

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

**A. CALL TO ORDER**

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

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**C. ROLL CALL**

Present for roll call were *Mayor James Kacsh* and Council members *Kristin Carpenter, Tim Joyce, David Allison, Bret Bradford* and *David Reggiani*. Council members *EJ Cheshier* and *James Burton* were absent. Also present were Acting City Manager *Moe Zamarron* and City Clerk *Susan Bourgeois*.

**D. APPROVAL OF REGULAR AGENDA**

*M/Reggiani S/Joyce* to approve the Regular Agenda.

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

**E. DISCLOSURES OF CONFLICTS OF INTEREST**

*David Allison* said he has a conflict of interest with item #30 as he is employed by Eagle Contracting. *Bret Bradford* said he has a conflict of interest with item #26 as he is employed by Dundas for SERVS. *Mayor Kacsh* agreed that they both are conflicted and asked them to refrain from discussing and voting upon the respective items when before Council.

**F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS**

1. Guest Speaker – *Jonah Dart-McLean* from NVE presented an update on the Shepard Point Road project. The road would be 4.4 miles north from the Orca Cannery ending at Shepard Point. The site itself would be a 3.5 acre site with a 600 pile supported dock. They have a maintenance MOA with the State DoT for maintenance of the road. They are working on getting a Clean Water Act Permit. The design is currently at 35% complete. He highlighted the benefits and the concerns to the project listed in the packet. Most of the project information can be found at [www.Shepardpoint.com](http://www.Shepardpoint.com). *Bradford* asked if the single lane road with pullouts will support year round public access. The response was that it is a publicly funded road so it will be publicly accessible, not gated. There is the possibility of avalanche closures.

2. Audience comments regarding agenda items

*James Mykland*, 121 W Davis, in re Shepard Point Road. He stated that currently we have three barges and tugs out in Prince William Sound loaded with oil spill response equipment. They can be anywhere in the Sound within 10-15 hours. Cordova has a great response crew with response time of 6 hours. He is concerned whether someone is going to be at this new station 24 hours a day, 7 days a week and that Cordova gets money because we store equipment and SERVS training etc. He also expressed a concern with the road in winter conditions in addition to avalanche hazards. He is fearful of losing what we already have in Cordova (i.e. readily available equipment, training and funding). He does not agree with the benefits listed. Happy Birthday Susan Bourgeois.

*Michel Clutter*, of Ocean Beauty Seafoods spoke in re item 27 and 28, Lot 1 Block 1 Cordova Industrial Park. He reiterated Ocean Beauty's interest in this lot as it is important to them from a competitive perspective. Keeping up with challenges of environmental compliance requires more land.

3. Chairpersons and Representatives of Boards and Commissions

*Harbor Commission* - The last meeting was canceled for lack of a quorum.

**HSB - Allison** said that the Board will have its regular quarterly meeting July 7th.

**P&R - Carpenter** said they have not had a meeting since the last report.

**P&Z - Reggiani** reported that they have two items on the agenda tonight. They reviewed chapter 19 and made recommendations to City Council. They also looked at the Local Hazards Mitigation Plan and made recommendations to the City Council. Then they started looking at vacating the right of way on Adams Ave, between 5<sup>th</sup> Street and 9<sup>th</sup> Street. It is a portion of the road that has not been developed and may never be developed. This would create more land and development opportunities.

**School Board - Bradford** said there was no meeting.

#### 4. Superintendent's Report – No report.

Second Guest Speaker **Buck Adams** of UBS Financial (*via teleconference*). Year to date it has been pretty quiet through the end of June. The bond market has been very volatile in the past few months. When existing interest rates go up then prices on bonds go down. A lot of our returns have been a combination of both interest income and price appreciation in our bonds. Since this report was printed in June we have actually moved up \$132K. Our gains since September of 2009 are \$1.88M in portfolio value. We are up about 1% for the year. Our stock portfolio with the US Market is where we are seeing most of our gains. Internationally nothing is happening. With a blended portfolio you have to take the good with the bad. Up 1% for the City of Cordova means \$132K in gain to the portfolio year to date. We are at 60% fixed income, 65% when you put the bonds and cash together. Most of our exposure is in the fixed income market. We are watching very closely the reaction in bond prices. The Federal Reserve Chairman made a comment about beginning to back off on the quantitative easing that the Federal Reserve has been engaged in. They have been buying \$85 billion a month on the open market in order to keep things stabilized. His comments caused a pretty volatile couple of weeks. A couple days ago the Federal Reserve Chairman made comments that were much more accommodating. He thinks it scared the daylights out of the Federal Reserve when they saw how volatile things got when they just mentioned beginning to taper. Their intent is to ease up the amount of stimulus in the economy as the economy improves. If they begin to taper that means that the underlying strength of the economy is beginning to improve. Corporate balance sheets are as strong as they have ever been. He thinks we are in a good position. His recommendation is to come down in the fall for a work session to go into a little more details on how things are going and should we make any adjustments.

#### G. APPROVAL OF CONSENT CALENDAR

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

**Reggiani** called out item 8. **Mayor Kacsh** placed it in the agenda as item 22a.

5. Resolution 07-13-40, A resolution of the City Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a contract with Sheridan Alpine Association (“Contractor”), a non-profit corporation organized and existing under the laws of the State of Alaska, to manage and operate the Mount Eyak recreation area for the benefit of the City and the public.

6. Resolution 07-13-41, A resolution of the City Council of the City of Cordova, Alaska, approving the final plat of Lot 1 and Lot 2, USS 1765 (ptn) ASLS 79-80

7. Resolution 07-13-42, A resolution of the City Council of the City of Cordova, Alaska, approving the final plat of Lot 32B and Lot 325C, U.S. Survey 3601

~~8. Resolution 07-13-43, A resolution of the City Council of the city of Cordova, Alaska, supporting the Native Village of Eyak's Shepard Point Road and deep water oil spill response facility project.~~

9. Record excused absences of Council members **Cheshier & Burton** from the July 3, 2013 regular meeting.

Vote on Consent Calendar: 5 yeas, 0 nays, 2 absent. Bradford-yes; Reggiani-yes; Allison-yes; Cheshier-absent; Carpenter-yes; Joyce-yes; and Burton-absent. Consent Calendar was approved.

## H. APPROVAL OF MINUTES

*M/Reggiani S/Allison* to approve the Minutes.

10. Special Meeting Minutes 04-29-13

11. Special Meeting Minutes 05-07-13

12. Special Meeting Minutes 05-17-13

13. Special Meeting Minutes 05-20-13

14. Regular Meeting Minutes 06-19-13

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

## I. CONSIDERATION OF BIDS - none

## J. REPORTS OF OFFICERS

15. Mayor's Report

*Mayor Kacsh* said he had a couple meetings early in the month. He met with NVE on the Shepard Point Road project. He also met with NVE and other community members to discuss our situation with the bridge. He suggested that the Council has a Capital priorities list but it would also be nice to have a community priorities list. He thinks it will help get the City, NVE and the community all on the same page. He asked that they consider a public work shop in the future. *Carpenter* stated that they will be reviewing the Comprehensive Plan in the future and maybe that would be a good time to discuss this.

16. Manager's Report - *Zamarron* said Dokoozian Construction will be here Friday to start on the Cordova Center windows. Compared to second quarter last year the Refuse Department has decreased their labor by 5% and decreased the amount of refuse being taken to the landfill by 12%. This is before the official recycling program began. *Bradford* asked for an update on the Baler Improvements Project. *Zamarron* responded that he has the approval from DEC stating specifically what the grants and loans can be used towards. He did not want to move forward with the project until he received that confirmation and it took a long time. He expects to have an RFP out in the next week or so. He hopes to get it started before winter then a lot of the work can be done inside during the bad months. *Reggiani* asked about a time frame for the project. *Zamarron* responded that it is a design build so we will look to the contractor for some of that. He anticipates the project taking well into next year to be completed at the end of next year's construction cycle. The money is in place to span that period of time. *Bradford* inquired about Dokoozian being here Friday and whether they will be monitored. *Zamarron* responded that he has a very specific plan for them to follow. They have to get back to us with a detailed work plan to match our plan. They are saying it will take 33 days.

### Staff Second Quarter 2013 Reports

a. **Paul Trumblee**, Fire Marshal, CVFD

*Allison* pointed out that we are starting to see revenue being generated by ambulance billing. He appreciates the work being done and this finally being in place.

b. **Buck Adams**, UBS Financial, City investments

c. **Jon Stavig**, Finance Director

d. **George Wintle**, Police Chief

e. **Tony Schinella**, Harbormaster

f. **Cathy Sherman**, Museum Director, Cordova Center

g. **Laura Cloward**, Info Services

h. **Miriam Dunbar**, Library Director

i. **Moe Zamarron**, Public Works Director

j. **Samantha Greenwood**, City Planner

17. City Clerk's Report – written report in packet

## K. CORRESPONDENCE

18. DCCED letter in re \$1M grant for Cordova Center
19. Chenega Bay IRA Council thanks for donation
20. DoT CRH Bridge #339 June 2013 update  
*Joyce* commented that the bridge is getting bigger by the day.
21. Mayor letter to Governor in re Cordova Center 07-10-13

#### L. ORDINANCES AND RESOLUTIONS

22. Resolution 07-13-39 A resolution of the City Council of the City of Cordova, Alaska supporting temporary small ferry service during the replacement of bridge 339 along the Copper River highway in Cordova, Alaska

*M/Allison S/Bradford* to approve Resolution 07-13-39 a resolution of the City Council of the City of Cordova, Alaska supporting temporary small ferry service during the replacement of bridge 339 along the Copper River highway in Cordova, Alaska.

*M/Allison S/Reggiani* to amend the last whereas changing 2016 to 2017

*Allison* stated that the latest information from the State is that construction won't start until 2017.

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

*Mayor Kacsh* stated that this was the result of the meeting he had with NVE and other community members. The concern is if people quit going to the glacier the State won't continue to work to fix it. This is just one idea of a way to help us and others regain our access to the glacier. *Bradford* appreciates the idea and would love to have access out there again. He inquired if there are plans in the works. He doesn't want to pass a resolution on an idea. *Mayor Kacsh* stated that the idea is to get the State and maybe other entities like the Forest Service to fund the project. *Joyce* stated that he is on the Marine Transportation Advisory board (MTAB). The Alaska Marine Highway system has been losing money lately. They are in the process of looking at an Alaska Class ferry to replace some of the older vessels. It is expensive and they do not have small boats. He does not think it will pass MTAB. It would open a can of worms for them to provide small boats to specific communities. Also, there are two commercial outfits providing transportation across the bridge and to the glacier. The State won't compete with the private sector. *Allison* said he was not thinking this would be AMHS authority. He was thinking it would be along the lines of supporting. He does not think supporting this is a bad thing. The resolution specifies that the ferry service would be run through the demolition and construction phase. Those phases may not start for years yet and the demand for the transportation is now. *Carpenter* agreed that we do want to support access and show that there is need for the bridge. She is not sure this is the route she would have chosen but it will send a message to DoT.

*M/Joyce S/Carpenter* to amend the main motion by striking the phrase "during the demolition and construction phases and" and replace the language "small ferry" to "vehicular".

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

*Reggiani* stated that he is unsure as to what this resolution is going to do. Who is our audience and where is this going? *Mayor Kacsh* stated that when he has had conversations with DoT their response is that they haven't heard any complaints. So this is to get something out there to pass forward. *Carpenter* stated that he mentioned he had spoken with NVE and was wondering if this would be something someone could use to get some type of grant. If the object is to send a message then she thinks we can come up with stronger language as to why we need the bridge. *Joyce* stated that the current transporters have special use permits. This could carry weight and help them continue to offer their services in the future. There are a lot of ways our community is being harmed by not having that bridge and those can be outlined in a letter from the Mayor along with supporting signatures from the Chamber, NVE etc. *Bradford* agrees with *Carpenter* and *Joyce* and would like to see a letter drafted about the specifics.

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

**Item 22a. or original agenda item 8.** Resolution 07-13-43, A resolution of the City Council of the City of Cordova, Alaska, supporting the Native Village of Eyak's Shepard Point Road and deep-water oil spill response facility project.

*M/Allison S/Reggiani* to approve Resolution 07-13-43, a resolution of the City Council of the City of Cordova, Alaska, supporting the Native Village of Eyak's Shepard Point Road and deep-water oil spill response facility project.

*Allison* stated that *Mykland* brings up a lot of good points. At the very least we should come up with some sort of analysis. The answers to these concerns could all be in the proposal but he would like to take time to look into it further. He knows NVE is heading this up but would like to hear what kind of public process this has gone through. *Joyce* stated that this has been talked over for years. All the issues *Mr. Mykland* brought up have been discussed. No one is talking about moving existing equipment out of Cordova. They are talking about bringing in additional equipment to enhance our oil spill response capabilities. We have the only airport in Prince William Sound that can accommodate a jet. With a deep water dock we can accommodate a large barge that we otherwise could not accommodate. Naked Island gets the equipment pulled into the site in Valdez in the winter. This would provide another alternate spot for that barge to sit where it can be available. EVOS has already allocated \$15M for an oil spill response facility. He believes that NVE has also been able to acquire funding for the project. Just having a road to humpback creek would save the community \$5M. Having additional electrical and water facilities would also save this community a lot of money just by having this road built for us. There are a lot of advantages above having a road to a deep water dock. *Bradford* stated that before we support this he would like to see what financial advantages and disadvantages this could bring to the community. He would like a little more information from NVE on what they have funded for this project already. He would like it to be referred back to staff. *Allison* stated that we have supported this over the years and wonders why we need to give this support now. Is NVE using this as leverage for funding? He would also like to see who they have been in discussion with to make sure these plans do not conflict with other future plans. *Joyce* stated that many funders will ask for renewed statements of support to make sure everything is still in place, especially when a project has dragged out over a number of years. *Dart-McLean* stated that they are gearing up for the Clean Water Act Permit with the Corps of Engineers. They are cataloging stake holders' support of the project, the City is a stake holder. They also have had consultations with CEC, SERVS, CAC and Eyak Corp. *Reggiani* said he supports a road to Shepherd Point but would like to see a better put together packet. He feels there is a lot of guessing at the intent. A simple letter from NVE would be helpful in giving them more information and direction. *Zamarron* stated that the City staff has not had a look at this. If the Council would like to see the benefits to the City then staff can put some time into evaluating it and put together some information. *Bradford* stated that he specifically would like to see the revenue stream from SERVS for storing their equipment, property tax and things of that nature. *Reggiani* said he would not like our staff to spend time on a project another organization is responsible for putting together. *Joyce* agreed with *Reggiani* this is not a City project.

Vote on motion: 2 yeas, 3 nays, 2 absent (Cheshier, Burton). Motion failed.

*Allison* asked that NVE bring this back with more information as discussed tonight.

## **M. UNFINISHED BUSINESS**

**23. Council approval of City Clerk's Employment Agreement (may be discussed in executive session)**

*M/Allison S/Joyce* to approve the restated City Clerk's Employment Agreement.

*M/Allison S/Joyce* to amend the employment agreement as presented in the packet tonight.

*Allison* stated that this motion simply puts everyone on the same page as is in the packet.

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

*M/Allison S/Bradford* to amend section 2 item 1, salary, of the employment agreement to 6/1/13.

*Allison* stated that this would make the effective date for the salary increase the same as the union and exempt employees increases.

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

*M/Allison S/Joyce* to amend section 3.a. of the employment agreement striking "A maximum of 240 hours of".

*Allison* stated that this amends the agreement to reflect what was discussed at the work session. *Joyce* stated that he supports this motion and its intent.

Vote on amendment: 2 yeas, 3 nays (Reggiani, Bradford, Carpenter), 2 absent (Cheshier, Burton). Motion failed.

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

**24.** Discussion with John Bitney (*via teleconference*), City Lobbyist redistricting update & out of session lobbying.

*Mayor Kacsh* asked the Council if they had any questions for *Bitney*. *Joyce* stated that it looks like we are right back where we started. *Mayor Kacsh* stated that he may make a trip to Kodiak to meet with our representatives if we can't get them to come here. *Bradford* stated that it sounds like they are sending a few people over here for the Copper River Wild Festival which is a step in the right direction. The other said he might come over between now and January 1<sup>st</sup>. *Bitney* stated that he thinks this is a good opportunity and will be time well spent. He has been coming up with some ideas on strategies. One of the main ones is getting the Governor more involved. Staff sent a nice letter off to the Governor last week. The Governor has signed all his bills so now he will be making a concerted effort to get out to all the communities around the state. *Bitney* is trying to get staff to set a date for his visit to Cordova. He is trying to go to Kodiak on a personal trip and will pop in on them all while he is there. He recommends continuing to press them to spend the tax dollars in Cordova as much as we can. *Joyce* stated that he was watching the news tonight and there is a controversy in Anchorage on \$7M to build an indoor tennis court but Anchorage hadn't gone through the process of getting the public support behind it. The only ones supporting it was the tennis group in Anchorage. So with 100% support from a community versus \$7M on a project only a small group supports is something that needs to be brought up that our project will not run into that problem.

**25.** Discussion of City Council email policy

*Zamarron* stated that he asked the attorney Holly Wells for comments on this and she made the following three points. There is an Alaska Statute that requires public entities to retain correspondence, e-mails, letters etc. for a certain amount of time. The City of Cordova has adopted the State recommended policy. Some correspondence is required to be kept 3-5 years and some even longer. If the correspondence is going to a personal address there is nothing saying that the individual will retain the information. A standard search of public records reaches into all record locations. Ease of recovery, it is much less expensive for an IT department to provide e-mails from a single recognized location than it is for attorneys to determine where to look and then pull the pertinent information from a broad range of data. *Zamarron* further stated that he had asked the IT department for their input and they offered the following three points. It limits server space by having only 8 user accounts associated with the publicly elected officials. It would provide a single constant address for the elected seats, updates would be limited to the changing of passwords. Only official generic e-mail addresses are published. *Bradford* stated that they are aware of the risk of their e-mails being requested and he has no problem giving it to them. If the City adopts the State recommended Statute for e-mails than it would have to come through Council. If he had a City of Cordova e-mail address he would set it up to forward to his personal account anyway because he doesn't have the time to check two accounts every day. *Reggiani* thanked *Zamarron* for putting this information together for Council. He stated that this started with a City Manager report stating that we are out of compliance in this area. That was cleared up and we are not out of compliance. As he sees it there are two

issues. One is the legal issue and he does not have a clear understanding of that so would like to talk to Wells about it sometime. The other issue is the IT side with the ease of maintaining a list of City Council seats and e-mails. He has no issue with that topic. It looks to him like in the minutes the Council decided not to implement anything and yet in the last couple weeks these e-mails are active and being forwarded to our preferred e-mail address. If that is the case then mechanically if that works as a way to get the information to us than he supports that. The legal understanding he does not follow and would like some clarification from the attorneys. He is also stuck on the term "official business" that is being used. He is not sure what that could be since, as Council members, they have no authority to act individually. They have no power to do official business. This makes the Council members and the situation with the Governor separate topics as the Governor has the authority to make decisions solely. *Joyce* stated that he does not have a problem with the legal issue as *Reggiani* does. With the Open Meetings Act we cannot be communicating with each other or even the Clerk as individuals without having it open to the public. With it being on the City server that basically opens that up and we could show legally that we are not communicating individually only in the group. This would go through the City server to your personal e-mail. So you don't have to go to the City website or go look for it. The only difference is that it goes through the central server so that the record is being maintained on that central server. It will keep us from having to search everybody's computers for information. It will all be in the one location. He thinks this is the smartest thing to do because at some point we will find that we are out of compliance. If Council would like to sit and discuss this with Wells he has no problem with more discussion. *Allison* respectfully disagreed with *Joyce* as the letter he got said they would not allow forwarding to their home mailboxes. He thinks that is where the issue lies. He does not want to log into "Council seat C" in order to do something. As long as the staff is using the City server anything coming to me or going from me to them is already going to go to that server. If we can indeed forward then he thinks everyone on Council is fine with that but it was his understanding that we could not. *Joyce* stated that he sees where they were given their e-mail accounts and passwords but not where it says it can't forward. *Mayor Kacsh* stated that the most important thing to him is public access to their elected officials. He thinks the idea behind it was to really protect the elected officials from scrutiny. *Reggiani* agrees with *Allison* that the issue on being able to forward or not being able to forward is unclear. If we can clear that up then the topic will be much easier for Council to debate and come to at least an understanding of the issue if not a resolution. When we get to the pending calendar he would like to perhaps schedule time with Wells again. *Joyce* stated that he too would like Wells to help them discuss this more. As it stands now it is being forwarded and he also can access it individually. *Allison* stated that we have been doing it this way ever since he got on Council and he didn't think the system was broken.

## **N. NEW & MISCELLANEOUS BUSINESS**

### **26. Dundas request in re Performance Deed of Trust**

*Zamarron* stated that the terms on the Performance Deed of Trust have been set by Council. We have in front of Council a request from Dundas to extend it. *Allison* stated that he will summarize how he sees it and the City planner can correct him if he is off base. The City initiated these Deeds of Trust with some kind of compliance before the purchase to avoid speculation on property. This particular piece of property has already had a portion of the property taken out of the Deed of Trust requirements and sold. There were no Deed of Trust consequences for selling a part of the land so a couple years later he attempts it again. The other side didn't follow through with their end of the deal so there was no need for action by Council. Now they are asking for an additional 5-years after getting 7-years which will be the longest we have ever gave an entity to develop their property. They are asking for 5-more years so they can again sell the property to somebody else. In his mind that is speculation. They bought the property 6 years ago and they have done little with it. He does not believe the intent initially was speculation but he thinks it ended up being that way. He is not in favor of supporting extending this Deed of Trust so the property owners

can make it more valuable and sell it for a higher price because they had more time to develop it. *Joyce* agreed with *Allison*. This came before Council already and Council was told that they needed the 7-years because the type of ground would require additional excavation. They wanted to excavate it over time in order to sell the dirt. After discussion the Council decided to agree to the extra time in order to do that. That extra time has elapsed and there has been little development. He thinks that the City provided them over and above what we would normally do because of the situation. They have not held up their end of the bargain. At this point it is speculation on if they can sell it and make a profit which was never the intent. The property was sold for development for commercial use for revenues for the City and that did not happen. *Mayor Kaesh* asked staff to draft a letter letting Dundas know that we are not interested in extending the Deed of Trust. Council concurred.

**27. Acceptance of Planning & Zoning Commission Resolution 13-06**

A resolution of the Planning & Zoning Commission of the City of Cordova, Alaska recommending that Lot 1 Block 1 of the Cordova Industrial Park be updated to available and added to the 2013 land disposal maps to the City of Cordova's City Council.

*M/Reggiani S/Allison* to accept Resolution 13-06, a resolution of the Planning & Zoning Commission of the City of Cordova, Alaska recommending that Lot 1 Block 1 of the Cordova Industrial Park be updated to available and added to the 2013 land disposal maps.

Vote on motion: 4 yeas, 1 nays (Bradford), 2 absent (Cheshier, Burton). Motion was approved.

**28. Request for purchase City land: Lot 1, Block 1 Cordova Industrial Park**

*M/Reggiani S/Allison* that the City dispose of Lot 1, Block 1 Cordova Industrial Park for not less than fair market value as outlined in chapter 5.22.060 A.4.

*Reggiani* stated that the land has been available and just made available again. He thinks it is in the best interest of the City to put out for proposals to see what kind of interest is out there before we decide whether to dispose of it or not. *Bradford* asked *Greenwood* if the land includes the property up to high tide. *Greenwood* responded that it does not include tidelands. The corner is marked. *Bradford* stated that the community is running out of real property. He would like to see the City hold onto something. He has no problem looking at people's ideas for the property as long as it is clear that we do not have to take any of the proposals.

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

**29. Acceptance of Planning & Zoning Commission Resolution 13-07**

A resolution of the Planning & Zoning Commission of the City of Cordova, Alaska recommending the update of the Cordova Comprehensive plan and support of the process outlined in the attached proposal to the City Council of the City of Cordova, Alaska.

*M/Carpenter S/Reggiani* the City Council accept Resolution 13-07, a resolution of the Planning & Zoning Commission of the City of Cordova, Alaska recommending the update of the Cordova Comprehensive plan and support of the process outlined in the attached proposal to the City Council of the City of Cordova, Alaska.

*Allison* stated that the attached proposal has a timeline of this year however it is an unbudgeted item. Is the intent to stick to that schedule or move the schedule out to next year? *Reggiani* responded that their intent is to gain support for the commission to update the comprehensive plan. He feels that the City will benefit from an outside firm helping with that process. The intent was not that it would be an amendment to this year's budget but rather something forwarded to Council to be put into the budget process. *Greenwood* stated that the proposal only included a time line because that is how the proposal was written. They are just trying to give Council a heads up that they want support before they move forward with it. This is the process they are looking at and the cost figure they came up with to see it through. To accept the recommendation would be to approve an update and supporting the process proposed. *Reggiani* clarified



that accepting this resolution would not lock Council into spending funds on this next year or the following year. The approval is for the process and the intent to update. **Greenwood** stated that according to Alaska State Statute the City Council has to weigh in. **Joyce** stated that the way he reads the resolution it says that we are supporting the outlying supporting proposal to the City Council. If we are going to pass this as it is written currently it ties us into things we just discussed we don't want to do yet.

**M/Joyce S/Allison** to amend the resolve stating "updating the comprehensive plan" by inserting after "plan" "in fiscal year 2014".

Vote on amendment: 5 yeas, 0 nays, 2 absent (Cheshier, Burton). Motion was approved.

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

**30. Contract approval with Eagle Contracting Corp. for Eyak Water Treatment Plant roof.**

**M/Reggiani S/Bradford** to direct the City Manager to enter into a contract with Eagle Contracting Corp. to perform structural repairs to the Eyak Lake Water Treatment Plant roof and associated work for the sum of \$282,770.

**Zamarron** stated that there was only one bidder on the RFP and it was Eagle Contracting. We laid this out according to our grant specifications so we can pay for the project with that and matching funds from the LT2 loan. The \$282,770 is 70% grant and 30% loan. The bulk of that loan has been subsidized by the State. This is just the structural part of it; the actual roofing will come along very shortly after this.

**Reggiani** asked how does this compare to what was budgeted. **Zamarron** responded that it was budgeted much higher. **Reggiani** clarified that this would be a design-build project. **Zamarron** responded that it is not. They will be building with plans for the original structure created in the 80's. This will be a new roof including sheetrock inside to bring it back to its original condition. There is no engineering needing to be done for the project. **Joyce** asked what it would cost to replace the building as opposed to fixing the damaged one. **Bradford** stated that if we are looking into a new building it would be good to look at one with a peaked roof so it doesn't have to be shoveled. **Zamarron** stated that part of the original plan from CH2MHill was to build a part adjacent to this building. We want to rehouse the existing equipment with the equipment operating because we can't stop operations. He can look into what it would cost to replace the whole building but warns that it will be very expensive. **Bradford** stated that he thinks trying to demo a building around existing equipment would be expensive he would like to see if we could look into doing a truss system for the new roof. **Zamarron** stated that they have a quote to do that which would cost almost half a million dollars. As we stand now this project is going to cost almost \$300K plus he is guessing an additional \$100K to finish. **Mayor Kacsh** asked if they change the scope of the project would it affect the LT2 funds available. **Zamarron** responded that it would not as we are still within the allotted time frame. **Joyce** stated that he is satisfied that **Zamarron** is saying a total building replacement will cost a lot more money. **Reggiani** asked about the timeline for the project if this is accepted tonight. **Zamarron** stated that it will take a total of 8-weeks to complete after they receive notice to proceed. **Bradford** asked if there is other support on the Council to look into a truss system for an additional \$150K plus engineering.

**M/Bradford S/Reggiani** to refer back to staff for research on a roof that sheds option.

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

**31. Pending Agenda and Calendar**

Buck Adams meeting in the fall (September or October) before budget

Attorney Wells meeting on the e-mail issue. Agenda item August 7<sup>th</sup>

NVE letter to put back on agenda with a support letter and more information

## **O. AUDIENCE PARTICIPATION**

*James Mykland* stated that he really appreciates the new Harbor Master. He thinks what he has been doing with the North Fill is great. More and more fisherman are using those services. He appreciates the letter to the Governor on the Cordova Center. He thinks it is imperative that we get money to complete this project. Board of Fish want to use the facility December 2014 which would be big for Cordova. *Mykland* furthered that he doesn't actually oppose Shepard point road because that road is going to go through. What he would like to see is assurances from Alyeska Pipeline, SERVS and NVE that we are not going to lose what we already have in Cordova. He want's assurances that it will be all new equipment. We have 200 boats in Cordova under contract with SERVS and we don't want to mess that up.

**P. COUNCIL COMMENTS**

**32. Council Comments**

*Allison* stated that the Council's intent was to direct staff to go forward with the leave policy. In the work shop there was no dissent that it should change yet tonight the vote went 3-2 against keeping it the way we have it. Staff should be confused on our intent now as is he. *Allison* commented that 8-weeks is a short timeline for the Eyak treatment plant roof building project. Keep in mind 3-weeks lead time or more for some specialized equipment. He appreciates staffs efforts and looks forward to Randy getting here.

*Carpenter* said to support the runners when you see them at the festival on 7/27. They do need volunteers. [Copperriverwild.org](http://Copperriverwild.org)

*Joyce* echoed what *Allison* said about the work shop. Council just went 180 degrees from what was discussed so he would think staff would be very confused. He also pointed out that a short timeline adds to cost. He looks forward to additional discussion with NVE on the Shepard Point Road project.

*Mayor Kacsh* stated that during the 4<sup>th</sup> of July festivities there were so many volunteers around town that stepped up and made that day wonderful. He is especially grateful to *John Harvill* for his efforts.

**Q. EXECUTIVE SESSION**

**33. Cordova Center Finances – Attorney advice/update**

*M/Joyce S/Allison* to go into executive session to discuss matters the immediate knowledge of would clearly have an adverse effect upon the finances of the government; specifically to discuss the Cordova Center Finances.

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

Council took a recess at 9:54 and reconvened the meeting at 9:56; Council entered executive session at 9:57; Council invited *Cathy Sherman*, *Moe Zamarron* and *Susan Bourgeois* to stay for the executive session.

Council came out of executive session at 10:04 no action was taken.

**R. ADJOURNMENT**

*M/Joyce S/Bradford* to adjourn the regular meeting at 10:05 pm

Hearing no objection, the meeting was adjourned.

Approved: August 7, 2013

Attest: *Robyn Kirk by Jon Bi*  
Robyn Kirk, Minutes Clerk

