

Mayor

David Allison

Council Members

Tom Bailer

Cathy Sherman

Jeff Guard

Melina Meyer

Anne Schaefer

Kristin Carpenter

Ken Jones

City Manager

Helen Howarth

City Clerk

Susan Bourgeois

Deputy Clerk

Tina Hammer

Student Council

Mhikee Gasmen

**Special City Council Meeting
March 22, 2023 @ 12:00pm
Cordova Center Community Rooms
Agenda**

A. Call to order

B. Roll call

Mayor David Allison, Council members Tom Bailer, Cathy Sherman, Jeff Guard, Melina Meyer, Anne Schaefer, Kristin Carpenter, and Ken Jones

C. Approval of agenda..... (voice vote)

D. Disclosures of Conflicts of Interest and Ex Parte Communications

- conflicts as defined in 3.10.010 https://library.municode.com/ak/cordova/codes/code_of_ordinances should be declared, then Mayor rules on whether member should be recused, Council can overrule
- ex parte should be declared here, the content of the ex parte should be explained when the item comes before Council, ex parte does not recuse a member, it is required that ex parte is declared and explained

E. Communications by and petitions from visitors

1. Audience Comments regarding agenda items..... **(3 minutes per speaker)**

F. New Business

2. Resolution 03-23-10..... **(voice vote)(page 1)**

A resolution of the Council of the City of Cordova, Alaska certifying the results of the March 7, 2023 City of Cordova General Election

3. Council Action to Direct City Manager to negotiate Contract with..... **(voice vote)(page 4)**
Kendall Ford for Purchase of Ford Transit Cargo Van

G. Audience participation

H. Council comments

I. Executive Session

City Council is permitted to enter into an executive session if an explicit motion is made to do so calling out the subject to be discussed and if that subject falls into one of the 4 categories noted below. Therefore, even if specific agenda items are not listed under the Executive Session header on the agenda, any item on the agenda may trigger discussion on that item that is appropriate for or legally requires an executive session. In the event executive session is appropriate or required, Council may make a motion to enter executive session right during debate on that agenda item or could move to do so later in the meeting.

J. Adjournment

Executive Sessions per Cordova Municipal Code 3.14.030

- **subjects which may be considered 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.
- **subjects may not be considered in the executive session except those mentioned in the motion calling for the executive session, unless they are auxiliary to the main question**
- **action may not be taken in an executive session except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations**

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AGENDA ITEM 2
City Council Meeting Date: 03/22/2023
CITY COUNCIL COMMUNICATION FORM

FROM: Susan Bourgeois, City Clerk
DATE: 03/17/2023
ITEM: Resolution 03-23-10 certifying election
NEXT STEP: Majority voice vote

ORDINANCE RESOLUTION
 MOTION INFORMATION

I. REQUEST OR ISSUE: election certification by City Council via resolution

II. RECOMMENDED ACTION / NEXT STEP: Council motion to approve Resolution 03-23-10

III. FISCAL IMPACTS: Some shared state revenues require that Cities hold annual elections and abide by statute and Code in so doing – therefore, validly held elections are vital to the future of the State of Alaska’s revenue sharing with the City of Cordova.

IV. BACKGROUND INFORMATION: General Election held March 7, 2023 – ballots cast at the polls were counted that evening as well as any other early votes that were to the Clerk and able to be counted by the Election Board, a total of 216 ballots were counted on March 7, 2023. Then 15 days later on March 22, 2023 (this morning), Election Board will hold/has held the “All-Ballot Canvassing Session” and will count the/has counted “other” ballots, i.e. absentee ballots returned by mail and received after March 7 and 4 special needs ballots. The resolution attached here has no results inserted, the final resolution to be approved by Council will be brought to the meeting with the total number of votes for each candidate as well as total number of ballots cast in the General Election.

V. LEGAL ISSUES: CMC 2.18.050 A – requires that council meet no more than 48 hours after the “All-Ballot Canvassing Session” to certify the results – March 22, 2023 at 12pm (today’s special Council meeting) is within 48 hours of the “All-Ballot Canvassing Session”.

VI. SUMMARY AND ALTERNATIVES: Council can approve the resolution or per CMC 2.18.050 B if Council concludes that the election was not conducted validly, it shall order another election.

**CITY OF CORDOVA, ALASKA
RESOLUTION 03-23-10**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA CERTIFYING
THE RESULTS OF THE MARCH 7, 2023 CITY OF CORDOVA GENERAL ELECTION**

WHEREAS, the City of Cordova held its general election on March 7, 2023; and

WHEREAS, the Election Board has canvassed all of the votes of the election and has submitted its certification of election returns of all ballots to the City Clerk; and

WHEREAS, Cordova Municipal Code 2.18.050.A requires that the City Council meet no more than 48 hours after the All-Ballot Canvassing session is complete, to review the Certificate of Returns prepared by the Election Board, and the City Council has reviewed such Certificate of Returns.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City Cordova, Alaska, does hereby:

Section 1: Accept the results as entered on the Election Board Certificate of Returns; and

Section 2: Determine that the election was validly held and that substantial compliance with all voting procedures was affected and that no material discrepancies exist which may affect the outcome of the election; and

BE IT FURTHER RESOLVED that the Council of the City of Cordova, Alaska, certifies the following as the official results of the March 7, 2023 general election: **winners are in bold, italics and underlined**

City Council Seat "B"	Votes	City Council Seat "C"	Votes
<u><i>Cathy Sherman</i></u>	<input style="width: 50px; height: 20px;" type="text"/>	<u><i>Kasey Kinsman</i></u>	<input style="width: 50px; height: 20px;" type="text"/>
School Board	Votes	CCMCA Board	Votes
<u><i>David Glasen</i></u>	<input style="width: 50px; height: 20px;" type="text"/>	<u><i>Kelsey Hayden</i></u>	<input style="width: 50px; height: 20px;" type="text"/>
Lynnette Lohse Wright	<input style="width: 50px; height: 20px;" type="text"/>	<u><i>Christopher Iannazzone</i></u>	<input style="width: 50px; height: 20px;" type="text"/>
Total Ballots Cast	<input style="width: 50px; height: 20px;" type="text"/>		

BE IT FURTHER RESOLVED that the City Clerk is directed to issue Certificates of Election to each candidate elected to office that is not subject to recount, to prepare Certificates of Election for each approved proposition and to publish the results of the election in a newspaper of general circulation in the City.

PASSED AND APPROVED THIS 22nd DAY OF MARCH 2023.

Mayor David Allison

Councilmember Tom Bailer

Councilmember Cathy Sherman

Councilmember Jeff Guard

Councilmember Melina Meyer

Councilmember Anne Schaefer

Councilmember Kristin Carpenter

Councilmember Ken Jones

ATTEST:

Susan Bourgeois, CMC, City Clerk

DRAFT



AGENDA ITEM 3
City Council Meeting Date: 3/22/2023
CITY COUNCIL COMMUNICATION FORM

FROM: Samantha Greenwood, Public Works Director

DATE: 2/28/2023

ITEM: Award of Purchase of 2023 Ford Transit-250 Cargo AWD High Roof Ext through State Fleet Light Duty Contract.

NEXT STEP: Council authorizes the City Manager to negotiate this contract

ORDINANCE

RESOLUTION

MOTION

INFORMATION

I. REQUEST OR ISSUE: This form constitutes the memorandum required per Code per 5.12.040, setting forth the following:

A. Identity of Contractor: Kendall Ford of Anchorage

B. Contract Price: \$59,500.00

C. Nature & quantity of the work that the City shall receive under the contract:

The purchase of a 2023 Ford Transit-250 Cargo Van AWD High Roof Ext. will house the necessary tools and equipment to perform the sewer inspections and repairs. The vehicle will be used for the Public Works Department - Sewer Division. The vehicle will be used as a mobile covered workspace for performing sewer inspections of the sewer manhole, service connection, & mains and to see the condition/status of the sewer system.

D. The time for performance under the contract.

The contract will be completed when the van is delivered in April of 2023.

II. RECOMMENDED ACTION / NEXT STEP: Council suggested motion “to direct the City Manager to negotiate a contract with Kendall Ford of Anchorage to provide, per the State Fleet Light Duty Contract, a 2023 Ford Transit Cargo Van for a sum not to exceed Fifty-nine thousand, five hundred dollars (\$59,500)”.

III. FISCAL IMPACTS: The contract will be paid from 335-400-55000 ARPA CLFRF

IV. BACKGROUND INFORMATION: The Sewer Department purchased a new state-of-the-art sewer inspection camera system to inspect and map out Cordova's sewer system. A van is needed to house all the inspection system's repair parts and tools and will provide cover from the harsh Cordova weather and provide storage for the sewer inspection system. The new van will replace an old vehicle that was put out of service several years ago and was not replaced. The van will be outfitted with all daily required tools, and typical maintenance materials Sewer Operators will use the van for daily operations such as checking lift stations and manholes, responding to sewer complaints, performing service & main locates, and preventative maintenance for all aspects of the sewer system.

V. LEGAL ISSUES: The RFP adheres to the City Code 5.12.130 - Competitive sealed proposals, and this memo reflects requirements of 5.12.040. Kendall Ford has been awarded the State Fleet Light Duty Contract.

VI. SUMMARY AND ALTERNATIVES: Council could choose not to approve the contract.

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. 1019 § 1, 2008: Ord. 874, 2000: Ord. 809 (part), 1998).

(Ord. No. 1093, § 1, 1-4-2012)

5.12.130 Competitive sealed proposals.

- A. If the city manager determines in writing that use of competitive sealed bidding is not practicable, the city may procure supplies, services or construction by competitive sealed proposals under this section.
- B. The city manager shall solicit competitive sealed proposals by issuing a request for proposals. The request for proposals shall state, or incorporate by reference, all specifications and contractual terms and conditions to which a proposal must respond, and shall state the factors to be considered in evaluating proposals and the relative importance of those factors. Public notice of a request for proposals shall be given in accordance with Section 5.12.110(B). A request for proposals may be modified or interpreted only in the manner provided in Section 5.12.110(C).
- C. Sealed proposals shall be submitted by mail, delivery service or in person at the place and no later than the time specified in the request for proposals. Proposals not submitted at the place or within the time so specified shall not be opened or considered.
- D. Proposals shall be opened so as to avoid disclosing their contents to competing proposers before notice of intent to award a contract is issued. Proposals, tabulations and evaluations thereof shall be open to public inspection only after notice of intent to award a contract is issued. To the extent the proposer designates in writing and other provisions of law permit, trade secrets and other proprietary data contained in a proposal document shall be withheld from public inspection.
- E. In the manner provided in the request for proposals, the city manager may negotiate with those responsible proposers whose proposals are determined by the city manager to be reasonably responsive to the request for proposals. Negotiations shall be used to clarify and ensure full understanding of the requirements of the request for proposals. The city manager may permit proposers to revise their proposals after submission and prior to award to obtain best and final offers. Proposers deemed eligible for negotiations shall be treated equally regarding any opportunity to discuss and revise proposals. In conducting negotiations or requesting revisions, the city shall not disclose any information derived from proposals of competing proposers.
- F. Award shall be made by written notice to the proposer whose final proposal is determined to be the most advantageous to the city. No criteria other than those set forth in the request for proposals, including all specifications and addenda, may be used in proposal evaluation.

(Ord. 809 (part), 1998).