living their lives in a place that's been enjoyed by everyone for decades.</td>
</tr>
<tr>
<td>Jack Stevenson</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>I grew up right next to the park and we all would swim there all summer. Back then they tied up float planes and fishing boats. It is a great place for family's to enjoy the sunny days in Cordova.</td>
</tr>
<tr>
<td>Jason Barnes</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>So many memories of fun times as a child, family, friends, picnics. Let the dead be dead and let the living live. There is no disrespect in this. The dead lived there lives, it is the livings turn to do the same.</td>
</tr>
<tr>
<td>Onika Tiedeman</td>
<td>River Falls, WI</td>
<td>2017-05-18</td>
<td>A favorite place for everyone in the community past and present!</td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Date</td>
<td>Comment</td>
</tr>
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<tr>
<td>Janet McManus</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>I would like to see the grant funds put to work to improve the spit and Nirvana park in a way that continues to foster recreation and respect for the rich history of the site. This is such an important swimming and historical site for Cordova. It would be a shame if either component were overlooked. If erosion is the problem please build the spit back up rather than cutting off recreational use. Please hear the voice of our community.</td>
</tr>
<tr>
<td>Sarah Phillips</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>I'm pretty sure they grew up here &amp; are Alaska native.. they just have a different set of beliefs on how the land should be used :</td>
</tr>
<tr>
<td>Sarah Phillips</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>Agreed!</td>
</tr>
<tr>
<td>Becki Shipman</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>As a long time resident of Cordova, and having two grown children that were raised here, I have had the pleasure of utilizing this prime recreation area many times. It has always been a gathering place for Cordova’s residents in the summer. Many sunny days, flocks of children can be seen heading down Lake Avenue with their towels around their necks and floats in tow. Coming from a community that has always struggled with finding suitable recreational activities for our youth, it is always a hard hit when established activity sites are taken away. I believe that weather is the biggest factor in the erosion of the spit, not the recreational users. I am hoping alternative resolutions, like reinforcing the spit would be a better solution to preserving the area than “restricting access”. Either way, I hope a compromise can be reached between both groups, that allows use of the spit by the community while ensuring the site is respected for it’s historical background.</td>
</tr>
<tr>
<td>LeRoy Gilkison</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>No who is the genius to come up with this proposition. I think it’s like this without talking to the people first</td>
</tr>
<tr>
<td>Tiffany Beadle</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>I’m signing because this place was always filled with kids laughing and playing when I grew up in cordova. It’s a safe place to be outside and away from a tv. I am also eyak and would like it to be respected and kept available to the public for use. I do like the restriction of vehicles down there also. Hoping for another beautiful summer outside!</td>
</tr>
<tr>
<td>Kristie Beckett</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>Nirvana spit is a fantastic and special place in Cordova and should be kept as an open park. Removing vehicle traffic is a great idea. Continuing to allow beach access for picnic and swimming for enjoyment by all should be a priority. With planning the historical and grave sites can be kept and marked appropriately. With community involvement and commitment for respect this can be achieved to keep park open for all.</td>
</tr>
<tr>
<td>Ericka Novak</td>
<td>Juneau, AK</td>
<td>2017-05-18</td>
<td>I grew up in Cordova and this was where we spent our summers.</td>
</tr>
<tr>
<td>Christopher Sanculi</td>
<td>Wasilla, AK</td>
<td>2017-05-18</td>
<td>this is where I grew up. I ran and played through the picnic area and ran the trails around graves that are unmarked. It would be nice to see them marked with the names of individuals who lay and rest. it would be great for our children and their friends and their children and friends to know this place the way we did.</td>
</tr>
<tr>
<td>Diane Wiese</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>Cordova needs family friendly places to recreate. This is centrally located, and has been the perfect spot for families with small children to recreate for many years. Looking forward to a facility upgrade!</td>
</tr>
<tr>
<td>Gary Graham</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>It’s been a recreation to take little ones to swim and play on nice days. Not many places to do that in Cordova.</td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Date</td>
<td>Comment</td>
</tr>
<tr>
<td>-------------------</td>
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<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Demian Elliott</td>
<td>Seattle, WA</td>
<td>2017-05-18</td>
<td>I'm not from Cordova but I have enjoyed many peaceful hours in Nirvana Park &amp; on the spit over the years, since the early 1990's. It's always been a bit of an oasis for me, a place where I could get away from town if there wasn't time to go out of town. I have always had a deep sense of respect for the burial grounds both in the park &amp; on the spit, as I have heard &amp; felt from Cordovans over the years. I hope to see this area continue to be enjoyed by the living residents of Cordova while honoring the Eyaks who are buried there.</td>
</tr>
<tr>
<td>Erica Hirsch</td>
<td>Bellevue, WA</td>
<td>2017-05-18</td>
<td>I used to live in CDV and may return someday with my young son. I always enjoyed the Nirvana Park. It is close to town for walking and unique, historical, a good peaceful family place. Love the mix of little trails and beach.</td>
</tr>
<tr>
<td>Bill Howard</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>I totally agree with the letter</td>
</tr>
<tr>
<td>Grace Stevens</td>
<td>Clinton, IN</td>
<td>2017-05-18</td>
<td>Cordova is my hometown and I have many fond memories of swimming and picnics on the spit and in the park. Families need to have more options on places to enjoy and take their children that are accessible to everyone. Growing up this park and spit was easy to get to and all of us kids had a blast there each summer. Would love to see this area restored to its original glory!!</td>
</tr>
<tr>
<td>Jessica Kennison</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>I want to see the Nirvana Park remain a public spot.</td>
</tr>
<tr>
<td>Shane Songer</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>I want to keep all of Nirvana Park and the spit open to recreating!!</td>
</tr>
<tr>
<td>Denise Hamberger</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>My family has always enjoyed many different activities in this area. We would be saddened my the closure of this wonderful and beautiful spot to remember the past and create memories in the future.</td>
</tr>
<tr>
<td>Wendy Kimber</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>We utilize the spit all year</td>
</tr>
<tr>
<td>John Harmon</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>Because people deserve a touch of Nirvana while living in Shangri-la. I think that bathrooms will cost much more, but I like the rest of the plan. Raise the whole spit by about four feet, ask local construction companies to do it at a discounted price. Blessings.</td>
</tr>
<tr>
<td>Debarha McCullough</td>
<td>Fredericksburg, VA</td>
<td>2017-05-18</td>
<td>I'm a chugach native and was born and raised in cordova and swam in that area my young life. Taking the recreational aspect of that area away from the community would not be a good thing...thank you for your consideration</td>
</tr>
<tr>
<td>Todd Nothstine</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>Nirvana park spit is an ideal recreating spot on Eyak lake. It would be a travesty to see it closed to Cordovan's who want to enjoy outdoors our beautiful environment.</td>
</tr>
<tr>
<td>Amanda Coward</td>
<td>Concrete, WA</td>
<td>2017-05-18</td>
<td>I totally agree with Diana!</td>
</tr>
<tr>
<td>Kathleen Sack</td>
<td>Auburn, WA</td>
<td>2017-05-18</td>
<td>I am an annual visitor and enjoy all the outdoor activities when I come to town.</td>
</tr>
<tr>
<td>Kevin Kimber</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>To keep the Split open for recreation use.</td>
</tr>
<tr>
<td>Leslie Justice</td>
<td>Anchorage, AK</td>
<td>2017-05-18</td>
<td>I'm against closing off the spit. I lived in Cordova for 56 years and lived on the lake across from the park and spit. The spit was used by adults and children, on a daily basis in the spring and summer. Taking this away from the community will be terrible, our young people will be hurt by this.</td>
</tr>
<tr>
<td>Kelsey Appleton</td>
<td>Cordova, AK</td>
<td>2017-05-18</td>
<td>I'm signing because I believe that the cultural history and use by present/future community members can coexist at the spit.</td>
</tr>
<tr>
<td>Jeannie Chandler</td>
<td>Cordova, AK</td>
<td>2017-05-19</td>
<td>I believe allowing continued recreational activities to continue in Nirvana Park would be of best interest for our community. I would like to see the rich history honored perhaps with informational displays throughout the area. As our community enjoys the beauty of this location educational history could also be displayed, honored and appreciated.</td>
</tr>
<tr>
<td>Ann Howard</td>
<td>Cordova, AK</td>
<td>2017-05-19</td>
<td>I would like to see Nirvana Park stay a recreational area for swimming, picnics, and families!</td>
</tr>
<tr>
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<tr>
<td>Ron Horton</td>
<td>Cordova, AK</td>
<td>2017-05-19</td>
<td>I'm signing because it should be used for all family's of Cordova to enjoy life here and be part of a thriving community not sowing community that place gives life.</td>
</tr>
<tr>
<td>Laura Hanson</td>
<td>Cordova, AK</td>
<td>2017-05-19</td>
<td>This is an important recreational site in Cordova.</td>
</tr>
<tr>
<td>Alicia Jensen</td>
<td>Cordova, AK</td>
<td>2017-05-19</td>
<td>I agree 100%</td>
</tr>
<tr>
<td>Dawn Glasen-Richter</td>
<td>Holland, MI</td>
<td>2017-05-19</td>
<td>Was an improtant part of my childhood. It should go on for generations</td>
</tr>
<tr>
<td>Carol Potter</td>
<td>Cordova, AK</td>
<td>2017-05-19</td>
<td>&quot;Going to the spit&quot; is one of the best/oldest in town options for family fun. Cordova would not be the same without it.</td>
</tr>
<tr>
<td>David Johnson</td>
<td>Wasilla, AK</td>
<td>2017-05-19</td>
<td>The spit and Nirvana park are a very important part of mine, and many many others childhood upbringings. It's a memory of Cordova that will never be lost and new memories should never stop being made there.</td>
</tr>
<tr>
<td>Gary Schreib</td>
<td>Anchorage, AK</td>
<td>2017-05-20</td>
<td>Upkeep in a place like that is a must. I remember days as a child in that lake.</td>
</tr>
<tr>
<td>Austin Burton</td>
<td>Cordova, AK</td>
<td>2017-05-20</td>
<td>I loved driving down there to jet ski and enjoy the view.</td>
</tr>
<tr>
<td>Katie jo Roehmidt</td>
<td>Cordova, AK</td>
<td>2017-05-20</td>
<td>With three small children I find this to be the easiest and safest place to bring them to enjoy summer sunshine and swimming. I think removing vehicle traffic will help curb any damage but removing foot traffic and peaceful recreation to tax paying cordovans seems extreme. Im hoping a true compromise can be reached.</td>
</tr>
<tr>
<td>Even Evason</td>
<td>Anchorage, AK</td>
<td>2017-05-21</td>
<td>Former Cordova area resident with many fond memories of picnics and just playing at that park. And I learned not to be scared of cemeteries.</td>
</tr>
</tbody>
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## Signatures

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<thead>
<tr>
<th>Name</th>
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<tr>
<td>Diana Riedel</td>
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<td>2017-05-18</td>
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<td>Marcela Wagner</td>
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Priorities for proceeding with funding for Nirvana Park/Spit

(In order of Importance)

- Resurface the swimming beach and retain the land from erosion.
- Put in fire pits, benches, picnic tables, and trash collectors.
- Sharing history of the area with signs like Alaganik.

<table>
<thead>
<tr>
<th>Signature/Name</th>
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<tbody>
<tr>
<td>1. Diana Peedel</td>
<td>(907) 253-5364, <a href="mailto:dianapeedel@hotmail.com">dianapeedel@hotmail.com</a></td>
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<tr>
<td>2. Kenneth Peedel</td>
<td>(907) 253-5364</td>
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<td>3. Ravid Madison</td>
<td>231-3130</td>
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<td>4. Jerry Cunningham</td>
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<tr>
<td>5. Mike Dall</td>
<td>907-748-7944</td>
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<tr>
<td>6. Samantha Renner</td>
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<td>7. Ray Renner</td>
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<td>36. David Stinson</td>
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<td>37. Tom Clark</td>
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Petition to keep Nirvana Park Spit/ Old Eyak Cemetery open for Recreating

Priorities for proceeding with funding for Nirvana Park/Spit

(In order of Importance)

- Resurface the swimming beach and retain the land from erosion.
- Put in fire pits, benches, picnic tables, trash collectors, and a restroom
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<td>Lorene Black</td>
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<tr>
<td>Carmen Nourie</td>
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AKNorth
Dear Parks and Rec, City of Cordova, Native Village of Eyak, the Eyak Burial Caucus, and The Cordova Historical Society,

My name is Jill Graves and I was born and raised here in Cordova, and am now raising my 3 children Kaiden age 15, Alice age 11, and Addison age 5 here. I am also an Eyak descendant and Native Village of Eyak tribal member.

This letter is addressing the Nirvana Park Spit access. I was raised knowing this area was a burial ground and have respected it and enjoyed it with my family.

I am in support of keeping it a swimming spot with fireplaces, trash collections, and a toilet. I was excited to hear about the grant money for improvement to this area and think the money should still go to helping with these plans.

The spit has cohesively been a burial ground, park, swimming area, and place for the annual easter egg hunt for over 60 years and it should continue to be.

Thank you for reading my concerns. I have not been able to attend any of the meeting as I work full time.

Sincerely,

Jill E. Graves

(and family Kaiden, Alice, and Addison)

(907) 253 5679
May 17th, 2017

Dear Parks and Rec, City of Cordova, Native Village of Eyak, the Eyak Burial Caucus, and The Cordova Historical Society,

My name is Monica Riedel and I am an Eyak descendant and elder. I raised both my children here in Cordova and frequently recreated at Nirvana Park Spit with them. I took them to all the annual Ester egg hunts, swimming, had birthday parties for the kids down there. I was raised knowing this area was a burial ground and have respected it and enjoyed it with my family. I was also part of the Repatriation of our ancestors at the spit and in other locations around the sound.

I have a background in anthropology and a deep level of respect for our Native culture and history.

I am in support of keeping Nirvana Park and spit a swimming spot with fireplaces, trash collections, and a restroom. I would like to take my grandchildren to play and swim and teach them as I did with my own children.

The spit has cohesively been a burial ground, park, swimming area, and place for the annual Easter egg hunt for over 60 years and it should continue to be.

Thank you for your time in this.

Sincerely,

Monica Riedel

(907) 350-1146
June 2, 2017

Governor Bill Walker  
3rd Floor, State Capitol  
PO Box 110001  
Juneau, AK 99811

Commissioner Sam Cotten  
1255 West 8th Street  
PO Box 25526  
Juneau, AK 99802-5526

RE: Urgent Request for Review of Present Copper River area Salmon Harvest Management

Dear Governor Walker and Commissioner Cotten:

The community of Cordova greatly appreciates your response to the community of Cordova’s request to hold a Salmon Harvest Task Force (SHTF) meeting in Cordova. Commissioner Cotten and Director of Commercial Fisheries Scott Kelley hosted the meeting this May 20th in Cordova and facilitated what we feel was a very productive dialogue. Attendance by 200 commercial and subsistence fishermen, processors, tribal, and other fisheries stakeholders is testimony to both the impact of management decisions on livelihoods, and the frustrations of user groups in the entire watershed who rely on the resources of the Copper River and Prince William Sound for economic or direct consumption subsistence.

The source of the frustration is fairly clear. To be blunt, Department policy and management for assuring both sustained yield and economic opportunity is deeply flawed for several key reasons.

More specifically:

1) Forecasts and Emergency orders are issued before the salmon arrive, and are used as the primary management tool even after the salmon returns manifest their actual strength. With this spring as an example, an overly conservative forecast based on questionable and opaque statistical methods was the basis for unprecedented restrictions on commercial fisheries in Area E and for subsistence, personal use, and sport fishing emergency restrictions upriver months before the salmon arrive in those tributaries.

2) The Department’s primary tools for measurement of the salmon are widely inconsistent and untimely in that commercial harvests must be very accurately reported and documented within 24 hours of catch, while subsistence harvests are due months after harvest, and sports and personal use harvests do not require reporting at all. The sonar counter that has been in use for decades measures the strength of the return an estimated 10 days after salmon are in the commercial harvest area, and cannot distinguish between Sockeye salmon and Chinook salmon. The Native Village of Eyak’s capture/marker fish wheels are even farther up the river and are also a lagging indicator of abundance.
3) The numbers and demographics of user groups and their impacts on the resource are changing in a relatively rapid manner while Department policies and management are not. Commercial fisheries permits are restricted to a limited entry basis of 537 permits in Area E, but the expansion of subsistence, sport, and personal use permits with population growth and access is consuming a progressively larger percentage of the resource.

I cannot communicate some of these points more clearly than by sharing the most recent Department announcement and sonar numbers for the Copper River District:

"COPPER RIVER DISTRICT: King salmon harvest from the first four fishing periods was above anticipated levels despite unprecedented area restrictions, and poor weather conditions in the second and third fishing period that reduced harvest efficiency. This information continues to provide a preliminary indication of above anticipated king salmon abundance. Given the poor preseason king salmon outlook, a continued conservative commercial fisheries management approach is warranted. The Copper River District will open for a 12-hour commercial fishing period from 7:00 am to 7:00 pm, Thursday, June 1. Waters within the expanded Chinook salmon inside closure area will be closed during this period.

Cumulative sonar count through 5/30 was 151,182 fish whereas the anticipated range for this date is 81,746–127,950. The 0600 count for 5/31 was 3,204 fish. Preliminary harvest estimates from the 10-hour period that occurred on Monday, May 29 are 2,100 Chinook and 38,600 sockeye salmon with 483 deliveries reported. This compares to an anticipated harvest of 84,000 sockeye salmon for this period."

Translation of this announcement: Despite making every effort to assure that as few as possible Chinook and Sockeye salmon are harvested by the commercial and subsistence user groups in the Copper River District, salmon are still being harvested in strong numbers and the sonar count is well above the high range, which indicates a strong abundance. However, we will continue to treat the actual catch and sonar data as a preliminary indication and leave the unprecedented restrictions on harvest in place in deference to the preseason outlook. The catch was nearly half of what was anticipated for the opener despite the unprecedented closed area which historically produces the majority of the catch.

Despite the Department communicating that a greater than forecasted abundance would be the mechanism for reconsidering or reducing any of the hyper-restrictive and unprecedented closures of the most productive of Area E waters, the third and fourth openers were even more restrictive than the first two despite the strong catches and good sonar indicators.

The effects of these confusing and inconsistent signals and management decisions are negatively impacting the economic health of the community of Cordova and the livelihoods of commercial and subsistence fisheries stakeholders in the region.

The May 20th SHFT meeting was a good first step in working together to implement positive change that can move the Department and users groups from reactionary to proactive measurement, management, and allocation of critical fisheries resources. We look forward to the tentatively
scheduled October, 2017, SHTF meeting to extend this momentum.

We have positive long term suggestions for ways that user groups and various divisions of the Department can work more collaboratively to assure the health and yield of our resources. But as this season’s salmon runs traverse the Copper River District, it is imperative for Cordova to have access to the salmon resource on which we rely for survival when the abundance warrants it as evidenced by the department’s own published data and analysis outlined above.

This letter has the unanimous support of the Cordova City Council: James Burton, Kenneth Jones, Jeff Guard, Robert Beedle, Josh Hallquist, David Allison and James Wiese. Please contact me, preferably by call or text to my cell phone (907) 253-5026 at your earliest convenience and at any hour if you have any questions or a response to this request. We appreciate your consideration in this matter.

Respectfully,

Clay Koplin, Mayor
City of Cordova
A Season of Kayaking

AC Races
Groundfish on a Fly
Lumpies, Grayling, and Dwarf Dolly Varden
The Cordova Center
Its use and occupancy have exceeded projections

BY SYLVIA LANGE

THE TINY COASTAL TOWN OF
Cordova has seen more than a
hundred years of ups and downs.
Cordova sits between Orca Inlet
on Prince William Sound and the
spreading wetlands of the Copper River
Delta. Like many Alaska communities,
Cordova is accessible only by air or water.
Jet service runs daily, and the Alaska
Marine Highway from Whittier and
Valdez docks ships regularly.
Originally the site of the Native Village
of Eyak, Cordova relies on commercial
fishing and processing—the first cannery
here opened in the 1880s. Cordova was
incorporated in 1909 after the huge
copper discovery up the Copper River in
Alaska’s interior. The new terminus of the
Copper River and Northwestern Railway
was constructed, bringing copper from
the mines at Kennicott to meet the
steamships in Cordova, and the motto
was “Where the rails meet the sails.” The
copper played out in the late 1930s, but
the salmon-fishing industry continues to
be the mainstay.
During World War II, Cordova was an
important seaport and airport for
supplying troops and equipment. Known
also as the Clam Capital of the World,
Cordova also had a thriving razor-clam
processing industry.
In 1964 the Great Alaska Earthquake
struck the southcentral part of the state,
and the epicenter was 80 miles north-
west of Cordova. The quake forever
The topography of Prince William Sound and the Copper River Delta, Cordova lost its harbor, and the land mass rose an estimated 30 feet. Razor clams disappeared, Cordova's indomitable spirit challenge. Rebuilt the harbor and the fishing remained a stalwart industry To enhance and protect its salmon resources, shermen and processors comprise fish hatcheries in Prince William Sound and promoted branding of Copper River Salmon with strict quality standards and a marketing program.

In 1989 the Exxon Valdez oil spill was a reminder that the area's ecosystem is on potentially vulnerable to oil spills. The spill galvanized the community to plan for a future that would not be dependent on greater economic ill reeling from the effects of oil spills. The Cordova Center was born.

Twelve years later, despite some skepticism at the outset, the dream became a reality, and an overflow crowd of well-wishers from around the state attended the grand opening of the multi-million-dollar facility. Funding sources included a wide mix of city, state, and federal dollars, the Exxon Valdez Oil Spill Trustees, and charitable investments from national and state wide organizations such as the Rasmuson Foundation, as well as local organizations. Individual businesses and people made significant contributions, and in November 2015, the doors opened.

The Cordova Center is a living example of community-inspired development and is a 34,000-square-foot, fully accessible multi-use facility. Centrally located in the heart of Cordova, it anchors the business district and ties it with a short walk to the waterfront. This modern building hosts Cordova's city hall, public library, historical museum, and the North Star Theater. In addition to city functions, the Cordova Center has a state-of-the-art conference center complete with a 200-seat performing-arts theater and lecture hall, breakout meeting rooms, education areas, and associated work spaces.

The multi-purpose auditorium is appropriate for theater and performance groups, film festivals, conferences, conventions, and symposiums. Within its first year of opening, the Cordova Center hosted the annual Alaska Historical Society and Museums Alaska Conference with 175 attendees, the Alaska Power Association Annual Meeting, National Hydropower Association, Alaska Bird Conference, and numerous science symposia sponsored by Prince William Sound Science Center and U.S. Forest Service.

The influx of out-of-towners and visitors to this small town, especially during the shoulder and off seasons, is a boost to the local economy. In a town the size of Cordova, even relatively small events help local restaurants, hotels, and retail businesses.

Also, the center is used regularly for art shows and local events such as the senior prom, athletic awards, wedding receptions, and festivals such as the Fungus Festival and Shorebird Festival.

"The center is all we wanted it to be and more," says Cathy Sherman, information services director and lead in its many years of planning and ongoing operations. "Its use and occupancy have exceeded projections, and it has become a central mainstay of Cordova life."

Sylvia Lange is a lifetime Cordovan, Alaska Native, and owner, with her spouse of the Reluctant Fisherman Inn on the Cordova waterfront.
A memo from Susan Bourgeois, CMC, City Clerk

DATE: May 30, 2017

TO: Mayor and City Council

SUBJECT: Resolution 06-17-17


1) A mill rate of 12.06 would achieve revenue of $2,473,944 – the closest to $2.474 million, going out only 2 decimal places, which was the revenue goal set when Council passed the 2017 budget in December of 2016.

2) A mill rate of 12.44 would put Cordova at property tax revenues of $2,551,895 for 2017.


RECOMMENDED MOTION: Move to approve Resolution 06-17-17 with x inserted as the mill rate.

REQUIRED ACTION: Majority roll call vote.
### Mill Rate Scenarios 2017

**2017 Total Taxable Value is $205,136,290, Therefore, Each Mill Gains $205,136.29 in Property Taxes**


1. **closest to budgeted revenue of $2.474 M**
   - Mill rate increase of 1.01 mills to 12.06 mills
   - Cordova City Limits Total Taxable 2017: $205,136,290
   - Value of home: $200,000
   - Annual increase: $202.00
   - Monthly increase: $16.83
   - Total Tax Revenue: $2,473,944
   - Total Property Taxes: $2,551,895

2. **to get property tax revenue of ~ $2.55 million**
   - Mill rate increase of 1.39 mills to ~ 12.44 mills
   - Cordova City Limits Total Taxable 2017: $205,136,290
   - Value of home: $200,000
   - Annual increase: $278.00
   - Monthly increase: $23.17
   - Total Tax Revenue: $2,551,895

3. **to get property tax revenue of ~ $2.6 million**
   - Mill rate increase of 1.63 mills to 12.68 mills
   - Cordova City Limits Total Taxable 2017: $205,136,290
   - Value of home: $200,000
   - Annual increase: $326.00
   - Monthly increase: $27.17
   - Total Tax Revenue: $2,601,128

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CITY OF CORDOVA, ALASKA
RESOLUTION 06-17-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA,
SETTING THE MILL RATE FOR THE 2017 TAX YEAR

WHEREAS, Alaska Statute, Section 29.45.240 and Cordova Municipal Code 5.36.240
require that the mill levy be established by resolution annually prior to June 15 of the tax year; and

WHEREAS, in accordance with Cordova Municipal Code Section 1.18.010 A, this rate
setting resolution requires a public hearing before passage.

NOW, THEREFORE BE IT RESOLVED THAT the City Council of the City of
Cordova, Alaska, hereby sets the mill rate for 2017 real property at **XX.xx** mills for all properties
in the City of Cordova.

PASSED AND APPROVED THIS 7th DAY OF JUNE, 2017

______________________________
Clay R. Koplin, Mayor

ATTEST:

______________________________
Susan Bourgeois, CMC, City Clerk
AGENDA ITEM # 24
City Council Meeting Date: 6/7/2017

CITY COUNCIL COMMUNICATION FORM

FROM: Planning Staff

DATE: 5/31/17

ITEM: Proposal for Lot 8 and 9, Block 1, Odiak Park Subdivision

NEXT STEP: Review Proposal and Possibly Award Property

I. REQUEST OR ISSUE:

Requested Actions: Review proposal
Legal Description: Lot 8 and 9, Block 1, Odiak Park Subdivision
Area: Lot 8 = 8,334 SF; Lot 9 = 8,380 SF
Zoning: Low Density Residence District
Attachments: Letter of Interest
Plat
Location Map
Proposal Packet (The packet distributed to potential proposers)
Proposal from Bradford, Campbell and Weise

The request for proposals for this property began April 1st, 2017 and ended May 1st, 2017 at 10 AM. The City received one proposal for the property. Attached is the full proposal packet and the proposal.
The proposed price from Bradford, Campbell and Weise was $3.30 per square foot for a total of $10,000.

Per the Request for Proposals for the property: “The City Council reserves the right to reject any proposal, part of any proposal, or all proposals. The City Council may accept and negotiate with any proposer deemed most advantageous to the City of Cordova.”

II. RECOMMENDED ACTION / NEXT STEP:

Staff suggest the following motion:

“I move to award the disposal to Bradford, Campbell and Weise for portions of Lot 8 and 9, Block 1, Odiak Park Subdivision.”

III. FISCAL IMPACTS:

The city would receive purchase price of the property and future property tax revenue.

IV. BACKGROUND INFORMATION:

2/2/17 – Letter of interest received from Eagle Contracting (Attachment A).

2/14/17 – At the Planning Commission Regular Meeting, the commission recommended disposing of the lot by direct negotiation:

M/Bird S/Roemhildt to recommend to City Council to dispose of Lot 8 and 9, Block 1, Odiak Park Subdivision as requested in the letter of interest from Eagle Contraction as outlined in Cordova Municipal Code 5.22.060B by negotiating an agreement with Eagle Contracting to lease or purchase the property.

Bird said she had wondered about the same questions raised by Bradford. Bird said it sounded like the lot lines would have to be addressed. Greenwood said that a title search would clear it up and costs would have to be negotiated. Roemhildt said that in the past they have not sold nearby land because of the greenbelt issue. He said that disturbing the ground may affect the foundations of the houses. Pegau said that the property was a steep cliff and he doesn’t see how it could be developed and meet setbacks without a lot of rockwork.

Frohnapfel said he wanted to refer it back to staff to resolve the property line issue. He said it was not up to the commission to determine whether or not someone could use the property; it was whether or not the property is for sale. Greenwood said that the city does not have the funds to resolve the issue and that typically the title search would be a part of the disposal process. Staff did not know the issue existed until they received a letter of interest. In a typical land sale these sorts of title issues are sorted out during closing. Stavig said that there is a substantial amount of land the city shows as available that the city doesn’t even have title to yet. Greenwood pointed out that this was similar to the Section Line easement they discovered on the Power Creek property; all of these issues get sorted out during the disposal process, so that the costs for sorting the issues out can be a part of the negotiations.

McGann said that you can’t do something on your property that adversely affects the neighbor’s property. He said that just because it is available does not obligate the commission to dispose of it.
Bird said that all of the properties along the hill were shown as available and that maybe they should look at making all of the lots not available.

M/Bird S/Roemhildt to amend the motion to recommend to City Council to dispose of portions of Lot 8 and 9, Block 1, Odiak Park Subdivision as outlined in Cordova Municipal Code 5.22.060 by requesting sealed proposals to lease or purchase the property.

Upon voice vote, amendment passed 5-0.
Yea: McGann, Pegau, Roemhildt, Frohnapfel, Bird
Absent: Baenen, Kocan

Upon voice vote, main motion passed 3-2.
Yea: McGann, Baenen, Roemhildt
Nay: Pegau, Frohnapfel
Absent: Baenen, Kocan

3/1/17 – At the City Council Regular Meeting, council directed staff to put the property out for proposals:

M/Hallquist S/Joyce to direct the City Manager to dispose of Lots 8 & 9 Block 1 Odiak Park Subdivision as outlined in Cordova Municipal Code 5.22.060 B by requesting sealed proposals to lease or purchase the property.

Hallquist said he drove by the lots today, he read the letters Council has received, he read what planning and zoning recommended and he read the information that the City Clerk sent. He said we listed this as available for sale – thinks it wouldn’t be right to pull it back then after someone send a letter of interest on it. Hallquist said he read Tom McGann’s comments from the Planning and Zoning meeting which say that you cannot do something on your own property that would adversely affect your neighbor’s property so he is willing to take proposals on this lot and see what comes in. Joyce agreed and said we should at least see what ideas are out there, including adjacent landowners who are more than welcome to put proposals in. He said once the proposals are in, Council could opt against choosing any one of them. Allison said he also thinks it never hurts to get proposals on a lot, he said we are still at the beginning stages of this one. Bailer said he would support it but hopes staff can stay close to this one, really understand what a contractor intends to do here before approving a proposal.

Vote on the motion: 4 yeas, 0 nays, 2 absent (Burton, Beedle), 1 conflict of interest (Wiese). Motion was approved.

5/1/17 – Proposal received from Bradford, Campbell and Weise.

5/16/17 – At the Planning Commission Regular Meeting, the commission recommended council approve the proposal from Bradford, Campbell and Weise:

M/Baenen S/Bird to recommend City Council approve the proposal from Bradford, Campbell and Weise for portions of Lot 8 and 9, Block 1, Odiak Park Subdivision.

McGann said that they had not received a proposal from David Sjostedt, who had submitted the original letter of interest. Baenen said that they have a criteria for proposals that only should be used when they receive more than one proposal. He did complete the criteria, but he could go either way as the land will probably sit there another 100 years. Greenwood explained that with the letter of interest there had been some concerns about developing the property. Bird said that if the property has so many issues, she wondered why they had it available. The proposal makes a lot of sense to her and she supports it. Pegau said he likes the idea of getting the area replatted and
Frohnapfel said he thought it was a great proposal that solved many different issues. He also wanted the area below delineated as a greenbelt and not available on the land disposal maps. McGann said he was in support and that it made perfect sense and that the greenbelt was in a perfect spot. Greenwood said that they would figure out the location of the easement and the terms during the replat process.

Upon roll call vote, motion passed 6-0.
Yea: McGann, Pegau, Baenen, Frohnapfel, Kocan, Bird
Absent: Roemhildt

Applicable Code:

Section 5.22.060 – REVENUE AND FINANCE – DISPOSAL OF CITY REAL PROPERTY – Methods of disposal for fair market value.
D. A request for proposals to lease or purchase city real property shall specify the criteria upon which proposals will be evaluated and the minimum rent or purchase price. All proposals submitted in response to a request for proposals shall be reviewed by the planning commission, which shall make a recommendation to the city council to accept or decline any or all of the proposals. The city council shall review the proposals and the planning commission's recommendation and accept or decline any of the proposals.

V. LEGAL ISSUES:

Disposal documents may need legal review. Legal review may be required for the potential land conflict described in section VI.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

After receiving the letter of interest, staff researched the property and discovered a possible conflict with the property owners located northwest of Lot 8 and 9. Attachment B is the plat creating these two lots. Attachment C shows the city’s parcel data with the two areas of conflict highlighted. During disposal process, this issue will be investigated further and resolved.

VII. SUMMARY AND ALTERNATIVES:

The council can choose to decline the proposal.
ATTACHMENT A

EAGLE CONTRACTING CORPORATION
You’ve tried the rest now try the best.

RECEIVED
FEB 02 2017
City of Cordova

02/02/2017

City of Cordova
PO Box 1210
Cordova, AK 99574

RE: Per the City Land Disposal Map; Lots 8-9, Block 1, Odiak Park Subdivision

To: Alan Lanning, City Manager
Rich Rogers, Public Works Director
Sam Greenwood, City Planner

I would like to express my interest in purchasing City Lots 8-9, Block 1, Odiak Park Subdivision for future home development. Unfortunately, these lots have no sewer main access and inadequate water service; however, I am prepared to install these services.

Please contact me at your earliest convenience regarding this matter; either by my cell phone, 907-429-7702, or email, ECC1@CTCAK.NET.

Sincerely,

[Signature]
David L. Sjostedt
President
Request for Proposals (RFP) for Lots 8 & 9, Block 1, Odiak Park Subdivision

The City of Cordova is requesting proposals for Lots 8 & 9, Block 1, Odiak Park Subdivision. Lot 8 is approximately 7,900 square feet and Lot 9 is approximately 6,900 square feet and both are zoned Low Density Residential. Proposals are due May 1st, 2017 at 10 AM.

INFORMATION TO PROPOSERS

The fair market value for Lots 8 & 9, Block 1, Odiak Park Subdivision is $3.30 per square foot and will be the minimum price that will be accepted for the property. The total square footage is approximately 14,800 square feet. The exact square footage will be determined by a survey of the property. If the successful proposal amount is greater than the minimum price, the proposal amount shall be the amount paid.

All proposals shall include a deposit of $1,000.00. In the event that a proposer is not awarded the property, the city will reimburse the deposit to the proposer. The deposit from the proposer awarded the property will be credited to costs associated with the disposal, even if the disposal is not completed.

Prior to disposal, property will need to be surveyed, platted, and have corners marked. Proposer will be responsible for all associated costs. Any water infrastructure on the property will have an easement placed on it.

The applicant shall also be responsible for all fees and costs the city incurred to third-parties in the transaction, including without limitation costs of appraisal, attorney’s fees and costs, surveying and platting fees and costs, closing costs and escrow fees as per CMC 5.22.100.

The attached **Lease with Option to Purchase** is a template for the agreement that will be negotiated with the proposer that is awarded the property. The total proposed price will be used to determine the lease rate.

Proposers must comply with the provisions of the attached section of City Code for the Low Density Residence District.

Proposers will be required to connect to city water and sewer at their expense.

The city may issue addenda to this RFP. Addenda will be posted on the City Webpage with this RFP. **It is the responsibility of the proposer to ensure receipt of all addenda.**

The city will consider all proposals for the property subject to any applicable laws and regulations, including Chapter 5.22 of the Cordova Municipal Code (CMC).

The Planning Commission will review all submitted proposals. The Planning Commission will then make a recommendation to the City Council. The City Council reserves the right to reject any proposal, part of any proposal, or all proposals. The City Council may accept and negotiate with any proposer deemed most advantageous to the City of Cordova.

For additional information or questions about the land disposal process, contact the City Planning Department at 424-6220, planning2@cityofcordova.net, or stop by in person.
ADDITIONAL REQUIRED INFORMATION

Please include with your proposal information that addresses the following items and any additional information which you wish to provide.

1. Describe the proposed development in detail.

2. What is the proposed square footage of the development?

3. Provide a sketch, to scale, of the proposed development in relationship to the lot. (Attachment C)

4. Describe the benefit of the proposed development to the community.

5. What is the value of the proposed improvements (in dollars)?

6. What is your proposed timeline for development?

ATTACHMENTS

Attachment A: Criteria used when evaluating each submitted proposal.
Attachment B: A location map showing the subject property with a scale.
Attachment C: The property parcel with measurements.
Attachment D: Cordova Municipal Code – R Low Density Residence District
Attachment E: Sample Lease with Option to Purchase Agreement
SEALED PROPOSAL FORM

All proposals must be received by the Planning Department by Wednesday, May 1st, 2017 at 10 AM.

Property: Lots 8 & 9, Block 1, Odiak Park Subdivision

Name of Proposer: __________________________________________________________

Name of Organization: ______________________________________________________

Address: ___________________________ Phone #: __________________________

_______________________________ Email: ________________________________

Proposed Price Per Square Foot: $____________ per square foot.

Proposed Square Footage Estimate (Provide Drawing): __________ square feet.

SUBMITTAL OF PROPOSAL

Please mail proposals to: City of Cordova
Attn: City Manager
C/O Proposals
P.O. Box 1210
Cordova, Alaska 99574

Or email proposals to citymanager@cityofcordova.net and planning2@cityofcordova.net. The email subject line shall be “Proposal for Lots 8 & 9, Block 1, Odiak Park Subdivision,” and the proposal shall be attached to the email as a PDF file.

Or deliver your proposal to the front desk at City Hall.

Proposals received after Wednesday, May 1st, 2017 at 10 AM will not be considered.
Each proposal will be evaluated on the criteria in the table below. Each criteria will be scored from 1-10. The multiplier will then be applied to the scores to determine a final score.

**Only criteria applicable to a residential zoning district will be used.**

**Final Land Disposal Evaluation Criteria**

<table>
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<th>Criteria</th>
<th>Multiplier</th>
<th>Proposal Rank 1-10</th>
<th>Subtotal for Proposal</th>
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<td>Value of improvements</td>
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<td>Number of Employees</td>
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<td>Sales Tax Revenue</td>
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<td>Importance to Community</td>
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<td>5yr Business Plan/Timeline</td>
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<td>Enhanced Architectural Design</td>
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<td>Consistency with Comprehensive Plan</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>10</strong></td>
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</tr>
</tbody>
</table>
Chapter 18.20 - R LOW DENSITY RESIDENCE DISTRICT

Sections:

18.20.010 - Permitted uses.

   The following uses are permitted in the R low-density district:
   A. One-family, two-family and three-family dwellings;
   B. Boardinghouses;
   C. Truck gardening, the raising of bush and tree crops, flower gardening, and the use of greenhouses;
   D. Home occupations;
   E. Accessory buildings and uses not used or operated for gain and not including guest houses or accessory living quarters;
   F. Required off-street parking.

(Prior code § 15.204.1(A)).

18.20.020 - Building height limit.

   The maximum building height in the R low density district shall be two and one-half stories but shall not exceed thirty-five feet.

(Prior code § 15.204.1(B)).

18.20.030 - Lot area.

   A. The minimum lot area in the R low-density district shall be four thousand square feet and the minimum lot width shall be forty feet.
   B. The minimum lot area in the R low density district for dwellings shall be:
      1. For a one—family dwelling, four thousand square feet per dwelling unit.
      2. For a two-family and three-family dwelling, two thousand square feet per dwelling unit.

(Prior code § 15.204.1(C)).

18.20.040 - Front yard.

   There shall be a front yard in the R low density district of not less than ten feet from curb line.

(Prior code § 15.204.1(D)).

18.20.050 - Rear yard.

   There shall be a rear yard in the R low density district of not less than twenty-five percent of the depth of the lot, but such yard need not exceed fifteen feet.
(Prior code § 15.204.1(F)).

18.20.060 - Side yard.

A. There shall be a side yard in the R low density district of not less than five feet. The minimum side yard on the street side of a corner lot shall be ten feet.

B. The following additional requirements shall apply to two-family and three-family dwellings in the R low density district:

   In case the building is so located on the lot that the rear thereof abuts one side yard and front abuts the other, the side yard along the rear of the building shall have a minimum width of twelve feet and the side yard along the front of the building shall have a minimum width of eighteen feet.

(Prior code § 15.201.1(L)).
Terms Highlighted in Yellow will be negotiated after award and other sections may be considered in the negotiation process.

CITY OF CORDOVA
Cordova, Alaska

LEASE WITH OPTION TO PURCHASE

This LEASE WITH OPTION TO PURCHASE ("Lease") is made by and between the CITY OF CORDOVA, a municipal corporation organized and existing under the laws of the State of Alaska (the "City"), and XXXXXXX, an Alaska corporation ("Lessee").

RECITALS

WHEREAS, the City owns that certain unimproved parcel of land in Cordova, Alaska generally described as XXXXXXX, located within Cordova Recording District, Cordova Alaska, (referred to hereinafter as the "Premises");

WHEREAS, Lessee desires to lease the Property from the City (the "Premises") from the City and the City desires to lease the Premises to Lessee, on the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the Premises and the parties’ mutual covenants, it is agreed as follows:

1. LEASE OF PREMISES

Subject to the terms and conditions set forth herein, the City leases to Lessee, and Lessee leases from the City, the Premises, as described above and illustrated in Exhibit A, attached and incorporated into this Lease.

2. LEASE TERM

The Lease Term will be (XX) years, commencing on __________, 20XX, (the "Commencement Date") and terminating at 11:59 p.m. on __________, 20XX, unless earlier terminated in accordance with the terms of this Lease. The Lease does not provide a lease renewal option.

3. RENT

A. Base Rent. The annual rent for the first ten years of the Lease Term will be XXXX Hundred Dollars and nine cents ($XXXX) or XXX Dollars ($XXX) in twelve monthly installments ("Base Rent"). Base Rent is due on the first day of each calendar month during the Lease Term. Base Rent must be paid in lawful money of the United States without abatement, deduction or set-off for any reason whatsoever, at the address set forth in Section 22.E of this Lease, or at any other place the City directs in
writing. Base Rent shall be paid promptly when due without notice or demand therefore. The parties intend the Base Rent to be absolutely net to the City. All costs, expenses, and obligations of every kind and nature whatsoever in connection with or relating to the Premises shall be the obligation of, and shall be paid by, Lessee.

B. Additional Charges. In addition to the Base Rent, Lessee acknowledges and agrees that Lessee is obligated to pay and will pay, before delinquency and without reimbursement, all costs, expenses, and obligations of every kind and nature whatsoever in connection with or relating to the Premises or the activities conducted on the Premises, including, without limitation, those costs, expenses, and obligations identified in Section 8 and all other sums, costs, expenses, taxes, and other payments that Lessee assumes or agrees to pay under the provisions of this Lease (collectively the “Additional Charges”).

Without limiting in any way Lessee’s payment obligations, the City will have the right, but not the obligation, at all times during the Lease Term, to pay any charges levied or imposed upon the Premises that remain unpaid after they have become due and payable, and that remain unpaid after reasonable written notice to Lessee. The amount paid by the City, plus the City’s expenses, shall be Additional Charges due from Lessee to the City, with interest thereon at the rate of ten percent (10%) per annum from the date of payment thereof by the City until repayment thereof by Lessee.

C. Late Fee. Rent not paid within ten (10) days of the due date shall be assessed a late charge of ten percent (10%) of the delinquent amount; the charge shall be considered liquidated damages and shall be due and payable as Additional Charges. In the event the late charge assessment above exceeds the maximum amount allowable by law, the amount assessed will be adjusted to the maximum amount allowable by law.

D. Adjustment of Base Rent. Beginning on the tenth anniversary of the Commencement Date, Base Rent shall be adjusted annually by the Consumer Price Index (CPI-U) for the Anchorage, Alaska metropolitan area, as computed and published by the United States Bureau of Labor Statistics. Annual Base Rent adjustments will be equal to the percentage change between the then-current CPI-U and the CPI-U published for the same month during the previous year, except the first Base Rent adjustment, which will occur on the tenth anniversary of the Commencement Date, will be equal to the percentage increase in the CPI-U from 2015 to the then-current year. No adjustments to Base Rent shall cause a reduction in the Base Rent. The City is not required to give advance written notice of the increase for the adjustment to be effective.

4. USES AND CONDITION OF PREMISES

A. Authorized Uses. The City and its authorized representatives and agents shall have the right, but not the obligation, to enter the Premises at any reasonable time to inspect the use and condition of the Premises; to serve, post, or keep posted any notices required or allowed under the provisions of this Lease, including notices of non-responsibility for liens; and to do any act or work necessary for the safety or preservation of the Premises. Except in the event of an emergency, the City will give 48-hours’ advance written notice of its intent to inspect the Premises. The City shall not be liable in any manner for any inconvenience, disturbance, loss of business, nuisance, or other damage
arising out of the City’s entry onto the Premises, except for damage resulting directly from
the acts of the City or its authorized representatives or agents.

B. **Compliance with Laws.** Lessee shall maintain and repair the Premises in
compliance with all applicable laws, regulations, ordinances, rules, orders, permits,
licenses, and other authorizations. Lessee shall not use or permit the use of the Premises
for any purpose prohibited by law or which would cause a cancellation of any insurance
policy covering the Premises. Lessee shall not cause or permit any Hazardous Material
(as defined in Section 10.B of this Lease) to be brought upon, kept, or used in, on, or
about the Premises except for such Hazardous Material as is necessary to conduct
Lessee’s authorized uses of the Premises. Any such Hazardous Material brought upon,
kept, or used in, on, or about the Premises shall be used, kept, stored, and disposed of
in a manner that complies with all environmental laws and regulations applicable to
Hazardous Material. Lessee shall not cause or allow the release or discharge of any other
materials or substances that are known to pose a hazard to the environment or human
health.

C. **Lessee’s Acceptance of Premises.** Lessee has inspected the Premises to
its complete satisfaction and is familiar with its condition, and the City makes no
representations or warranties with respect thereto, including, but not limited to, the
condition of the Premises or its suitability or fitness for any use Lessee may make of the
Premises. Lessee accepts the Premises AS IS, WHERE IS, WITH ALL FAULTS. No
action or inaction by the Council, the City Manager, or any other officer, agent, or
employee of the City relating to or in furtherance of the Lease or the Premises shall be
deemed to constitute an express or implied representation or warranty that the Premises,
or any part thereof, are suitable or usable for any specific purpose whatsoever. Any such
action or inaction shall be deemed to be and constitute performance of a discretionary
policy and planning function only, and shall be immune and give no right of action as
provided in Alaska Statute 9.65.070, or any amendment thereto.

5. **DEVELOPMENT PLAN AND SUBSTANTIAL COMPLETION**

A. **Development Plan.** The attached site development plan has been approved
by the Cordova City Council, and is attached to this Lease as Exhibit B. Any proposed
material change to the attached site development plan by Lessee will be treated as an
amendment to the Lease, requiring the written consent of both parties in accordance with
Section 22.B. The Lease does not confer any approval from the Cordova Planning
Commission regarding the site development plan or substitute for any approval process
required in Cordova Municipal Code. Rather it is Lessee’s responsibility to ensure the
site development plan complies with all city code requirements and procedures.

B. **Substantial Completion.** Lessee must substantially complete construction
of the project set forth in the site development plan attached as Exhibit B by [ ]
20XX, which is ten (10) years after the Lease’s Commencement Date. As used in this
Lease, the term “substantially complete” shall mean the stage of construction when the
building(s), whose footprint is outlined in the site development plan, including its structure,
façade, windows, roof, heating, and lighting, are sufficiently complete so that Lessee can
occupy and use the building and install or cause the installation of all equipment required for the contemplated use thereof, and Lessee has provided to the City certificates of inspection from certified inspectors providing that the above obligations have been met. If Lessee fails to substantially complete the construction of the project set forth in the site development plan by __________, 20XX, Lessee will be in default of this Lease and the City may terminate the Lease and take any other action detailed in Section 13.

6. REPRESENTATIONS AND WARRANTIES

Lessee represents and warrants to the City that Lessee is not delinquent in the payment of any obligation to the City, and that Lessee has not previously breached or defaulted in the performance of a material contractual or legal obligation to the City, which breach or default has not been remedied or cured.

7. ASSIGNMENTS AND SUBLETTING; SUBORDINATION

Lessee shall not assign or otherwise transfer this Lease or any interest herein or sublet the Premises or any portion thereof, or permit the occupancy of any part of the Premises by any other person or entity, without the prior written consent of the City, which consent may be withheld in the City’s absolute discretion.

8. OPERATIONS, MAINTENANCE, UTILITIES, TAXES, & ASSESSMENTS

Lessee shall, at Lessee’s sole cost and expense, be solely responsible for: (i) maintaining and repairing the Premises and shall not commit or allow any waste upon the Premises; (ii) obtaining any and all permits and approvals necessary for Lessee’s use of the Premises; (iii) all utilities and services needed for Lessee’s use of the Premises; (iv) all taxes and assessments levied against the Premises, and Lessee agrees to pay all such taxes and assessments when due, including, but not limited to, all utility bills and special assessments levied and unpaid as of the Commencement Date or hereafter levied for public improvements; (v) all licenses, excise fees, and occupation taxes with respect to the business and activities conducted on the Premises; (vi) all real property taxes, personal property taxes, and sales taxes related to the Premises or Lessee’s use or occupancy thereof; and (vii) any taxes on the leasehold interest created under this Lease.

9. LIENS

Lessee will suffer no lien or other encumbrance to attach to the Premises, including, without limitation, mechanic’s or materialman’s liens, sales tax liens under Cordova Municipal Code 5.40.125, or property tax liens under Cordova Municipal Code 5.36.260. If the City posts any notice of non-responsibility on the Premises, Lessee will ensure that the notice is maintained in a conspicuous place.

10. INDEMNIFICATION

A. General Indemnification. Lessee shall defend, indemnify, and hold the City and its authorized representatives, agents, officers, and employees harmless from and against any and all actions, suits, claims, demands, penalties, fines, judgments, liabilities,
settlements, damages, or other costs or expenses (including, without limitation, attorneys’ fees, court costs, litigation expenses, and consultant and expert fees) resulting from, arising out of, or related to Lessee’s occupation or use of the Premises or the occupation or use of the Premises by Lessee’s employees, agents, servants, customers, contractors, subcontractors, sub-lessees, or invitees, including, but not limited, to all claims and demands arising out of any labor performed, materials furnished, or obligations incurred in connection with any improvements, repairs, or alterations constructed or made on the Premises and the cost of defending against such claims, including reasonable attorneys' fees. In the event that such a lien is recorded against the Premises, Lessee shall, at Lessee’s sole expense within ninety (90) days after being served with written notice thereof, protect the City against said lien by filing a lien release bond or causing the release of such lien.

B. Environmental Indemnification. The City makes no representation or warranty regarding the presence or absence of any Hazardous Material (as hereafter defined) on the Premises. Lessee releases the City and its authorized representatives, agents, officers, and employees from any and all actions, suits, claims, demands, penalties, fines, judgments, liabilities, settlements, damages, or other costs or expenses (including, without limitation, attorneys’ fees, court costs, litigation expenses, and consultant and expert fees) arising during or after the Lease Term, that result from the use, keeping, storage, or disposal of Hazardous Material in, on, or about the Premises by Lessee, or that arise out of or result from Lessee’s occupancy or use of the Premises or the use or occupancy of the Premises by Lessee’s employees, agents, servants, customers, contractors, subcontractors, sub-lessees, invitees (other than the City), or authorized representatives. This release includes, without limitation, any and all costs incurred due to any investigation of the Premises or any cleanup, removal, or restoration mandated by a federal, state, or local agency or political subdivision, or by law or regulation. Lessee agrees that it shall be fully liable for all costs and expenses related to the use, storage, and disposal of Hazardous Material generated, kept, or brought on the Premises by Lessee, its employees, agents, servants, customers, contractors, subcontractors, sub-lessees, invitees, or authorized representatives.

Lessee shall defend, indemnify, and hold the City and its authorized representatives, agents, officers, and employees harmless from and against any claims, demands, penalties, fines, judgments, liabilities, settlements, damages, costs, or expenses (including, without limitation, attorneys’ fees, court costs, litigation expenses, and consultant and expert fees) of whatever kind or nature, known or unknown, contingent or otherwise, arising in whole or in part from or in any way related to: (i) the presence, disposal, release, or threatened release of any such Hazardous Material on or from the Premises, soil, water, ground water, vegetation, buildings, personal property, persons, animals, or otherwise; (ii) any personal injury or property damage arising out of or related to such Hazardous Material; (iii) any lawsuit brought or threatened, settlement reached, or government order relating to such Hazardous Material; and (iv) any violation of any laws applicable to such Hazardous Material; provided, however, that the acts giving rise to the claims, demands, penalties, fines, judgments, liabilities, settlements, damages, costs, or expenses arise in whole or in part from the use of, operations on, or activities on
the Premises by Lessee or its employees, agents, servants, customers, contractors, subcontractors, sub-lessees, invitees (other than the City), or authorized representatives.

As used in this Lease, “Hazardous Material” means any substance which is toxic, ignitable, reactive, or corrosive or which is regulated by any federal, state, or local law or regulation, as now in force or as may be amended from time to time, relating to the protection of human health or the environment, as well as any judgments, orders, injunctions, awards, decrees, covenants, conditions, or other restrictions or standards relating to the same. “Hazardous Material” includes any and all material or substances that are defined as “hazardous waste,” “extremely hazardous waste,” or a “hazardous substance” under any law or regulation.

11. INSURANCE

Lessee shall procure and maintain, at Lessee’s sole cost and expense, the following policies of insurance with a reputable insurance company or companies satisfactory to the City:

A. Commercial General Liability. Commercial general liability insurance in respect of the Premises and the conduct of Lessee’s business and operations, naming the City as an additional insured, with minimum limits of liability of One Million Dollars ($1,000,000) per occurrence and Two Million Dollars ($2,000,000) aggregate;

B. Property Insurance. Property insurance, insuring against loss or damage by fire and such other risks as are customarily included in the broad form of extended coverage, in an amount of coverage not less than the replacement value of the improvements on the Premises, if any, and on such commercially reasonable terms and consistent with the customary commercial coverages in the city of Cordova;

C. Personal Property Insurance. Personal property insurance covering Lessee’s trade fixtures, furnishings, equipment, and other items of personal property, as soon as such items are located on the Premises; and

D. Workers’ Compensation Insurance. Workers’ compensation insurance and other insurance as required by law.

All insurance required under this Lease shall contain an endorsement requiring thirty (30) days’ advance written notice to the City before cancellation or change in the coverage, scope, or amount of any policy. Before commencement of the Lease Term, Lessee shall provide the City with proof of the insurance required by this Section 11, except where noted above.

12. OWNERSHIP AND REMOVAL OF THE FACILITIES

Unless Lessee exercises its Option (defined in Section 21) (in which case all improvements made be Lessee shall continue to be owned by Lessee), the facilities on the Premises are and shall remain the property of Lessee until the expiration or earlier termination of this Lease. Upon expiration or earlier termination of this Lease, at the
option of the City, title to and ownership of the facilities shall automatically pass to, vest in, and belong to the City without further action on the part of either party other than the City’s exercise of its option, and without cost or charge to the City. Lessee shall execute and deliver such instruments to the City as the City may reasonably request to reflect the termination of Lessee’s interest in this Lease and the facilities and the City’s title to and ownership thereof.

But upon expiration or earlier termination of this Lease, Lessee shall remove from the Premises, at Lessee’s sole expense, all of the facilities or the portion thereof that the City designates must be removed. In such event, Lessee shall repair any damage to the Premises caused by the removal and return the Premises as near as possible to its original condition as existed on the Commencement Date. All facilities which are not promptly removed by Lessee pursuant to the City’s request and in any event within thirty (30) days of the date of expiration or termination of this Lease may be removed, sold, destroyed or otherwise disposed of in any manner deemed appropriate by the City, all at Lessee’s sole expense, and Lessee hereby agrees to pay the City for such expenses.

Notwithstanding any provision to the contrary in this Lease, all petroleum, fuel, or chemical storage tanks installed in or on the Premises during the Lease Term will remain Lessee’s property and upon expiration or earlier termination of this Lease, Lessee must remove these items and all contaminated soil and other material from the Premises, at Lessee’s sole expense.

13. DEFAULT AND REMEDIES

A. Default. The occurrence of any of the following shall constitute a default and a breach of this Lease by the Lessee:

i. The failure to make payment when due of any Base Rent, Additional Charges, or of any other sum herein specified to be paid by the Lessee if such failure is not cured within ten (10) days after written notice has been given to Lessee;

ii. The failure to pay any taxes or assessments due from the Lessee to the City and in any way related to this Lease, the Premises, any improvements, or the Lessee’s activities or business conducted thereon, including, but not limited to, any real property, personal property, or sales tax if such failure is not cured within thirty (30) days after written notice has been given to Lessee;

iii. Lessee’s failure to substantially complete the site development plan, as required by Section 5;

iv. An assignment for the benefit of Lessee’s creditors or the filing of a voluntary or involuntary petition by or against Lessee under any law for the purpose of adjudicating Lessee a bankrupt; or for extending the time for payment, adjustment, or satisfaction of Lessee’s liabilities; or for reorganization, dissolution, or arrangement on account of or to prevent bankruptcy or insolvency, unless the assignment or proceeding, and all consequent orders, adjudications, custodies, and supervision are dismissed,
vacated, or otherwise permanently stated or terminated within thirty (30) days after the 
assignment, filing, or other initial event;

v. The appointment of a receiver or a debtor-in-possession to take 
possession of the Premises (or any portion thereof); Lessee’s interest in the leasehold 
estate (or any portion thereof); or Lessee’s operations on the Premises (or any portion 
thereof), by reason of Lessee’s insolvency;

vi. The abandonment or vacation of the Premises continues for a period 
of three (3) months of any consecutive four (4) month period during the Lease Term; 
notwithstanding the foregoing, leaving the Premises vacant pending development of 
improvements shall not be deemed abandonment;

vii. Execution, levy, or attachment on Lessee’s interest in this Lease or 
the Premises, or any portion thereof;

viii. The breach or violation of any statutes, laws, regulations, rules, or 
ordinances of any kind applicable to Lessee’s use or occupancy of the Premises if such 
breach or violation continues for a period of thirty (30) days or longer; or

ix. The failure to observe or perform any covenant, promise, agreement, 
obligation, or condition set forth in this Lease, other than the payment of rent, if such 
failure is not cured within thirty (30) days after written notice has been given to Lessee, 
or if the default is of a nature that it cannot be cured within thirty (30) days, then a cure is 
commenced within thirty (30) days and diligently prosecuted until completion, weather 
and force majeure permitting. Notices given under this subsection shall specify the 
alleged breach and the applicable Lease provision and demand that the Lessee perform 
according to the terms of the Lease. No such notice shall be deemed a forfeiture or 
termination of this Lease unless the City expressly elects so in the notice.

B. Remedies. If the Lessee breaches any provision of this Lease, in addition 
to all other rights and remedies the City has at law or in equity, the City may do one or 
more of the following:

i. Distrain for rent due any of Lessee’s personal property which comes 
into the City’s possession. This remedy shall include the right of the City to dispose of 
Lessee’s personal property in a commercially reasonable manner. Lessee agrees that 
compliance with the procedures set forth in the Alaska Uniform Commercial Code with 
respect to the sale of property shall be a commercially reasonable disposal;

ii. Re-enter the Premises, take possession thereof, and remove all 
property from the Premises. The property may be removed and stored at Lessee’s 
expense, all without service of notice or resort to legal process, which Lessee waives, 
and without the City becoming liable for any damage that may result unless the loss or 
damage is caused by the City's negligence in the removal or storage of the property. No 
re-entry by the City shall be deemed an acceptance of surrender of this Lease. No 
provision of this Lease shall be construed as an assumption by the City of a duty to re-
enter and re-let the Premises upon Lessee’s default. If Lessee does not immediately
surrender possession of the Premises after termination by the City and upon demand by the City, the City may forthwith enter into and upon and repossess the Premises with process of law and without a breach of the peace and expel Lessee without being deemed guilty in any manner of trespass and without prejudice to any remedies which might otherwise be used for arrears of rent or breach of covenant;

iii. Declare this Lease terminated;

iv. Recover, whether this Lease is terminated or not, reasonable attorneys’ fees and all other expenses incurred by the City by reason of the default or breach by Lessee, less any rents received in mitigation of Tenant’s default (but City is not under any duty to relet Premises);

v. Recover an amount to be due immediately upon breach equal to the sum of all Base Rent, Additional Charges, and other payments for which Lessee is obligated under the Lease;

vi. Recover the costs of performing any duty of Lessee in this Lease; or

vii. Collect any and all rents due or to become due from subtenants or other occupants of the Premises

14. SUBSIDENCE

The City shall not be responsible for any washout, subsidence, avulsion, settling, or reliction to the Premises or for any injury caused thereby to Lessee’s, any sub-lessee’s, or any other person’s property. The City is not obligated to replace, refill, or improve any part of the Premises during Lessee’s occupancy in the event of a washout, subsidence, avulsion, settling, or reliction.

15. VACATION BY LESSEE

Upon the expiration or sooner termination of this Lease, Lessee shall peaceably vacate the Premises and the Premises shall be returned to the City by Lessee together with any alterations, additions, or improvements, unless the City requests that they be removed from the Premises. Upon such vacation, Lessee shall remove from the Premises any items of personal property brought on to the Premises. Any such property not removed from the Premises within thirty (30) days of the expiration or termination of this Lease shall become the property of the City at no cost or charge to the City, and may be removed, sold, destroyed, or otherwise disposed of in any manner deemed appropriate by the City, all at Lessee’s sole expense, and Lessee hereby agrees to pay the City for these expenses.

16. RESERVATION OF RIGHTS

The City reserves the right to designate and grant rights-of-way and utility easements across the Premises without compensating Lessee or any other party, including the right of ingress and egress to and from the Premises for the construction,
operation, and maintenance of utilities and access, provided that Lessee shall be
compensated for the taking or destruction of any improvements on the Premises, and
provided further that the City’s designation will not unreasonably interfere with Lessee’s
improvements or use of the Premises. Lessee shall be responsible for requesting a rental
adjustment to reflect any reduction in the value of the Premises.

17. SIGNS

No signs or other advertising symbols, canopies, or awnings shall be attached to
or painted on or within the Premises without approval of the City Manager first being
obtained; provided, however, that this prohibition shall not apply to standard, directional,
informational and identification signs of two square feet or less in size. At the termination
of this Lease, or sooner, all such signs, advertising matter, symbols, canopies, or
awnings, attached or painted by Lessee shall be removed from the Premises by Lessee
at its own expense, and Lessee shall repair any damage or injury to the Premises, and
correct any unsightly conditions caused by the maintenance or removal of said signs.

18. HOLDING OVER

If Lessee, with the City’s written consent, remains in possession of the Premises
after the expiration or termination of the Lease for any cause, or after the date in any
notice given by the City to Lessee terminating this Lease, such holding over shall be
deemed a tenancy from month to month at the same Base Rent applicable immediately
prior to such expiration or termination, subject to adjustment in accordance with Cordova
Municipal Code 5.22.090.C, or such successor provision of the code then in effect, and
shall be terminable on thirty (30) days’ written notice given at any time by either party. All
other provisions of this Lease, except those pertaining to term, rent, and purchase option,
shall apply to the month-to-month tenancy. If Lessee holds over without the City’s
express written consent, Lessee is deemed to be a tenant at sufferance and may be
removed through a forcible entry and detainer proceeding without service on Lessee of a
notice to quit.

19. EMINENT DOMAIN

If the whole or any part of the Premises shall be taken for any public or quasi-
public use, under any statute or by right of eminent domain or private purchase in lieu
thereof by a public body vested with the power of eminent domain, then the following
provisions shall be operative:

A. Total Taking. If the Premises are totally taken by condemnation, this Lease
shall terminate;

B. Partial Taking. If the Premises are partially taken by condemnation, then
this Lease shall continue and the rent as specified in Section 3 above shall be abated in
a proportion equal to the ratio that the portion of the Premises taken bears to the total
Premises leased hereunder; and
C. **Award.** Upon condemnation, the parties shall share in the award to the extent that their interests, respectively, are depreciated, damaged, or destroyed by the condemnation.

20. **COSTS**

Lessee shall be liable to and shall pay the City for the fees and costs incurred by the City in connection with the negotiation, drafting, preparation, operation, and enforcement of this Lease, including, without limitation, attorneys’ fees and costs incurred by the City. All outstanding fees and costs shall be paid in full no later than the time of the City’s execution of this Lease.

21. **BUYER’S OPTION TO PURCHASE**

A. **Option.** The City hereby grants to Lessee an option (the “Option”) to purchase the Premises upon the terms and conditions stated in this Lease.

B. **Option Period.** The Option will commence upon the Commencement Date of this Lease and terminate the date the Lease terminates (the “Option Period”). If Lessee fails to exercise the Option during the Option Period, neither party shall have any further rights or claims against the other party by reason of the Option.

C. **Exercise of Option.** To exercise the Option, Lessee must provide written notice (“Notice of Exercise of Option”) to the City, delivered or mailed by certified or registered mail, return receipt requested, to the City’s address set forth in Section 22.E, at least sixty (60) days prior to the date Lessee intends to exercise the Option.

D. **Conditions to Exercise Option.** Lessee can only exercise the Option if all of the following conditions are satisfied: (i) no default exists or is continuing under this Lease and (ii) the building as described in the site development plan attached as Exhibit B is substantially completed as defined in section 5.B.

E. **Purchase Price.** Lessee shall have the right to purchase the Premises for $XXXXX (“Purchase Price”) until the tenth anniversary of the Commencement Date. If Lessee exercises its Option to purchase the Premises after the tenth anniversary of the Commencement Date, the Purchase Price will be adjusted to the current fair market value, as reasonably determined by the City, excluding all improvements completed by Lessee under this Lease. In the event that Lessee exercises the Option on or before _____________, 7 years 20XX, payment due at Closing to the City (“Closing Payment”) will equal the Purchase Price reduced by all Base Rent payments paid by Lessee to the City under this Lease. In the event that Lessee exercises the Option after _____________, 7 years 20XX, the Closing Payment will equal the Purchase Price, and the Closing Payment will not be reduced by any Base Rent payments paid by Lessee to the City under this Lease.

F. **Closing Date.** The Closing must occur on a date (the “Closing Date”) mutually agreed upon by the parties, but must be within sixty (60) days after the exercise of the Option.
G. **Closing.** At Closing, the City shall deliver a quitclaim deed, subject to matters of record, including those matters that have arisen out of Lessee's use and occupancy of the Premises, in recordable form, transferring marketable title (subject to Lessee’s reasonable approval) and Lessee shall execute and deliver to the City the Closing Payment in full, in immediately available funds. This Lease will terminate upon the Closing of Lessee’s purchase of the Premises. All costs and fees (including attorneys' fees) associated with the negotiation, drafting, preparation, and enforcement of a purchase and sale agreement and related documents, the closing of the transaction, and the termination of the leasehold interest in the Premises, including, but not limited to, environmental assessments, appraisal fees, escrow fees, recording fees, and title insurance, will be paid by Lessee.

H. **Cooperation for Consummating the Option.** If Lessee exercises the Option, the City and Lessee each covenant and agree to sign, execute, and deliver, or cause to be signed, executed, and delivered, and to do or make, or cause to be done or made, upon the written request of the other party, any and all agreements, instruments, papers, deeds, acts, or things, supplemental, confirmatory, or otherwise, as may be reasonably required by either party hereto for the purpose of or in connection with consummating the Option.

I. **City's Right of First Refusal.** In the event Lessee exercises its Option and subsequently determines to sell or otherwise dispose of the Premises, the City shall have a continuous and exclusive right of first refusal to purchase the Premises. The parties must either include notice of the City’s right of first refusal in the deed transferring the Premises to the Lessee, or execute a separate document acceptable to the City and in a recordable form ensuring the City’s right of first refusal hereunder. The document must be recorded contemporaneously with the recording of the deed. The City’s right of first refusal to purchase the Premises contains the following terms and conditions:

   i. Lessee may accept an offer for the sale or other disposition of the Premises only if it is made subject to the City’s right of first refusal herein. Upon acceptance of an offer for the sale, disposition, conveyance, or transfer from a third party (the “Purchase Offer”), Lessee will present a copy of the Purchase Offer and acceptance to the City by written notice at the address set forth in Section 22.E. The City will then have sixty (60) days to either agree to purchase the Premises on the same terms and conditions set forth in the Purchase Offer, or decline to exercise its right of first refusal. The City shall give written notice of its decision to exercise or decline to exercise its right of first refusal to Lessee at the address set forth in Section 22.E no later than sixty (60) days after being presented with a copy of the Purchase Offer.

   ii. If the City declines to exercise its right of first refusal, Lessee may then sell or otherwise dispose of the Premises to the third party on the same terms and conditions set forth in the Purchase Offer. If the sale or other disposition is completed on the same terms and conditions set forth in the Purchase Offer, then any interest of the City in and to the Premises shall cease and be of no further force and effect and the City shall provide in recordable form a release of its right of first refusal at the closing of the sale to the third party. If the sale or other disposition is not completed on the terms and
conditions in the Purchase Offer, then the City will continue to have its exclusive right of
first refusal under the procedures outlined above in this Section, before Lessee may
convey or transfer its interest in the Premises to a third party.

22. MISCELLANEOUS

A. Time is of the Essence. Time is of the essence for this Lease and of each
provision hereof.

B. Entire Agreement. This Lease represents the entire agreement between
the parties with respect to the subject matter hereof, and may not be amended except in
writing executed by the City and Lessee.

C. Governing Law and Venue. This Lease shall be subject to the provisions of
the Cordova Municipal Code now or hereafter in effect. This Lease shall be governed by
and construed in accordance with Alaska law and any action arising under this Lease
shall be brought in a court of competent jurisdiction in Cordova, Alaska.

D. Relationship of Parties. Nothing in this Lease shall be deemed or construed
to create the relationship of principal and agent, partnership, joint venture, or of any
association between Lessee and the City. Neither the method of computation of rent, nor
any other provisions contained in this Lease, nor any acts of the parties shall be deemed
to create any relationship between the City and Lessee other than the relationship of
lessee and lessor.

E. Notice. All notices hereunder may be hand-delivered or mailed. If mailed,
they shall be sent by certified or registered mail to the following respective addresses:

TO CITY:
City of Cordova
Attn: City Manager
P.O. Box 1210
Cordova, Alaska 99574

TO LESSEE:

XXXXX
P.O. Box XXXX
Cordova, Alaska 99574

or to such other address as either party hereto may from time to time designate in
advance in writing to the other party. Notices sent by mail shall be deemed to have been
given when properly mailed. The postmark affixed by the U.S. Post Office shall be
conclusive evidence of the date of mailing. If hand-delivered, notice shall be deemed to
have been made at the time of delivery.
F. **Captions.** Captions herein are for convenience and reference and shall not be used in construing the provisions of this Lease.

G. **No Waiver of Breach.** No failure by the City to insist upon the strict performance of any term, covenant, or condition of this Lease, or to exercise any right or remedy upon a breach thereof, shall constitute a waiver of any such breach or of such term, covenant, or condition. No waiver of any breach shall effect or alter this Lease, but each and every term, covenant, and condition of this Lease shall continue in full force and effect with respect to any other existing or subsequent breach.

H. **Survival.** No expiration or termination of this Lease shall expire or terminate any liability or obligation to perform which arose prior to the termination or expiration.

I. **Partial Invalidity.** If any provision of this Lease is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

J. **Successors and Assigns.** The terms, covenants, and conditions in this Lease shall inure to the benefit of and shall be binding upon the successors and permitted assigns of the City and Lessee.

K. **Estoppel Certificates.** Either party shall at any time and from time to time, upon not less than ten (10) days’ prior written request by the other party, execute, acknowledge, and deliver to such party a statement certifying that this Lease has not been amended and is in full force and effect (or, if there has been an amendment, that the same is in full force and effect as amended and stating the amendments); there are no defaults existing (or, if there is any claimed default, stating the nature and extent thereof); and stating the dates up to which the Base Rent and Additional Charges have been paid in advance.

L. **Recordation of Lease.** The parties agree that this Lease shall not be recorded, but upon the request of either party, the other party will join the requesting party in executing a memorandum of lease in a form suitable for recording, and each party agrees that such memorandum shall be prepared and recorded at the requesting party’s expense.

M. **Authority.** Lessee represents that it has all necessary power and is duly authorized to enter into this Lease and carry out the obligations of Lessee. Lessee further represents that Lessee has the necessary power to authorize and direct the officer of Lessee whose name and signature appear at the end of this Lease to execute the Lease on Lessee’s behalf.

N. **Exhibits.** Exhibits A and B to this Lease are specifically incorporated into the Lease.
O. No Third-Party Beneficiaries. Nothing in this Lease shall be interpreted or construed to create any rights or benefits to any parties not signatories, successors, or permitted assigns of signatories to this Lease.

P. Interpretation. The language in all parts of this Lease shall in all cases be simply construed according to its fair meaning and not for or against the City or Lessee as both City and Lessee have had the assistance of attorneys in drafting and reviewing this Lease.

Q. Counterparts. This Lease may be executed in counterparts, each of which when so executed and delivered shall be deemed to be an original and all of which taken together shall constitute one and the same instrument.

R. Attorneys’ Fees. In the event that any suit or action is brought to enforce this Lease or any term or provision hereof, the parties agree that the prevailing party shall recover all attorneys’ fees, costs, and expenses incurred in connection with such suit or action to the maximum extent allowed by law.

IN WITNESS WHEREOF, the parties have caused this Lease to be executed as of the Commencement Date.

CITY: CITY OF CORDOVA

By: ________________________________

Its: ________________________________

LESSEE: XXXX

By: ________________________________

Its: ________________________________
ATTACHMENT E

Exhibit A
Legal Description

Exhibit B
Development Plan
SEALING PROPOSAL FORM

All proposals must be received by the Planning Department by **Wednesday, May 1st, 2017 at 10 AM.**

Property: Lots 8 & 9, Block 1, Odiak Park Subdivision

Name of Proposer: **Wiese, Bradford, Campbell**

Name of Organization: **Railroad Row residents**

Address: **Box 1708**
**Cordova, AK 99574**

Phone #: **424-3667**

Email: **wiesefam@cteak.net**
**bretbradford@ak.net**
**capsoup@hotmail.com**

Proposed Price Per Square Foot: **$3.20** per square foot.

Proposed Square Footage Estimate (Provide Drawing): **10,000** square feet. **over 3 replatted lots.**

**SUBMITTAL OF PROPOSAL**

Please mail proposals to: City of Cordova
**Attn: City Manager**
C/O Proposals
P.O. Box 1210
Cordova, Alaska 99574

Or email proposals to citymanager@cityofcordova.net and planning2@cityofcordova.net. The email subject line shall be “Proposal for Lots 8 & 9, Block 1, Odiak Park Subdivision,” and the proposal shall be attached to the email as a PDF file.

Or deliver your proposal to the front desk at City Hall.

Proposals received after **Wednesday, May 1st, 2017 at 10 AM** will not be considered.
Land Sale Proposal for Lot 8, Block 1, Odiak Park Subdivision

We, Max and Cecilia Wiese, Bret and Cindy Bradford, and Bruce and Sally Campbell, propose to purchase Lots 8 and 9 of Odiak Subdivision from the city of Cordova.

Lots 8 and 9 border the southeast property line of all of our lots. We propose to survey and replat Lot 9 and Lot 8, lot 8 being divided into two equal lots, lot 9 left intact, preserving the greenbelt area along Chase Avenue as described in previous, individual land sales between the city of Cordova and Ardy Hansen and the city and John Mallory. Once the lots are surveyed and replatted, we would like to purchase the lots through individual, direct negotiation with the city.

With the survey and replatting, we would like to straighten the lot lines, determine easement allocations for the water line on each of the lots, sharing the costs with the city to help determine the actual land available for purchase and easement necessary for water line access.

We intend to conserve the greenbelt area as required by the city and not disturb the coherent landscape of the cliff area, continuing to provide valuable wind protection to our historic homes, stability to the steeply slanted terrain and provide suitable habitat to support the wildlife residents in the area.

The greenbelt also acts as a sound barrier and buffer from highway traffic noise, maintaining the neighborhood atmosphere, much in demand in our city.

As shown in the sketch and after reserving space for the greenbelt and water line easement, the area on both lots 8 and 9 appear to be about 50 feet by 100 feet or 5,000 square feet each. With the acquisition of the property, this proposal will result in increased property values to our lots plus maintain property values of those in the Railroad Row neighborhood resulting in consistently increasing tax revenues for the city.

Though small in area on which to develop, we will sincerely look forward to being able to continue maintaining the area in front of our homes, now with the possibility of adding a storage building, small gazebo or greenhouse to add to our current gardening endeavors.

Considering the value per square foot the city has listed for the property, we feel the value of our proposal could be anywhere from $33,000 - $40,260.

The timeline is understood to be within a period of time, determined by the time needed to contract with a qualified surveyor, completion of the survey and replatting into the proposed 3 lots and the arrangements for funding and payments to the city, or up to one year, to provide a timeline for the unknowns.

Thank you for your time and consideration of our proposal.

Cecilia
AGENDA ITEM # 25
City Council Meeting Date: June 7, 2017
CITY COUNCIL COMMUNICATION FORM

FROM:  Cathy Sherman, Information Services Director
DATE:    31/May/2017
ITEM:   Recommendation from Nirvana Park Core Committee

____  ORDINANCE
____  MOTION
__ X__  INFORMATION

I.   REQUEST OR ISSUE:

Nirvana Park Cemetery and Eyak Burial Grounds Restoration and Preservation: A Cordova Community Project Funded by the Rasmuson Foundation

II.  RECOMMENDED ACTION / NEXT STEP:

Through a series of more than a dozen public meetings since receiving the grant; and after thorough public comment, letters, petitions and in-depth discussion, the Core Committee is recommending the following project scope for the reclamation, restoration and preservation of Cordova’s first burial grounds and historic cemetery and park.

➢ Recognize the Spit as “Eyak Burial Grounds.”
➢ Recognize Nirvana Park as “Nirvana Park Cemetery.”
➢ Link the Eyak Burial Grounds, Nirvana Park Cemetery and Lakeview (Pioneer) Cemeteries together through landscaping and signage.
➢ Work with Eyak Corporation and the Native Village of Eyak to continue the annual spring cleanup of the above mentioned areas.
Recognize and post signage to make the Eyak Burial Grounds and Nirvana Park Cemetery as non-motorized areas (via land, water, ice, snow) as are the Pioneer and Highway Cemetery and the Evergreen (South Second Street) Cemetery.

Recognize and mark the gravesites identified by the initial GP study on the Eyak Burial Grounds.

Continue further GPR study on Eyak Burial Grounds and Nirvana Park Cemetery and once completed mark all the gravesites.

Recognize the Eyak Burial Grounds and Nirvana Park Cemetery as an area of no open fires; fires only in fire ring at old gazebo space with benches built and placed around fire ring.

Allow swimming in Eyak Burial Grounds area.

Establish a porta potty and develop a long-term solution for the future.

Establish trash receptacle near Porta-Potty to be maintained by Parks & Rec Department. All areas should be ‘pack it in- pack it out.’

Once Final GPR is completed:

Create interpretive signage for the Eyak Burial Grounds and Nirvana Park Cemetery;

Create unique gates and bridges to add to the beauty of the Park.

Replace the missing fence at the Pioneer Cemetery. Clean and fix the flagpole in the Pioneer Cemetery.

Determine steps to stabilize and preserve Eyak Burial Grounds.

Exhumation or movement of any gravesites in the Eyak Burial Grounds or Nirvana Park Cemetery is strictly prohibited.

Post and enforce no alcohol and substance use.

III. FISCAL IMPACTS:

Regular Parks and Rec Maintenance based on daily rounds only fiscal impact to City of Cordova at this time.

IV. BACKGROUND INFORMATION:

In July of 2016, the Rasmuson Foundation presented a check for $25,000 to the Cordova Historical Society for the restoration and preservation of Nirvana Park as a community investment for Cordova. Public meetings were held to discuss how to use this funding to the best ability of the community. A core committee was formed consisting of:

- Cordova Historical Society
- Native Village of Eyak
Eyak Burial Caucus
City of Cordova Parks and Recreation Department
City of Cordova Public Works Department
City of Cordova Port and Harbor

V. LEGAL ISSUES:

None known at this time, but research work continues with State of Alaska regarding cultural impacts in the water.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

All parties are in agreement at this time. No known environmental issues at this time, but erosion control remains a long-term item for further discussion.

VII. SUMMARY AND ALTERNATIVES:

The Core Committee sees this as an on-going opportunity to improve the use and respect of the area. The Core Committee worked hard to address and evaluate all uses and needs of the community in this well-loved place. There will continue to be a series of public meetings throughout the summer regarding design of interpretive signage, markers for gravesites and development of pathways.

Throughout the summer season of 2017, Parks and Rec staff and other community volunteers will monitor the area collecting data and recording usage and abuse with a follow up end of the season meeting to review these recommendations.

The dialogue has been open, honest, forthright and astonishing throughout this process. And it is a process, which will continue. Hopefully the end result will reflect the energy, time and commitment of both the committee, their respective councils, commissions and boards.

The Core Committee looks forward to providing further updates as the project progresses with complete transparency of the use of these funds generously gifted to our community.
A. Future agenda items - when will these be heard before Council?

1) Revisit Council representation on boards and Commissions
2) Council direction to staff in pursuing Crater Lake Water & Power project from City (water) side
   future Council agenda item
3) Discussion/action regarding water charges at the Harbor
4) Odiak Camper Park and/or other locations for long term rv/trailer rentals in Cordova
5) Marijuana ordinance
6) Cordova Center bird mitigation - for 2018

B. Upcoming Meetings, agenda items and/or events:

1) Will the second regular June meeting be held or canceled?
   June 21, 2017 Regular Meeting: yes or no, decision?
2) Capital Priorities List and Resolution to come before Council quarterly:
   after work session of 6/7/17 - the decided upon new list will be brought to the next regular meeting
   9/20/2017 12/6/2017 3/7/2018 6/6/2018
3) Ordinance 1146 put marijuana moratorium until January 1, 2017
4) Staff quarterly reports will be in the following packets:
   7/19/2017 10/18/2017 1/17/2018 4/18/2018

C. Mayor/Council member/staff member suggestions for future agenda items:

Clear direction should be given to staff on the what and when of this proposed agenda item.

<table>
<thead>
<tr>
<th>item:</th>
<th>suggested agenda date:</th>
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Mayor Koplin or the City Manager can either agree to such an item and that will automatically place it on an agenda, or a second Council member can concur with the sponsoring Council member.
D. Membership of existing advisory committees of Council formed by resolution:

1) Fisheries Advisory Committee:
   - Authorizing resolution 04-03-45
   - Approved Apr 16, 2003
   - 1-Torie Baker, chair (Marine Adv Prgm)
   - 2-Jeremy Botz (ADF&G)
   - 3-Ken Roemhildt (Seafood Sales)
   - 4-Jim Holley (AML)
   - 5-Chelsea Haisman
   - 6-Dave Reggiani (PWSAC)

2) Cordova Trails Committee:
   - Authorizing resolution 11-09-65
   - Approved Dec 2, 2009
   - 1-Elizabeth Senear
   - 2-Toni Godes
   - 3-Dave Zastrow
   - 4-vacant
   - 5-vacant

3) Fisheries Development Committee:
   - Authorizing resolution 12-16-43
   - Approved Dec 23, 2016
   - 1-Warren Chappell
   - 2-Andy Craig
   - 3-Bobby Linville
   - 4-Gus Linville
   - 5-Tommy Sheridan
   - 6-Bob Smith

E. City of Cordova appointed representatives to various Boards et al:

1) Prince William Sound Regional Citizens Advisory Council
   - Robert Beedle
     - Re-appointed March 2016
     - Re-appointed March 2014
     - Appointed April 2013

2) Prince William Sound Aquaculture Corporation Board of Directors
   - Tom Bailer
     - Term until Oct 2018
     - Appointed February 2017

3) Southeast Conference AMHS Reform Project Steering Committee
   - Mike Anderson
     - Appointed April 2016
     - Through December 2017
   - Sylvia Lange
     - Alternate
### JUNE 2017

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**Notes**

Legend:
- CCAB - Community Rms A&B
- HSL - High School Library
- CCB - Community Rm B
- CCM - Mayor's Conf Rm
- CCER - Education Room
- LN - Library Fireplace Nook
- CRS - Copper River Gallery
- CCMC - CCMC Conference Room

**Events**
- 6:00 Council work session
- 6:45 Council pub hrg
- 7:00 Council reg mtg CCAB
- 6:30 P&Z CCAB
- 7:00 Sch Bd HSL
- 7:00 Harbor Cms CCB
- 6:00 P&R CCM
- Flag Day
- 6:00 Council work session
- 6:45 Council pub hrg (maybe) CCAB
- 7:00 Council reg mtg CCAB
- 6:00 CCMCAB HCR
- Copper River Nouveau
# July 2017

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<td><strong>Salmon Runs</strong>&lt;br&gt;Copper River Wild Salmon Festival&lt;br&gt;www.copperriverwild.org</td>
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<th>Notes</th>
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<th>6:00 CCMCAB HCR</th>
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**Legend:**
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- HSL - High School Library
- CCA - Community Rm A
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- **July 4-City Hall**
- **6:00 P&Z CCAB**
- **7:00 Sch Bd HSL**
- **7:00 Harbor Cms CCB**
- **6:00 Council work session**
- **6:45 Council pub hrg**
- **7:00 Council reg mtg CCAB**
- **6:00 Council work session**
- **6:45 Council pub hrg**
- **7:00 Council reg mtg CCAB**
- **6:00 P&R CCM**
- **6:00 CCMCAB HCR**
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</table>
|        |        |         | **6:00 Council work session**  
**6:45 Council pub hrg**  
(maybe) **CCAB**  
**7:00 Council reg mtg CCAB** |         |           |         |           |         |
| 6      | 7      | 8       | 9         | 10       | 11     | 12       |
|        |        | **6:30 P&Z CCAB** | **7:00 Sch Bd HSL**  
**7:00 Harbor Cms CCB** |         |         |           |
| 13     | 14     | 15      | 16        | 17       | 18     | 19       |
|        |        |         | **6:00 Council work session**  
**6:45 Council pub hrg**  
(maybe) **CCAB**  
**7:00 Council reg mtg CCAB** |         |         |           |
| 20     | 21     | 22      | 23        | 24       | 25     | 26       |
|        |        |         |           | **Alaska State Fair Aug 24 - Sep 4**  
**6:00 CCMCAB HCR** |         |         |           |
| 27     | 28     | 29      | 30        | 31       | 1      | 2        |
|        |        |         | **Alaska State Fair Aug 24 - Sep 4**  
**6:00 P&Z CCAB** |         | **Alaska State Fair Aug 24 - Sep 4**  
**6:00 P&Z CCAB** |         |
| 3      | 4      |         | **Notes** |         |        |          |

**Legend:**  
CCAB - Community Rms A & B  
HSL - High School Library  
CCB - Community Rm B  
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HCR - CCMC Conference Room
# City of Cordova, Alaska Elected Officials & Appointed Members of City Boards and Commissions

## Mayor and City Council - Elected

<table>
<thead>
<tr>
<th>seat/length of term</th>
<th>email</th>
<th>Date Elected</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mayor:</strong></td>
<td>Clay Koplin</td>
<td>March 1, 2016</td>
<td>March-19</td>
</tr>
<tr>
<td>3 years</td>
<td><a href="mailto:Mayor@cityofcordova.net">Mayor@cityofcordova.net</a></td>
<td></td>
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<tr>
<td>Council members:</td>
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<tr>
<td>Seat A:</td>
<td>James Burton</td>
<td>March 1, 2016</td>
<td>March-19</td>
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<tr>
<td>3 years</td>
<td><a href="mailto:CouncilSeatA@cityofcordova.net">CouncilSeatA@cityofcordova.net</a></td>
<td>March 5, 2013</td>
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<tr>
<td>Seat B:</td>
<td>Kenneth Jones</td>
<td>March 7, 2017</td>
<td>March-20</td>
</tr>
<tr>
<td>3 years</td>
<td><a href="mailto:CouncilSeatB@cityofcordova.net">CouncilSeatB@cityofcordova.net</a></td>
<td></td>
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</tr>
<tr>
<td>Seat C:</td>
<td>Jeff Guard</td>
<td>March 7, 2017</td>
<td>March-20</td>
</tr>
<tr>
<td>3 years</td>
<td><a href="mailto:CouncilSeatC@cityofcordova.net">CouncilSeatC@cityofcordova.net</a></td>
<td></td>
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</tr>
<tr>
<td>Seat D:</td>
<td>Robert Beedle</td>
<td>March 3, 2015</td>
<td>March-18</td>
</tr>
<tr>
<td>3 years</td>
<td><a href="mailto:CouncilSeatD@cityofcordova.net">CouncilSeatD@cityofcordova.net</a></td>
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</tr>
<tr>
<td>Seat E:</td>
<td>Josh Hallquist, Vice Mayor</td>
<td>March 3, 2015</td>
<td>March-18</td>
</tr>
<tr>
<td>3 years</td>
<td><a href="mailto:CouncilSeatE@cityofcordova.net">CouncilSeatE@cityofcordova.net</a></td>
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<tr>
<td>Seat F:</td>
<td>David Allison</td>
<td>March 1, 2016</td>
<td>March-19</td>
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<tr>
<td>3 years</td>
<td><a href="mailto:CouncilSeatF@cityofcordova.net">CouncilSeatF@cityofcordova.net</a></td>
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<tr>
<td>Seat G:</td>
<td>James Wiese</td>
<td>March 1, 2016</td>
<td>March-19</td>
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<tr>
<td>3 years</td>
<td><a href="mailto:CouncilSeatG@cityofcordova.net">CouncilSeatG@cityofcordova.net</a></td>
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## Cordova School District School Board - Elected

<table>
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<th>length of term</th>
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</thead>
<tbody>
<tr>
<td>3 years Barb Jewell, President <a href="mailto:bjewell@cordovasd.org">bjewell@cordovasd.org</a></td>
<td>March 1, 2016</td>
<td>March-19</td>
</tr>
<tr>
<td>3 years Bret Bradford <a href="mailto:bbradford@cordovasd.org">bbradford@cordovasd.org</a></td>
<td>March 3, 2015</td>
<td>March-18</td>
</tr>
<tr>
<td>3 years Tammy Altermott <a href="mailto:taltermott@cordovasd.org">taltermott@cordovasd.org</a></td>
<td>March 1, 2016</td>
<td>March-19</td>
</tr>
<tr>
<td>3 years Peter Hoepfner <a href="mailto:phoepfner@cordovasd.org">phoepfner@cordovasd.org</a></td>
<td>March 3, 2015</td>
<td>March-18</td>
</tr>
<tr>
<td>3 years Sheryl Glasen <a href="mailto:sglasen@cordovasd.org">sglasen@cordovasd.org</a></td>
<td>March 7, 2017</td>
<td>March-20</td>
</tr>
<tr>
<td>Vacant (appointed, non-voting) City Council Rep</td>
<td>March 7, 2017</td>
<td>March-20</td>
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* seat up for re-election in 2018
* board/commission chair
* seat up Nov 17
### CCMC Authority - Board of Directors - Elected

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<th>Length of Term</th>
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<tbody>
<tr>
<td>3 years</td>
<td>Kristin Carpenter</td>
<td>March 7, 2017</td>
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<tr>
<td>3 years</td>
<td>Sally Bennett</td>
<td>March 7, 2017</td>
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<td>3 years</td>
<td>April Horton</td>
<td>March 7, 2017</td>
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<tr>
<td>3 years</td>
<td>Dorne Hawxhurst</td>
<td>March 7, 2017</td>
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<tr>
<td>3 years</td>
<td>John Harvill</td>
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### LIBRARY BOARD - APPOINTED

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<tr>
<td>3 years</td>
<td>Mary Anne Bishop, Chair</td>
<td>November-16</td>
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<td>November-06</td>
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<tr>
<td>3 years</td>
<td>Wendy Ranney</td>
<td>November-15</td>
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<td>April-13</td>
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<tr>
<td>3 years</td>
<td>Erica Clark</td>
<td>November-16</td>
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<tr>
<td>3 years</td>
<td>Krysta Williams</td>
<td>December-14</td>
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<tr>
<td>3 years</td>
<td>Kay Groff</td>
<td>December-14</td>
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### PLANNING AND ZONING COMMISSION - APPOINTED

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<tr>
<td>3 years</td>
<td>Nancy Bird</td>
<td>November-16</td>
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<td>3 years</td>
<td>Allen Roemhildt</td>
<td>November-16</td>
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<td>January-14</td>
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<tr>
<td>3 years</td>
<td>Scott Pegau, vice chair</td>
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<td>John Baenen</td>
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<td>3 years</td>
<td>Tom McGann, chair</td>
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<td>Heath Kocan</td>
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<td>3 years</td>
<td>Mark Frohnapfel</td>
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### Harbor Commission - Appointed

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<td>3 years</td>
<td>Robert Beedle, Chair January-14</td>
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<td>3 years</td>
<td>Andy Craig November-16</td>
<td>November-19</td>
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<tr>
<td>3 years</td>
<td>Max Wiese January-14</td>
<td>November-16 March-11</td>
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<td>3 years</td>
<td>Ken Jones November-16</td>
<td>November-19 February-13</td>
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<td>Jacob Betts November-15</td>
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### Parks and Recreation Commission - Appointed

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<tr>
<td>3 years</td>
<td>Wendy Ranney, Chair November-15</td>
<td>August-14</td>
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<td>3 years</td>
<td>Kara Johnson February-15</td>
<td>November-17 December-12</td>
</tr>
<tr>
<td>3 years</td>
<td>Miriam Dunbar November-15</td>
<td>August-14</td>
</tr>
<tr>
<td>3 years</td>
<td>Stephen Phillips November-15</td>
<td>August-14</td>
</tr>
<tr>
<td>3 years</td>
<td>Marvin VanDenBroek November-16</td>
<td>November-19 February-14</td>
</tr>
<tr>
<td>3 years</td>
<td>Karen Hallquist November-16</td>
<td>November-19 November-13</td>
</tr>
<tr>
<td>3 years</td>
<td>Dave Zastrow February-15</td>
<td>November-17 September-14</td>
</tr>
</tbody>
</table>

### Historic Preservation Commission - Appointed

<table>
<thead>
<tr>
<th>Length of Term</th>
<th>Date Appointed</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 years</td>
<td>Cathy Sherman August-16</td>
<td>November-19</td>
</tr>
<tr>
<td>3 years</td>
<td>Heather Hall August-16</td>
<td>November-19</td>
</tr>
<tr>
<td>3 years</td>
<td>Brooke Johnson August-16</td>
<td>November-19</td>
</tr>
<tr>
<td>3 years</td>
<td>John Wachtel August-16</td>
<td>November-19</td>
</tr>
<tr>
<td>3 years</td>
<td>Sylvia Lange August-16</td>
<td>November-18</td>
</tr>
<tr>
<td>3 years</td>
<td>Tom McGann August-16</td>
<td>November-18</td>
</tr>
<tr>
<td>3 years</td>
<td>Jim Casement, Chair August-16</td>
<td>November-17</td>
</tr>
</tbody>
</table>

*Seat up for re-election in 2018: board/commission chair*