

**CITY COUNCIL REGULAR MEETING
AUGUST 3, 2011 @ 7:30 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Vice-Mayor David Reggiani called the Council Regular Meeting to order at 7:30 PM on August 03, 2011, in the Library Meeting Room.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Corinne Erickson offered the audience an invocation.

David Reggiani led the audience in the Pledge of Allegiance.

C. ROLL CALL

Present for roll call were *Vice-Mayor David Reggiani*, Council members *Keith van den Broek*, *James Kacsh*, *David Allison*, *Bret Bradford* and *Robert Beedle* (via teleconference). *Mayor James Kallander* and Council Member *EJ Cheshier* were absent. Also present were City Manager *Mark Lynch*, City Clerk *Susan Bourgeois* and Deputy City Clerk *Robyn Kincaid*.

D. APPROVAL OF REGULAR AGENDA

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

Vice-Mayor Reggiani said that he was adding **Joanie Behrends** as a guest speaker.

Vote on motion: 6 yeas, 0 nays, 1 absent (Cheshier). Reggiani – yes; Beedle – yes; van den Broek – yes; Kacsh – yes; Allison – yes and Bradford – yes. Motion was approved.

Mayor Kallander arrived via teleconference at 7:40 pm.

E. DISCLOSURES OF CONFLICTS OF INTEREST - None

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Guest Speakers – *Joanie Behrends* would speak when she arrived (was on late flight)

2. Audience comments regarding agenda items

Nancy Bird executive director of the Prince William Sound Science Center was present to address agenda item 19 under correspondence. She had two PWSSC Board members with her (Clarence Pautzske and John Harvill) and they would speak after she did. She said the Science Center was busting at the seams in their current building and really want to expand. She said they had two proposals before EVOSTC that would lead to 20+ year research projects.

Clarence Pautzske is a newer board member but not new to PWS. He described the PWSSC as a unique high-quality institution. He said there is great competition for research agencies to garner funding and the PWSSC needs to be taken to the next level and needs ownership of the land and buildings in order to get there.

John Harvill the Science Center is a viable organization in this town – we contribute and we are at a stalemate with not having ownership of the building we are in. We need to resolve these issues – we need a viable plan to move forward.

Clay Koplín 6.5 mile spoke in favor of Resolution 08-11-36. He also spoke about agenda item 28 – he had previously written a letter about this and he thinks the contract was poorly written and should be discussed further – there needs to be a more fair assignment of risk. He thanked Council for the property tax reduction this year and he said that it raises the bar for some of the other service providers in the community.

Jennie Grimwood wanted to make a general comment about tax revenues and sales tax rates and property taxes. She read an article where Cordova was listed as one of the highest taxed per capita places to live. She also read Alaska Taxable for 2010 and noted Cordova was the third highest in per capita debt.

3. Chairpersons and Representatives of Boards and Commissions – No reports
(Harbor, HSB, Parks & Rec, P&Z, School Board)

G. APPROVAL OF CONSENT CALENDAR

Vice-Mayor Reggiani informed Council that the Consent Calendar was before them.

Council member *Beedle* called out agenda item 10 and it was placed later in the meeting under Ordinances and Resolutions.

4. Record unexcused absence of Council member Jim Kacsh from the 07-20-11 Regular Meeting
5. Proclamation of Appreciation to Sandra Aspen
6. Proclamation of Appreciation to Kerin Kramer
7. Proclamation honoring Ilanka Clinic during Community Health Center Week
8. Ordinance 1084

An ordinance of the City Council of the City of Cordova, Alaska, authorizing the sale of Lot Three (3), Block Two (2), South Fill Development Park to David and Bootslyn Roemhildt - 1st reading

9. Ordinance 1085

An ordinance of the City Council of the City of Cordova, Alaska, authorizing the sale of Lot Five (5), Block Two (2), South Fill Development Park to David and Bootslyn Roemhildt - 1st reading

10. Resolution 08-11-36

~~A resolution of the City Council of the City of Cordova, Alaska pledging a firm monetary commitment sufficient to complete construction of the Cordova Center Project equal to any funding deficit~~

Vote on Consent Calendar: 6 yeas, 0 nays, 1 absent (Cheshier). Reggiani – yes; Beedle – yes; van den Broek – yes; Kacsh – yes; Allison – yes and Bradford – yes. Consent Calendar was approved.

H. APPROVAL OF MINUTES

M/Kacsh S/van den Broek to approve the minutes.

11. December 08, 2010 Council Work Session Minutes
12. July 06, 2011 Public Hearing Minutes
13. July 20, 2011 Regular Meeting Minutes
14. July 20, 2011 Council Joint Work Session with HSB

Vote on motion: 6 yeas, 0 nays, 1 absent (Cheshier). Beedle – yes; van den Broek – yes; Kacsh – yes; Allison – yes; Bradford – yes and Reggiani – yes. Motion was approved.

I. CONSIDERATION OF BIDS - none

J. REPORTS OF OFFICERS

9. Mayor's Report – not present

10. Manager's Report – police chief interviews have been scheduled for this week and next – committee narrowed the field to three candidates. *Rob Brown* has resigned and the position has been advertised; Fire Marshal has also resigned. He has also been working with Cathy on trying to replace an IT/Library position. He still plans to leave Tuesday for AML in Sitka and be gone through the following Monday. He has been having health issues and is back at the office approximately half-time currently but is also working as much from home as possible. He praised *Cathy Sherman* and all of the Department Heads for keeping things running smoothly.

11. City Clerk's Report – **Bourgeois** reported that **Clay Koplín** was stepping down after two terms on MTAB (Marine Transportation Advisory Board) and he had sent an email to Council looking for interest. Council Member **Bradford** had told the Clerk he was interested and would be writing a letter. The Clerk also said she would be looking into City advertising in the Cordova Times now that the newspaper had changed hands. **Bourgeois** praised Deputy Clerk, **Robyn Kincaid** for a great job with the State Report about property taxes done annually. In that report the sales ratio number had gone from 71% in 2010 to 80% in 2011 which was what we had been working on achieving (i.e. an increase).

12. Staff Reports

a. **Josh Hallquist**, COR, Cordova Center Project

Hallquist informed Council of the progress that has occurred in the building construction and what will be accomplished in the coming weeks – he submitted a written report as well. **Bradford** asked if there was a dollar amount associated with the extra winter pay for all the concrete that was in phase 1. **Hallquist** said he could get that number but that it was a change that we actually came out ok on. **Beedle** thanked **Hallquist** for the tour he got of the site recently.

b. **Cathy Sherman**, Cordova Center Phase II

Sherman reported that out of the ten weeks that we have asked MRV to be on site weekly, they have only missed 2 weeks. She put together a good committee for art and they had a productive first meeting and will meet again in September. There will be a meeting next week with Arctic IT to work out details of technology needs for the Cordova Center. Redden Marine demo scheduled for August 20 – 21.

c. **Moe Zamarron**, Director of Public Works Department, Water & Sewer Projects update – **Zamarron** mentioned the ongoing projects such as 1) GV Jones working on the replacement of Heney Creek catchment; 2) CH2MHill contract for upgrades to Eyak Lake Water Treatment Plant – we are just about there (i.e. bringing this plant up to standby status); 3) LT2 at Water Treatment Plant – we have spent \$173K for preliminary plans but this is a \$10M project – we are working on an appeal to the state – **Lynch** mentioned the Portland, OR case where the City of Portland tried to fight this and lost at the federal level however there have been new developments. EPA has given the state of OR primacy and OR gave Portland a waiver based on the fact that Portland did not have cryptosporidium. He heard from the State director of DEC that if the EPA did not immediately challenge the State of Oregon's waiver, then the State of Alaska was going to start issuing waivers as well. So, the State has asked Moe to continue with another waiver request. **Zamarron** said we are proceeding with the schedule that EPA had set out for us while at the same time working on the application for a waiver. 4) WWTP facility plan - \$165K spent so far on a project that could be of a similar size as the LT2 one, but **Malvin** and his crew have taken some steps to see if they cannot alleviate the problem – these extra processes have been working and have gotten the levels down to below those listed in the COBC (compliance order by consent) that DEC had given to us. **Zamarron** said this extra work comes at a cost and the sewer rates are still at the 2010 levels and were not increased as had been approved in the 2011 budget. He may need to come back to Council for more money because the extra work is sure to put the sewer department over budget. However, he believes they should continue because it could save the City \$10M in the long run.

d. **Dale Muma**, Harbormaster, report on 'Old Harbor' needs – **Muma** was not present but **Vice Mayor Reggiani** spoke to his report by giving an example of how the Harbor is in fact running out of space. He said that a PWSAC chartered boat was initially turned away recently because there was no space at the harbor for transient tie up. He also learned from **Muma** that there is no annual moorage space for larger vessels as well.

Department Quarterly Reports

a. Director of Parks and Recreation, **Susie Herschleb**

Joanie Behrends had arrived at the meeting and was given the opportunity to give her presentation and an update on the City's disaster planning (i.e. EOP). She gave a recap of the past year of work that she has

done with the help of others – like **trainings** (with City employees, state troopers, neighborhood residents, section chiefs, CERT teams, etc.). She said they have also **created** things like the PWS Mutual Aid Agreement. They have also written the neighborhood campaign project. They were also involved in a lot of **drilling** like on March 23 they joined with the State on a tsunami drill and evacuated City Hall to the Forest Service Building. Ham radio operators and CERT team have also drilled. There have been **meetings** with dispatch and with individual section chiefs. There have been meetings with EMO and DHS & EM. Four drills are upcoming – one is noon-4pm tomorrow – it is the active shooter drill. On September 17 there will be a drill concerning an airplane crash in the water – DOT has to do this every 3 years – the fire department will be out assisting DOT at the airport on this drill. There will be a BP-run oil spill drill and Council will learn more at the work session with Trish Baker on Friday (August 5). Alaska Shield 2012 (2/10/12) is coming up again but it won't be as time-consuming as was the last Alaska Shield drill. She ended by stating that she knows there has been so much going on with this disaster training but she is sure everyone wonders when **Joanie** will stop with all of this – she had 4 points to make: 1) it is mandated by the Alaska Constitution, 2) it is being done all over the state and nation right now as a result of 9/11; 3) we have done the hard part – all the training of the people who need to be involved; and 4) as time progresses, more and more incoming employees will have this training upon acceptance of employment.

K. CORRESPONDENCE

19. Letter from PWSSC in re land acquisition (& background material)
20. Letter from Ocean Beauty in re land acquisition
21. Letter from Jai Kim, P.E., Ph.D. in re concern about truss bridges

Kacsh asked about the status of PWSSC concerning Lot 1 Block 1. He was asking whether the process had been begun on purchase. He said he would like to discuss this at the next meeting. **Allison** said we have a process in place and the process should be followed. After some back and forth discussion Council determined that the analysis of these varied requests should begin with staff and then should come before Council when necessary.

L. ORDINANCES AND RESOLUTIONS

10. Resolution 08-11-36

A resolution of the City Council of the City of Cordova, Alaska pledging a firm monetary commitment sufficient to complete construction of the Cordova Center Project equal to any funding deficit

M/Allison S/Bradford to approve Resolution 08-11-36 A resolution of the City Council of the City of Cordova, Alaska pledging a firm monetary commitment sufficient to complete construction of the Cordova Center Project equal to any funding deficit.

Beedle said that he would like to see the actual dollar amount in the resolution. **Allison** said we had this discussion previously and we specifically said we wouldn't include a number in there because we do not want to commit a certain amount. Our intent is still to fundraise for the gap. He said this resolution is relatively non-committal for the Council yet does satisfy the EVOSTC and should get us the \$7M. He will support the resolution. He would have had a problem if there had been a dollar amount included. He also believed that if we had a \$21M building and needed a few million more to complete – he thought there would be plenty of opportunities to get that amount – he was not afraid of that. **Bradford** said he recalled that as well and was in support of the resolution.

Vote on motion: 5 yeas, 1 nays, 1 absent (Cheshier). van den Broek – yes; Kacsh – yes; Allison – yes; Bradford – yes; Reggiani – yes and Beedle – no. Motion was approved.

M. UNFINISHED BUSINESS

22. Review of Performance Deed of Trust Criteria for Lots 1-4, Block 42, Cordova Original Townsite

A typo was corrected as he intended to build a 4,000 square foot house not 400. Council also decided that a time frame should be added in and that they wanted to see a five-year performance. *Allison* suggested that the word minimum be placed in the performance deed of trust before the square footage.

23. Health Care Management RFP – follow up questions with answers

Council had back and forth discussion regarding QHR's answers to some follow up questions as well as the different types of boards in the different proposals (advisory vs. governing). *Allison* asked if it was appropriate to make a motion tonight to take action on this. *Vice Mayor Reggiani* thought not and the *Clerk* concurred that it was not listed as an action item. *Allison* wanted to stress that the employees, the administration and everyone at the hospital is waiting for a decision to be made – the original timeline laid out for this process called for Council action at this meeting. *Kristin Carpenter* was at the meeting and was asked for her input. She mentioned that hospital staff members that have been attending Health Services Board meetings have generally favored the QHR proposal for various reasons. It was decided to take up the scheduling of the decision during the pending agenda portion of tonight's meeting.

N. NEW & MISCELLANEOUS BUSINESS

24. Council concurrence of Mayor's appointment to fill vacancy on the HSB

M/van den Broek S/Allison to serve the remainder of a three year term that will expire August 2012.

van den Broek said he fully supports this and asked if *Kramer* had stated a reason why she resigned. *Allison* said he had received an email just stating she was resigning effective immediately.

Vote on motion: 6 yeas, 0 nays, 1 absent (Cheshier). van den Broek – yes; Kacsh – yes; Allison – yes; Bradford – yes; Reggiani – yes and Beedle – yes. Motion was approved.

25. Pending Agenda and Calendar

Council concurred that the health services RFP decision should be on an agenda soon but they were concerned about having a full Council at the meeting where such a decision is made. The *Vice Mayor* and the *Clerk* would work together on upcoming agendas and on attendance.

O. AUDIENCE PARTICIPATION

Cathy Sherman thanked Council for their support on the Resolution for EVOSTC. She said if there had been a number in the resolution it would have let her off the hook to find the remaining funding – yet she fully intended to work hard to find the remaining funding. She said there was some misinformation out there and she wanted to clarify that for this \$21M project the City has expended approximately \$800K over the last nine and a half years. There is still \$1.5M of City money committed for construction because we knew that no one was going to fund City Hall. However, Council took a brave a valiant step tonight to commit to the project in order to appease EVOSTC and get the \$7M.

Barb Beedle of 910 Ingress is concerned about people crossing the road on Main Street – jaywalking and not crossing at the corner. She wondered if a cross walk couldn't be put in front of Wells Fargo. She also reiterated a concern about kids on bicycles on the sidewalks on Main Street – she wishes the police could go to a grade school assembly and mention it to kids there.

P. COUNCIL COMMENTS

18. Council Comments

Beedle welcomed Mark Lynch back. Good luck to *Kacsh* on the Health Services Board.

Allison wanted to pass on a final appreciation to *Kerin* and *Sandra* for their work on the HSB. He also welcomes *Jim* back to the board. He also congratulated *Jennifer Gibbins* for the purchase of the Cordova Times.

Bradford stated that he thanked the public for voicing their concerns. He also thanked Jennifer on the newspaper. He mentioned that Archery in the Schools will be August 18 & 19 for kids 8 and older and parents are welcome as well.

van den Broek brought up a traffic concern at the intersection of First and Council. There seems to be a lot of congestion there and pedestrian traffic as well. He thought it would be a good location for a four-way stop.

Q. EXECUTIVE SESSION

27. Cordova Center financial update

M/Allison S/Kacsh to go into an executive session to discuss matters the immediate knowledge of which would clearly have an adverse effect on the finances of the government specifically, Cordova Center financial update.

Vote on motion: 6 yeas, 0 nays, 1 absent (Cheshier). Kacsh – yes; Allison – yes; Bradford – yes; Reggiani – yes; Beedle – yes and van den Broek – yes. Motion was approved.

Council entered into executive session at 9:55 pm. The Regular Council Meeting was reconvened at 10:05 pm. **Vice-Mayor Reggiani** said that Council had received a financial update on Cordova Center project and no action was taken.

28. Attorney advice regarding negotiations with AIGC regarding ATS 1004

M/Allison S/Bradford to go into an executive session to discuss matters the immediate knowledge of which would clearly have an adverse effect on the finances of the government specifically, attorney advice regarding negotiations with AIGC regarding ATS 1004 and to allow our attorney and **John Harvill** to be involved in the executive session.

Vote on motion: 6 yeas, 0 nays, 1 absent (Cheshier). Allison – yes; Bradford – yes; Reggiani – yes; Beedle – yes; van den Broek – yes and Kacsh – yes. Motion was approved.

Council entered into executive session at 10:06 pm. The Regular Council Meeting was reconvened at 10:35 pm. **Vice-Mayor Reggiani** said that Council had received advice from the attorney regarding AIGC and ATS 1004 and no action was taken.

29. Attorney advice regarding potential HIPAA concerns with ambulance billing

M/Allison S/Bradford to go into an executive session to discuss matters the immediate knowledge of which would clearly have an adverse effect on the finances of the government specifically, attorney advice regarding potential HIPAA concerns with ambulance billing.

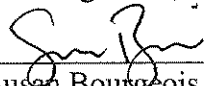
Vote on motion: 6 yeas, 0 nays, 1 absent (Cheshier). Bradford – yes; Reggiani – yes; Beedle – yes; van den Broek – yes; Kacsh – yes and Allison – yes. Motion was approved.

Council entered into executive session at 10:35 pm. The Regular Council Meeting was reconvened at 10:47 pm. **Vice-Mayor Reggiani** said that Council had received advice from the attorney regarding potential HIPAA concerns with ambulance billing and no action was taken.

R. ADJOURNMENT

M/Allison S/Bradford to adjourn the regular meeting at 10:48 pm. Hearing no objection, the meeting was adjourned.

Approved: August 17, 2011

Attest: 
Susan Bourgeois, City Clerk

