

Mayor
David Allison

Council Members
Tom Bailer
Cathy Sherman
Kasey Kinsman
Wendy Ranney
David Zastrow
Kristin Carpenter
Ken Jones

City Manager
Samantha Greenwood

City Clerk
Susan Bourgeois

Deputy Clerk
Tina Hammer

**Regular City Council Meeting
May 15, 2024 @ 7:00pm
Cordova Center Comm Rooms**

A. Call to order

B. Invocation, 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 David Allison, Council members Tom Bailer, Cathy Sherman, Kasey Kinsman, Wendy Ranney, David Zastrow, Kristin Carpenter, and Ken Jones



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

E. Disclosures of Conflicts of Interest and Ex Parte Communications

- conflicts as defined in Cordova Municipal Code 3.10.010 should be declared, then Mayor rules on whether member should be recused, Council can appeal the Mayor's ruling
- 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

F. Communications by and Petitions from Visitors

1. Guest Speakers - none
2. Audience comments regarding agenda items..... (3 minutes per speaker)
3. Chairpersons and Representatives of Boards and Commissions (Hospital Board, School Board, etal)
4. Student Council Report - none

G. Approval of Consent Calendar

5. Minutes: a. March 6, 2024, Regular City Council Meeting Minutes..... (page 1)
b. March 20, 2024, Regular City Council Meeting Minutes..... (page 5)
c. April 3, 2024, Regular City Council Meeting Minutes..... (page 8)
d. April 15, 2024, Board of Equalization Hearing Minutes..... (page 12)
e. April 17, 2024, City Council Public Hearing Minutes..... (page 14)
f. April 17, 2024, Regular City Council Meeting Minutes..... (page 15)
6. Resolution 05-24-22..... (page 20)
A resolution of the Council of the City of Cordova, Alaska authorizing the conveyance of Lot 1, USS 4606 to Tania Harrison
7. Resolution 05-24-23..... (page 37)
A resolution of the Council of the City of Cordova, Alaska recognizing National Hospital Week from May 12-18, 2024, in the City of Cordova
8. Proclamation of Appreciation to **Anne Schaefer**..... (page 39)
9. Council certification of the accuracy of the 2024 Property Assessment Roll..... (page 40)

H. Approval of Minutes – in Consent Calendar

I. Consideration of Bids/Proposals/Contracts

10. Council to direct City Manager to negotiate a contract with DXP Alaska Pump..... (voice vote)(page 44)
& Supply for a Sewer Pump and Motor for Odiak Lift Station

J. Reports of Officers

11. Mayor's Report
12. City Manager's Report..... (page 48)

- a. South Harbor Rebuild, project update, **Collin Bronson**
- 13. City Clerk's Report..... (page 49)
- 14. Staff Quarterly Reports, 1Q 2024
 - a. Cordova Chamber of Commerce, Executive Director **Cathy Renfeldt**..... (page 51)

K. Correspondence..... (see *primer* for description page 56)

- 15. 04-11-24 letter from Jeremiah Beckett regarding Travel Lift Incident (page 57)
- 16. 04-13-24 letter from Dotty Widmann regarding First St parking..... (page 59)
- 17. 05-03-24 PWSRCAC News Release – election of board officers..... (page 60)

L. Ordinances and Resolutions – in consent calendar

M. Unfinished Business

- 18. Council member meeting attendance – action(s) to change code to require more..... (voice vote)(page 61)
in person attendance

N. New & Miscellaneous Business

- 19. Council action on disposal by lease with The Jump for a portion of..... (voice vote)(page 89)
Lot 1 Block 7A Tidewater Development Park
- 20. Council action on disposal and method of disposal for a portion of..... (voice vote)(page 103)
USS 3345
- 21. Council concurrence of Mayor's appointments to Parks and Recreation..... (voice vote)(page 111)
Commission and possibly of City representative to PWSAC Board
- 22. Council action to direct City Manager to work with State of Alaska..... (voice vote)(page 121)
toward a solution for ownership of the Eyak Lake Weir
- 23. Pending Agenda, CIP List, Calendar, Elected & Appointed Officials lists..... (page 122)

O. Audience Participation

P. Council Comments

Q. Executive Session

City Council is permitted to enter 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.

R. 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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Regular Meetings of the Cordova City Council are live streamed on the City's YouTube or are available there for viewing or audio-only by the next business day

Regular City Council Meeting
March 6, 2024 @ 7:00 pm
Cordova Center Community Rooms A & B
Minutes

A. Call to order – **Mayor David Allison** called the Regular City Council Meeting to order at 7:00 pm on March 6, 2024, in the Cordova Center Community Rooms.

B. Invocation and pledge of allegiance – **Mayor Allison** led the audience in the Pledge of Allegiance.

C. Roll call – Present for roll call were **Mayor David Allison** and Council members **Kasey Kinsman**, **Wendy Ranney**, and **Ken Jones**. Council members **Tom Bailer**, **Cathy Sherman**, and **Kristin Carpenter** were present via zoom videoconference. Council member **Anne Schaefer** was absent. Also present were Interim City Manager **Samantha Greenwood** and City Planner **Kevin Johnson**.

D. Approval of Regular Agenda

Mayor Allison stated that the executive session tonight was not necessary.

Hearing no objection to approval of the agenda less the executive session, **Mayor Allison** declared it approved.

E. Disclosures of Conflicts of Interest and ex parte communications – none

F. Communications by and Petitions from Visitors

1. Guest speakers – none

2. Audience comments regarding agenda items - none

3. Chairpersons and Representatives of Boards and Commissions: **Dr. Hannah Sanders** reported on the Hospital: 1) CCMC closed out the year in the black, audit is almost complete; 2) encouraged community to come in and work with business office if they have trouble with the beginning of the year and not having met deductible yet, often health care has a tough time at beginning of the year due to this; 3) today they de-installed the CT scan, might be a month without one while they prep the room for the new machine; they are excited to have the new and functional machine, should be up and running beginning of April.

Barb Jewell spoke about how School Board has a couple of tough items on their plate right now: 1) where to house the 6th grade next year and into the future – there is a growing population of elementary school students – they had a site council last night that was well-attended, basically there are 13 classrooms at the elementary and they need 15 or 16; 2) they have an unprecedented budget deficit – if no increase to the BSA, they will have a \$1.5 million deficit, if the BSA is increased by \$680, the deficit will be about \$900 thousand, to maintain as is we would need \$1,440 added to BSA. She asked if City Council would write a letter or a resolution communicating with the Governor and the legislature about how dire this is for Cordova. She also invited Council members to come to the School Board's next budget work session, March 22.

4. Student Council Report – none

G. Approval of Consent Calendar

5. Minutes:

a. 12-06-23 Regular Meeting Minutes

b. 12-20-23 Public Hearing Minutes

c. 12-20-23 Regular Meeting Minutes

d. 01-03-24 Public Hearing Minutes

e. 01-03-24 Regular Meeting Minutes

6. Council concurrence of **Mayor Allison's** appointment of **David Janka** as City representative to the PWSRCAC Board of Directors

- 7. Council action to waive protest for renewal of liquor license #40, for Dave Chipman dba Alaskan Hotel & Bar, beverage dispensary
 - 8. Per Charter Section 2-8 and Cordova Municipal Code 3.12.022, recordation of unexcused absence of Council member **Cathy Sherman** and excused absence of Council member **Ken Jones** from the Feb 7, 2024 Regular Meeting
 - 9. Resolution 03-24-12 A resolution of the Council of the City of Cordova, Alaska approving the license for a mobile restaurant for Lance Webb, dba Hideaway
 - 10. Council concurrence of **Mayor Allison's** appointment of **Sean Den Adel** as City representative to the Alaska Mariculture Alliance
- Vote on the Consent Calendar: 6 yeas, 0 nays, 1 absent. Bailer-yes; Sherman-yes; Kinsman-yes; Ranney-yes; Schaefer-absent; Carpenter-yes; and Jones-yes. Consent Calendar was approved.

H. Approval of Minutes – in consent calendar

I. Consideration of Bids/Proposals/Contracts – none

J. Reports of Officers

11. Mayor's Report – **Mayor Allison** reported that he participated in the Alaskex exercise this last week – a lot was learned, everyone did a great job; he thinks we should continue our efforts of replacing and moving the public safety building to a safer location. He said the Governor and the legislature continue their battle over school funding.

12. City Manager's Report – **Greenwood** reported: 1) drill went off well, **Collin, Kevin, Paul**, all did well and we learned some things – learned how we can do better; 2) Finances, contractors are working on 3 month and 6 month forecasts so we can better know where we stand, the \$3.9 million hit to GF was substantial; 3) Permanent Fund monies are moved over; audit prep is ongoing, it is scheduled for May 20 – 1 week; 4) water plan and wastewater plan – all the documentation has been sent to the state – hopefully a quick turnaround and we'll get that RFP out the door.

a. South Harbor Rebuild, project update, **Collin Bronson** updated Council on the project to date, including funding, MARAD reimbursements, construction progress.

b. Mile 4 Substation update, Fire Marshal **Paul Trumblee** – there are issues with settling of the building, the plan is to hire an engineer to draw up a fix and then hire a construction firm to do the work. There is \$150,000 from ARPA funds allocated to this project and we should be able to do the project within that amount.

13. City Clerk's Report - **Bourgeois** was not present but had a written report in the packet including information on: 1) Election wrap up; 2) property assessment appeals timeline; 3) Council attendance statistics. **Kevin Johnson** was sitting in for the Clerk and reported on the Election results from yesterday: all incumbents have won re-election for School Board (**Henk Kruthof & Pete Hoepfner**) and Health Services Board (**Diane Ujioka & Elizabeth Senear**) and **Wendy Ranney** won her Council seat and write-in **Dave Zastrow** won seat E and the proposition was approved.

Bailer commented that as we maybe look at limiting Council remote attendance in the future, we should remember that one seat had no declared candidates except for a write-in and the other seat was one person running unopposed. Perhaps we should be careful to limit attendance as we have so little interest already.

K. Correspondence - none

L. Ordinances and Resolutions

14. Resolution 03-24-10 A resolution of the Council of the City of Cordova, Alaska abolishing all previous investment policies and adopting a revised investment policy to provide guidelines for all investments of the City

M/Carpenter S/Ranney to approve Resolution 03-24-10 a resolution of the Council of the City of Cordova, Alaska abolishing all previous investment policies and adopting a revised investment policy to provide guidelines for all investments of the City

Carpenter said she will support – this was brought to us by the investment advisor we have hired after having had an RFP out for investment of City funds. She said this is recommended language and she is in favor of having an investment policy, so she supports this. **Ranney** agreed and thought it looked prudent and didn't see anything in the policy that needed to be changed. **Carpenter** wondered if we should maybe have the City Attorney look this over just for another safeguard – she will vote yes tonight but maybe we can have that done. **Bailer** agreed with **Carpenter**, but he'll vote yes as long as we get it looked over by Attorney before implementing it. **Sherman** is in favor and agrees with the points made before her. **Kinsman** also agreed. **Jones** agreed.

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

15. Resolution 03-24-11 A resolution of the Council of the City of Cordova, Alaska designating asset allocation for the investment of the City's General Reserve (Permanent) Fund

M/Ranney S/Kinsman to approve Resolution 03-24-11 A resolution of the Council of the City of Cordova, Alaska designating asset allocation for the investment of the City's General Reserve (Permanent) Fund

Ranney said we looked at this and discussed it as a group – she is ready to move forward with it. **Kinsman**

agrees, is in favor of approval. **Bailer, Sherman, Carpenter** agreed to support.

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

M. Unfinished Business – none

N. New & Miscellaneous Business

16. Pending Agenda, CIP List, Calendar, Elected & Appointed Officials lists

Council asked the **Mayor** to write letters as was suggested by **Barb Jewell**, then also to follow up with a resolution concerning school funding and an increase to the BSA. **Kinsman** asked about the Council attendance item, he'd like to see 2 motions on an upcoming agenda about Council remote attendance for regular meetings being 50% allowed and Council remote attendance for executive sessions and any quasi-judicial roles being at 100% in person required attendance.

O. Audience Participation

Barb Jewell thanked the Mayor and Council for recognizing the need to reach out to support School Funding to the Governor and legislature. She appreciates that Council is looking at attendance and she understands Council member **Bailer's** mention of unfilled positions. As a community we need to look at how we increase participation in these roles. She said she understands that every person on this Council is doing so with the best of intentions, but she would like to be represented by people who are in the community at least 50% of the time. She knows it is a hard conversation to have amongst yourselves – she appreciates that they are taking a look at it.

P. Council Comments

Ranney said it was a good meeting, she is once again impressed by our EMS crew, local emergency responders. She realizes the need at the School district and knows how important the extra-curriculars are for Cordova kids and those could be gone.

Kinsman praised **Heather Brannon's** role in the Alaskex exercises and all who participated. He looks forward to doing work toward a new Public Safety building. Thanked **Samantha Greenwood** for her work filling in – he knows it is no small task.

Jones thanked those who ran for seats and won election – he appreciates them stepping up to serve. He appreciates the community supporting the ballot proposition – he thinks it might encourage participation in elections. As far as the 50% attendance, he tends to agree but thinks it is a double-edged sword as he is someone who is out on his boat fishing so may not be able to meet that threshold. He wouldn't want to adversely impact fishermen and their ability to serve.

Bailer thanked staff, thanked **Sam Greenwood**. Appreciates everyone for being here tonight, thanks to the Mayor for running a good meeting.

Carpenter said she appreciates **Kinsman's** comments about Alaskex – Cordova's preparedness has always enhanced our reputation. Pleased to hear that CCMC is operating in the black for 2023, great news. She thinks we and coastal communities should be concerned about drop-off in raw fish tax and what we can do about that. Perhaps that is something we should discuss with **Stevens** and **Stutes**.

Sherman commended CCMC for being in the black and its great what they are doing with the new CT scanner. Thanked **Barb Jewell** for reporting tonight – hard conversations but hopefully we can help. To **Collin Bronson**, she said I feel your pain on the grants and I admire your perseverance so please keep at it. She welcomes **Dave Zastrow** to the council, thinks he will make a nice addition to the group.

Mayor Allison echoed that and welcomes **Dave Zastrow** to the City Council. He also thanked **Dave Janka** for willingness to re-up as PWSRCAC rep for the City – he keeps us well-informed.

Q. Executive Session

The e.s. was removed at approval of agenda

~~17. Council discussion of Interim City Manager Applicants, a subject that tends to prejudice the reputation and character of a person(s); provided that the person(s) may request a public discussion~~

R. Adjournment

Hearing no objection **Mayor Allison** adjourned the meeting at 8:26 pm.

Approved: May 15, 2024

Attest: _____
Susan Bourgeois, City Clerk

DRAFT

Regular City Council Meeting
March 20, 2024 @ 7:00 pm
Cordova Center Community Rooms A & B
Minutes

A. Call to order – **Mayor David Allison** called the Regular City Council Meeting to order at 7:00 pm on March 20, 2024, in the Cordova Center Community Rooms.

B. Invocation and pledge of allegiance – **Mayor Allison** led the audience in the Pledge of Allegiance.

C. Roll call – Present for roll call were **Mayor David Allison** and Council members **Kasey Kinsman**, **Anne Schaefer**, **Kristin Carpenter**, and **Ken Jones**. Council members **Tom Bailer** and **Wendy Ranney** were present via zoom videoconference. Council member **Cathy Sherman** was absent. Also present were Interim City Manager **Samantha Greenwood** and Deputy City Clerk **Tina Hammer**.

D. Approval of Regular Agenda

Mayor Allison stated that the executive session tonight was not necessary.

Hearing no objection to approval of the agenda less the executive session, **Mayor Allison** declared it approved.

E. Disclosures of Conflicts of Interest and ex parte communications – none

F. Communications by and Petitions from Visitors

1. Guest speakers – none
2. Audience comments regarding agenda items - none
3. Chairpersons and Representatives of Boards and Commissions - none
4. Student Council Report – none

G. Approval of Consent Calendar

5. Minutes:

- a. 01-17-23 Regular Meeting Minutes
- b. 01-25-23 Special Meeting Minutes
- c. 02-07-24 Public Hearing Minutes
- c. 02-21-24 Public Hearing Minutes

6. Council action to waive protest for renewal of liquor license #919, for Robin Traxinger dba Powder House Bar and Grill, beverage dispensary

7. Council action to waive protest for renewal of liquor license #919, for Mary Little dba Laura's Liquor Shoppe, package store

8. Per Charter Section 2-8 and Cordova Municipal Code 3.12.022, recordation of excused absence of Council member **Anne Schaefer** from the March 6, 2024, Regular Meeting

Vote on the Consent Calendar: 6 yeas, 0 nays, 1 absent. Schaefer-yes; Bailer-yes; Carpenter-yes; Sherman-absent; Kinsman-yes; Jones-yes; and Ranney-yes. Consent Calendar was approved.

H. Approval of Minutes – in consent calendar

I. Consideration of Bids/Proposals/Contracts – none

J. Reports of Officers

9. Mayor's Report – **Mayor Allison** reported: 1) state legislature is not having much luck yet agreeing with the Governor on School funding; 2) he and **Kinsman** attended the School Board work session on their budget last night – if no increase to the BSA they would be in a \$1.5 million deficit, BSA just to keep up with inflation since 2017 would need to increase by \$1,980 per student; they have increases like all of us do, they are looking at cutting food service, maybe all extracurriculars, maybe a few teachers (considering not hiring a HS math teacher, not have 2 kindergartens and 2 sixth grades at Elementary School). City

may be allowed to fund some things beyond the cap because some funding is not included in the cap. Still hopeful that the legislature will work things out.

10. City Manager's Report – **Greenwood** reported: 1) submitted requests for heavy equipment to **Stutes** for Capital Budget, through AML; 2) finalizing a request to **Murkowski's** office for the Public Safety Building – good to get that started; 3) working with Agnew: Beck on a sewer grant – narrowing it down to what we will apply for; 4) Altman/Rogers – 2 consultants here now doing pre-audit work – audit will be May 20; still working closely with Finance Department on the software issues, more to come; 5) airport projects are upcoming, there is an open house and between those projects and Second Street and Whitshed there will be some asphalt in town so we should be planning for that.

a. South Harbor Rebuild, project update, **Collin Bronson** updated Council on the project to date, including funding, MARAD reimbursements, construction progress. He introduced **Kim Nielson** who is the Engineer on the project.

11. City Clerk's Report - **Bourgeois** was not present. **Deputy Clerk Tina Hammer** reported: we are in the property assessment appeal period, last day to appeal is Friday April 5 at 5 pm.

K. Correspondence

12. Letter from Mayor Allison to Governor Dunleavy supporting SB140 and an increase to the BSA

13. ADoT notice of Public Open House for Cordova Airport Projects Wednesday, March 27, 5-7:30pm at the Cordova Center

14. Letter from Mayor Allison to all legislators supporting SB140 and urging an override of Governor's veto of it

L. Ordinances and Resolutions

15. Resolution 03-24-13 A resolution of the Council of the City of Cordova, Alaska Certifying the Results of the March 5, 2024, General Election

M/Schaefer S/Kinsman to approve 03-24-13 a resolution of the Council of the City of Cordova, Alaska Certifying the Results of the March 5, 2024, General Election

Schaefer is in support – thanked **Wendy** and **Dave** for stepping up to serve. **Kinsman** agreed and looked forward to continuing to work with **Wendy** and to start working with **Dave**.

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

M. Unfinished Business – none

N. New & Miscellaneous Business

16. Pending Agenda, CIP List, Calendar, Elected & Appointed Officials lists

Board of Equalization will be April 15. Election of Vice Mayor at the next meeting.

O. Audience Participation - none

P. Council Comments

Bailer thanked **Anne Schaefer** for her service, said he hoped she'd take a year off and come back he felt like she represented the community well. He needs to step down as city representative to PWSAC Board so he hopes someone will come forward to represent the City.

Ranney thanked **Schaefer** for her service.

Carpenter also thanked **Schaefer** for volunteering her time and focus and energies. She welcomed **Dave Zastrow** and thanked **Wendy Ranney** for coming back to serve.

Kinsman echoed the thanks to **Anne, Wendy, Dave**. Encouraged everyone to get letters to the Governor and legislature about the school funding issue. He mentioned that the teachers are at no increase this year and 1% next year. Some in the administration are at a pay freeze. There may be creative options to get them more funding.

Jones thanked **Anne**, welcomed **Dave**.

Schaefer thanked everyone for the kind words, we haven't always agreed but it has been civil and interesting discussions which she has appreciated. Big thank you to staff for answering all my questions and providing her with more information when he needed it. She thanked the Cordova community for allowing her to have this opportunity, she has learned a lot, definitely a different perspective. She said it is so important to get the community input, via phone call, email or at meetings – she encourages citizens to continue that.

Q. Executive Session

The e.s. was removed at approval of agenda.

~~17. Council discussion of Interim City Manager Applicants, a subject that tends to prejudice the reputation and character of a person(s); provided that the person(s) may request a public discussion~~

R. Adjournment

Hearing no objection **Mayor Allison** adjourned the meeting at 7:43 pm.

Approved: May 15, 2024

Attest: _____
Susan Bourgeois, City Clerk

DRAFT

Regular City Council Meeting
April 3, 2024 @ 7:00 pm
Cordova Center Community Rooms A & B
Minutes

A. Call to order – **Mayor David Allison** called the Regular City Council Meeting to order at 7:00 pm on April 3, 2024, in the Cordova Center Community Rooms.

B. Invocation and pledge of allegiance – **Mayor Allison** led the audience in the Pledge of Allegiance.

C. Roll call – Present for roll call were **Mayor David Allison** and Council members **Kasey Kinsman**, **Dave Zastrow**, **Kristin Carpenter**, and **Ken Jones**. Council members **Tom Bailer**, **Cathy Sherman**, and **Wendy Ranney** were present via zoom videoconference. Also present were Interim City Manager **Samantha Greenwood** and City Clerk **Susan Bourgeois**.

D. Approval of Regular Agenda

Mayor Allison stated that item 17 should be handled earlier in the meeting, so he moved it to be after item 12.

Hearing no objection to approval of the agenda with one modification, **Mayor Allison** declared it approved.

E. Disclosures of Conflicts of Interest and ex parte communications – none

F. Communications by and Petitions from Visitors

1. Guest speakers – none

2. Audience comments regarding agenda items

Leif Stavig of 612 Fourth Street spoke to agenda item 18 which includes the Capital Improvements Projects List. He stated that the City bonded \$2 million for Street improvements about 10 years ago. A huge lesson from that effort was adopting a complete streets approach where you are addressing drainage and pedestrian needs at the same time and designing streets to last. That concept “complete streets” is in the comp plan so that is how we design streets in the future. Since there is paving going on for several other projects over the next few years, he urged Council to start planning now, secure money with another bond and he encourages them to think big. School Bond Debt payments will be completed soon, timing is perfect to continue the progress and invest in some quality infrastructure.

3. Chairpersons and Representatives of Boards and Commissions: **Barb Jewell**, Chair of the Cordova School Board, reported: 1) if no increase in State funding, there will be a \$1.5 million deficit; if it is a \$680 increase, they will still be \$900 thousand short. This has nothing to do with overspending, it is exactly the cause of lack of inflation proofing the BSA. This comes at a time when we are seeing increases in student numbers at the elementary school – 2 classes for each grade. She said there are ways for municipalities to fund outside the cap, not above the cap, non-instructional programs. This is all really in the Governor’s hands – this is going to be up to the Governor and the legislature – there is not much else they can do. She encouraged everyone to write letters to individual legislators. She said they are asking other entities for assistance not just the City. 2) Close Up trip was a great success – shared between Mrs. Adams and Ms. Moody, we are starting to prepare for graduation – she looks forward to hearing about all the great plans the seniors have.

4. Student Council Report – none

G. Approval of Consent Calendar

5. Minutes: none

6. Resolution 04-24-15 A resolution of the Council of the City of Cordova, Alaska authorizing the conveyance of an approximately 2,847 square foot portion of ATS 220 to Seawan Gehlbach & Andrew Craig

7. Per Charter Section 2-8 and Cordova Municipal Code 3.12.022, recordation of unexcused absence of Council member Cathy Sherman from the March 20, 2024, Regular Meeting
Vote on the Consent Calendar: 7 yeas, 0 nays. Ranney-yes; Carpenter-yes; Bailer-yes; Kinsman-yes; Sherman-yes; Jones-yes and Zastrow-yes. Consent Calendar was approved.

H. Approval of Minutes – none

I. Consideration of Bids/Proposals/Contracts – none

J. Reports of Officers

8. Mayor's Report – **Mayor Allison** reported: 1) he spoke with **Brooke Mallory** of NVE (Tribal Council chair), she wants to meet soon to restart healthcare conversations; 2) federal HELPER act is something he will write a letter in support of if Council is ok with that – AML, some other Mayors have supported it, basically it is a low interest rate mortgage program similar to VA loans – for healthcare workers, teachers, etc.; 3) he spoke with **Helen** and we will discuss in executive session.

9. City Manager's Report – **Greenwood** reported: 1) she was also going to bring up bonding for street improvements to the Council tonight – **Stavig** had the same idea it seems; as far as the upcoming road projects: Second Street – 2027, Whitshed 2028 but possibly 2026, and airport projects – 2028 and one more after that; the timing for a bond proposition would be 3-4 months before an Election Council would have to pass the resolution placing such a bond on the ballot; 2) kudos to **Kevin Johnson** – the baler expansion was approved by DNR – that is a go, proposals will be next meeting packet – reminder we agreed to fund the baler expansion with the proceeds of the sale of the impound lot; 3) Chief of Police candidate was here - visit went well – will keep you updated – hoping to have some good news soon.

a. South Harbor Rebuild, project update, **Collin Bronson** updated Council on the project to date, including funding, MARAD reimbursements, construction progress.

10. City Clerk's Report - **Bourgeois** reported: 1) reminded Council about some quasi-judicial matters that they'd be handling – land sales were coming forward and Board of Equalization for assessment appeals – Council should refrain from ex parte contact about those items.

K. Correspondence

11. 03-21-24 letter from D. Zastrow resignation from Parks & Rec Commission

12. 03-22-24 letter from S. Magallanes resignation from Parks & Rec Commission

Item 17 was moved here to be approved before item 14.

17. Council election of a member to serve as Vice Mayor

M/Bailer S/Jones to nominate **Kasey Kinsman** as Vice Mayor. There were no other nominations.

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

L. Ordinances and Resolutions

13. Ordinance 1216 An ordinance of the Council of the City of Cordova, Alaska, accepting and appropriating \$20 Million awarded to the City through the "Rebuilding American Infrastructure with Sustainability and Equity" grant for completion of the South Harbor Rebuild Project and authorizing a borrowing in anticipation of the receipt of these funds in the aggregate principal amount of not to exceed \$3,000,000 to finance South Harbor Rebuild Project costs – 1st reading

M/Carpenter S/Jones to approve Ordinance 1216 An ordinance of the Council of the City of Cordova, Alaska, accepting and appropriating \$20 Million awarded to the City through the "Rebuilding American Infrastructure with Sustainability and Equity" grant for completion of the South Harbor Rebuild Project and authorizing a borrowing in anticipation of the receipt of these funds in the aggregate principal amount of not to exceed \$3,000,000 to finance South Harbor Rebuild Project costs.

Carpenter said we are considering this because we need to approve authorizing the line of credit and giving the manager authority to negotiate that and we will have a resolution before us with the exact terms at a future meeting. This is all a safeguard being put in place for cashflow reasons. **Jones** said well-stated,

he agrees. **Bailer** asked if this is additional money being added to the project – the answer was no, this is just a line of credit.

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

14. Resolution 04-24-14 A resolution of the Council of the City of Cordova, Alaska authorizing specific officers of the City of Cordova as signers of City checks, vouchers, notes, and other documents

M/Jones S/Kinsman to approve Resolution 04-24-14 A resolution of the Council of the City of Cordova, Alaska authorizing specific officers of the City of Cordova as signers of City checks, vouchers, notes, and other documents.

Jones this is just something we need to do. **Kinsman** thanked staff for the explanation – and as we have learned in the past 6 months, it is necessary to have extra signers to conduct our business. **Bourgeois** said she would add in the Vice Mayor’s name, **Kasey Kinsman**, where she left that blank in the resolution.

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

15. Resolution 04-24-16 A resolution of the Council of the City of Cordova, Alaska adopting the 2024 Land Disposal Maps

M/Carpenter S/Kinsman to approve Resolution 04-24-16 A resolution of the Council of the City of Cordova, Alaska adopting the 2024 Land Disposal Maps

Carpenter said this is an annual process we go through – so people know what City land is available, she supports it. **Kinsman** thanked **Kevin Johnson** for doing this annually and helping get this well-noticed for people; he is supportive. **Ranney, Jones, Zastrow** expressed support. **Sherman** said **Johnson** and Planning Commission have captured all Council conversations over the past year – a good reflection of Council’s intentions.

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

16. Resolution 04-24-17 A resolution of the Council of the City of Cordova, Alaska supporting the 2024 Port Infrastructure Development Program (PIDP) Grant application for the “Cordova North Harbor Efficiency and Resiliency Project.”

M/Jones S/Carpenter to approve Resolution 04-24-17 A resolution of the Council of the City of Cordova, Alaska supporting the 2024 Port Infrastructure Development Program (PIDP) Grant application for the “Cordova North Harbor Efficiency and Resiliency Project.”

Jones said he whole-heartedly supports this project, he said we’ve been talking about capitalizing on asphalt plants, this would be another project to add to that, it includes an update to streets and drainage. He said there are 2 fisheries disasters payments that will be coming to the City (\$600-700K probably) that will need to be spent on Harbor-related things. **Johnson** said he thinks it could be \$100-200 thousand out of pocket to prepare the grant and if we are awarded the grant to get to the grant agreement. For transparency, he wanted that known by the Council before staff took on the task of applying again this year. **Greenwood** said the other part to realize is the possibility of the contaminated soil becoming an issue. **Kinsman** asked questions about contingencies being built in for contaminated soils and in the end said he is in favor – hopes we can take everything learned from the South Harbor project and use it to our advantage on the North Harbor. **Sherman** said she has been on the fence a bit with this one but overall, she is in favor semi-reluctantly. **Carpenter** said since this is the third time applying for this, have we gotten feedback that will help. **Johnson** said yes, each time the feedback was that our application has looked better and better. **Jones** said an investment of \$500 thousand to get \$25 million of work done in this town is very good use of the City’s funds.

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

M. Unfinished Business – none

N. New & Miscellaneous Business

17. Council election of a member to serve as Vice Mayor – this item was moved up in the agenda and was handled before ordinances and resolutions.

18. Pending Agenda, CIP List, Calendar, Elected & Appointed Officials lists

BOE is April 15 at 7pm. Clerk mentioned that maybe we would cancel the May 1 meeting because there is a 3-day rental of this room, she would let council know for sure April 17. She will begin advertising Parks and Rec vacancies and PWSAC vacancy and will bring to an upcoming meeting. Council added 2 items to the Pending Agenda: *Strategic Planning Work Session* (goal setting) and *Bonding for City Streets* (prioritizing Streets with Planning Commission input). Clerk will also work with **Collin Bronson** to get a letter together for the Mayor's signature to key people in DC regarding Marad grant reimbursements. The Clerk also would get with **Barb Jewell** to coordinate a resolution to the Governor and Legislature regarding support for an increase to the BSA.

O. Audience Participation – none

P. Council Comments

Sherman said she is grateful that **Barb Jewell** keeps us informed and on top of the school funding issue. **Ranney** expressed thanks to **Kevin** and **Barb** both for their input tonight, good discussions, good meeting. **Zastrow** thanked **Barb**, and appreciated **Collin's** thorough report, thanked staff for help this week as a new Council member, he is learning a lot.

Carpenter encouraged anyone at home who might be listening to call legislators and urge support of school funding.

Jones thanked everyone for the PIDP grant application support. Looking forward to more work on the harbor and more progress.

Kinsman next 5-7 years there will be a lot of stuff happening in our community – its exciting, we live in a great place. Thanked **Mr. Stavig** for his input about roads. Thanked the **Mayor** for getting things going with NVE – let's open that dialogue again.

Q. Executive Session

19. Council discussion of City Financial Software matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the City

20. Council discussion of City Manager Contract terms and Interim City Manager contract terms, matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the City

M/Jones S/Carpenter to go into executive session to discuss City Financial Software and City Manager Contract terms and Interim City Manager contract terms both of which are matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the City.

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

Mayor Allison recessed the meeting at 8:38 pm.

Council entered the executive session at 8:45 pm.

Council came back into open session at 9:45 pm.

Mayor Allison said that staff will proceed with the plan as explained to Council regarding the financial software. **Mayor Allison** said they will proceed as discussed regarding interim City Manager and City Manager contracts and he will talk with the individuals involved and go form there.

R. Adjournment

Hearing no objection **Mayor Allison** adjourned the meeting at 9:46 pm.

Approved: May 15, 2024

Attest: _____
Susan Bourgeois, City Clerk

**Board of Equalization Hearing
April 15, 2024 @ 7:00 pm
Cordova Center Community Rooms
Minutes**

A. Call to order – Board Chair David Allison called the Board of Equalization Hearing to order at 7:00 pm on April 15, 2024 in the Cordova Center Community Rooms.

B. Disclosures of Conflicts of Interest and Ex Parte Communication - none

C. Roll call - Present for roll call were **Board Chair Allison** and Board members **Cathy Sherman, Kasey Kinsman, David Zastrow,** and **Ken Jones**. Board members **Tom Bailer** and **Kristin Carpenter** were present via zoom videoconference. Board member **Wendy Ranney** was absent. Also present were City Assessor **Arne Erickson**, City Clerk **Susan Bourgeois**, and Deputy City Clerk **Tina Hammer**.

C. Business Before the Board

1. Property Assessment Appeals, 2024 tax year, City Council acting as Board of Equalization **Chair Allison** stated that this meeting is solely for the purpose of hearing the following 22 appeals from the assessments made by the Assessor. The Appellant has 5 minutes, the Assessor has 5 minutes then the Appellant is given 3 more minutes to rebut, if necessary.

Non-Profit Property Tax Exemption Appeals:

- Prince William Sound Science Center - Assessment Parcel 02-041-400, 700 New England Cannery Road. Appellant was represented by Attorney Becky Lipscomb who gave a presentation. City was represented by Attorney Jes Spuhler who gave a presentation. Lipscomb presented a short rebuttal.

Appeals of Assessed Value:

- Carl & Audrey Burton – Assessment Parcels 02-273-451, 452, 453, 454, 711 Sixth Street. Appellant presented, Assessor presented, Appellant rebutted.
- Linden’s Living Trust 5 appeals – Assessment Parcels 02-061-240, 242, 826, 828, 832, Eighth Street Proposed, 101, 102 and 103 Cabin Ridge Road. Appellant was present via zoom videoconference and presented her case, Assessor presented, Appellant rebutted.
- Cordova Mews Apartment Associates of Cordova, LLC – Assessment Parcel 02-060-865, 401 Orca Avenue. Appellant was not present. Assessor gave a presentation.
- BKR Enterprises/Brent Rowland – Assessment Parcel 02-099-281, 110 Clark Circle. Appellant was not present. Assessor gave a presentation.
- McLaughlin Revocable Trust – Assessment Parcel 02-072-930-1, 1400 Lakeshore Drive. Appellant was not present. Assessor gave a presentation.
- Sue & Gerald Thorne 2 appeals – Assessment Parcels 02-071-300 and 02-071-351, 1418 Copper River Highway and 95 Kimmick Way. Appellants were not present. Assessor gave a presentation.
- Michael Gunderson – Assessment Parcel 02-106-723, 3001 Whitshed Road. Appellant was not present. Assessor gave a presentation.
- Cameron Hesse – 2 appeals Assessment Parcels 02-083-340, 338, 1713 Whitshed Road. Appellant was not present. Assessor gave a presentation.
- Herb Boeckerman – Assessment Parcel 02-099-210-A, 115 Orca Circle. Appellant was not present. Assessor gave a presentation.
- Shane & Nicole Songer – Assessment Parcel 02-070-115, 510 Sunnyside Drive. Appellants were not present. Assessor gave a presentation.
- Gery Thorne Jr. - Assessment Parcel 02-063-225, 2205 Power Creek Road. Appellant was not present. Assessor gave a presentation.

- Jeremiah & Kristie Beckett 4 appeals – Assessment Parcels 02-060-425, 431 (317 First Street), 02-086-235 (Copper River Highway Mile 2), 02-173-435 (700 Front Street). Appellants were not present. Assessor gave a presentation.

At 8:50 pm the Board entered closed deliberations to consider the 22 appeals that were presented to them. The Board would be considering all the evidence presented and within 7 days would be issuing a written decision to each appellant.

The Board was in the closed deliberations for 33 minutes.

At 9:22 pm **Chair Allison** stated that the Board had concluded its work and had heard and deliberated upon all 22 appeals.

D. Adjournment

Hearing no objection, **Chair Allison** adjourned the hearing at 9:23 pm.

Approved: May 15, 2024

Attest: _____
Susan Bourgeois, CMC, City Clerk

DRAFT

**City Council Public Hearing
April 17, 2024 @ 6:45 pm
Cordova Center Community Rooms
Minutes**

A. Call to order

Mayor David Allison called the Council public hearing to order at 6:45 pm on April 17, 2024, in the Cordova Center Community Rooms.

B. Roll call

Present for roll call were **Mayor David Allison** and Council members **Cathy Sherman, Kasey Kinsman, Wendy Ranney, Dave Zastrow, Kristin Carpenter** and **Ken Jones**. Council member **Tom Bailer** was present via zoom videoconference. Also present were Interim City Manager **Samantha Greenwood** and City Clerk **Susan Bourgeois**.

C. Public hearing

1. Ordinance 1216 An ordinance of the Council of the City of Cordova, Alaska, accepting and appropriating \$20 Million awarded to the City through the "Rebuilding American Infrastructure with Sustainability and Equity" grant for completion of the South Harbor Rebuild Project and authorizing a borrowing in anticipation of the receipt of these funds in the aggregate principal amount of not to exceed \$3,000,000 to finance South Harbor Rebuild Project costs

Mayor Allison opened the hearing for public testimony on the ordinance. There was no public testimony. The Public Hearing was recessed at 6:51 pm until someone arrived to give comment. Back in the Public Hearing at 6:57 pm and there was still no public present to comment.

D. Adjournment

Hearing no objection **Mayor Allison** adjourned the public hearing at 6:58 pm.

Approved: May 15, 2024

Attest: _____
Susan Bourgeois, CMC, City Clerk

Regular City Council Meeting
April 17, 2024 @ 7:00 pm
Cordova Center Community Rooms A & B
Minutes

A. Call to order – **Mayor David Allison** called the Regular City Council Meeting to order at 7:00 pm on April 17, 2024, in the Cordova Center Community Rooms.

B. Invocation and pledge of allegiance – **Mayor Allison** led the audience in the Pledge of Allegiance.

C. Roll call – Present for roll call were **Mayor David Allison** and Council members **Cathy Sherman, Kasey Kinsman, Wendy Ranney, Dave Zastrow, Kristin Carpenter** and **Ken Jones**. Council member **Tom Bailer** was present via zoom videoconference. Also present were Interim City Manager **Samantha Greenwood** and City Clerk **Susan Bourgeois**.

D. Approval of Regular Agenda

Hearing no objection to approval of the agenda, **Mayor Allison** declared it approved.

E. Disclosures of Conflicts of Interest and ex parte communications – none

F. Communications by and Petitions from Visitors

1. Guest speakers: **a. Kate Morse**, CRWP, Eyak Lake Weir Replacement Project.

CRWP has raised funds and has grants committed for the replacement of the Eyak Lake Weir but there is an issue with ownership. Council hoped **Morse** could get more information from the State as to ownership – 2 or 3 departments of the state are meeting to discuss that (DNR, DoT and ADF&G). The possibility of City taking ownership was broached but more information was needed regarding what that would entail. Council decided to revisit this at Pending Agenda and maybe follow up with a work session soon.

b. Charlotte Westing, ADF&G, Bear Safety – **Westing** presented facts about Bears in and around Cordova and dispelled some myths. She described some best practices for removing attractants in town to keep bear interactions to a minimum. There is an interagency team setup for response to bear calls including City police, public works, USFS, State Troopers, and ADF&G. She will be conducting a bear safety class with some City employees and others later this week.

2. Audience comments regarding agenda items - none

3. Chairpersons and Representatives of Boards and Commissions - none

4. Student Council Report – none

G. Approval of Consent Calendar

5. Minutes: **a.** February 7, 2024, Regular City Council Meeting Minutes; **b.** February 21, 2024, Regular City Council Meeting Minutes

6. Resolution 04-24-18 A resolution of the Council of the City of Cordova, Alaska approving the license for a mobile restaurant for Breana Gecan, dba Coastal Cravings LLC

7. Council confirmation of CVFD Officers

Vote on the Consent Calendar: 7 yeas, 0 nays. Zastrow-yes; Carpenter-yes; Jones-yes; Kinsman-yes; Ranney-yes; Bailer-yes; and Sherman-yes. Consent Calendar was approved.

H. Approval of Minutes – in consent calendar

I. Consideration of Bids/Proposals/Contracts

8. Council action termination City Manager Employment Agreement - Helen Howarth

M/Carpenter S/Ranney to ratify the enactment of Section 3(d) of the City Manager Employment Agreement and place Helen Howarth on 60 days' notice of the termination of the agreement effective April 4, 2024.

Vote on the motion: 7 yeas, 0 nays. Kinsman-yes; Zastrow-yes; Jones-yes; Ranney-yes; Bailer-yes; Carpenter-yes; and Sherman-yes. Motion was approved.

9. Council approval City Manager Employment Agreement - Samantha Greenwood

(this item may be discussed in executive session, see item 23)

M/Carpenter S/Kinsman to go into executive session to discuss the City Manager contract terms, a matter the immediate knowledge of which would clearly have an adverse effect on the finances of the government.

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

Council entered the executive session at 8:02 pm and came back into open session at 8:14 pm. **Mayor Allison** stated that they had a quick discussion in the executive session regarding the manager's contract.

M/Carpenter S/Sherman to approve the contract with an annualized salary of \$160,000 with Samantha Greenwood for services as City Manager for the community of Cordova, Alaska effective April 17, 2024.

Vote on the motion: 7 yeas, 0 nays. Kinsman-yes; Jones-yes; Carpenter-yes; Zastrow-yes; Bailer-yes; Sherman-yes; and Ranney-yes. Motion was approved.

Mayor Allison thanked **Greenwood** for her willingness. He said we don't often get the opportunity to promote from within and in this case it is a great opportunity to do so, and we look forward to working with you and are glad to have you on board.

J. Reports of Officers

10. Mayor's Report – **Mayor Allison** reported: 1) a week or so ago, he and **Zastrow** met with NVE to discuss healthcare and we made it abundantly clear to them that the ball is in their court we are waiting for a proposal; 2) he attended a School Board Workshop last night – they are still working through their budget; looks like they decided to keep 6th grade at elementary school.

11. City Manager's Report – **Greenwood** reported: 1) she and **Kevin** met with engineer on Shepard Point project because they'll be doing the City's raw water line as part of that – looks like it'll be late next fall before they get to that; 2) finishing up the liability insurance review – shoutout to **Malvin Fajardo** who has organized lots of staff training events this year, all of which help to give us discounts on that insurance, this is timely as well because she'll ask about the weir, and what insuring that might look like. 3) we have conducted 2 Library Director interviews; we are calling references; 4) the Police Chief candidate is trying to secure housing – staff is assisting; 5) Finance department is doing well, catching up on things – audit is coming, to begin May 20; 6) police dispatcher **Brian Wildrick** identified an issue with software in dispatch and then he found a grant that could work for funding it – he's working with **Emily Anderson** and **Justin DeAngelis** on that; **Greenwood** said she and **Paul Trumblee** and others are also looking at E-911 grants, much bigger project and dollar amount.

a. South Harbor Rebuild, project update, **Collin Bronson** updated Council on the project to date, including funding, MARAD reimbursements, construction progress.

12. City Clerk's Report - **Bourgeois** reported: she had submitted a short report in the packet highlighting the timeline for property taxes; May 15 meeting Council will be asked to certify the roll; June 5 meeting date will be a resolution setting the mill rate.

13. Staff Quarterly Reports, 1Q 2024

a. CVFD, Fire Chief **Rob Mattson**

b. Cordova Center, **Megan Anderson**, Cordova Center Coordinator

c. Cordova Historical Museum, **Ashley Bivin**, Museum Director

d. Cordova Public Library, **Ashley Bivin**, Acting Library Director

e. Parks & Recreation Department, Director **Duncan Chisholm**

Bailer commented that as far as the CVFD – he doesn't always hear the sirens or see the trucks or the ambulance running around but when he sees these reports he can see how busy and active this group is when it comes to meetings and trainings – we are so lucky to have such a dedicated group. The Cordova Center report shows an uptick in activity in the Cordova Center and in revenue which he really appreciates.

Sherman said she was also going to comment on CVFD and on how well **Megan** is doing with Cordova Center bookings. **Ranney** mentioned how **Ashley Bivin** is stepping up and filling in at the Library while

still running the Museum and they have a conference coming up this fall which is a lot of extra work on that side – her hard work is much appreciated.

K. Correspondence

14. 04-01-24 letter from Friends of the Valdez Animal Shelter

15. 04-04-24 letter from Mayor Allison to DC Senators & Representatives re HELPER Act

16. 04-05-24 letter from Mayor Allison to Secretary Buttigieg re RAISE grant reimbursements

Carpenter mentioned getting some community folks together to brainstorm regarding the Friends of the Valdez Animal Shelter letter.

L. Ordinances and Resolutions

17. Ordinance 1216 An ordinance of the Council of the City of Cordova, Alaska, accepting and appropriating \$20 Million awarded to the City through the “Rebuilding American Infrastructure with Sustainability and Equity” grant for completion of the South Harbor Rebuild Project and authorizing a borrowing in anticipation of the receipt of these funds in the aggregate principal amount of not to exceed \$3,000,000 to finance South Harbor Rebuild Project costs – 2nd reading

M/Carpenter S/Jones to approve Ordinance 1216 An ordinance of the Council of the City of Cordova, Alaska, accepting and appropriating \$20 Million awarded to the City through the “Rebuilding American Infrastructure with Sustainability and Equity” grant for completion of the South Harbor Rebuild Project and authorizing a borrowing in anticipation of the receipt of these funds in the aggregate principal amount of not to exceed \$3,000,000 to finance South Harbor Rebuild Project costs

Carpenter said this is being done to help with cashflow issues for the project; she supports. All other Council members had no comments and/or expressed support for the ordinance.

Vote on the motion: 7 yeas, 0 nays. Sherman-yes; Jones-yes; Kinsman-yes; Carpenter-yes; Bailer-yes; Ranney-yes; and Zastrow-yes. Motion was approved.

18. Substitute Resolution 04-24-14 A resolution of the Council of the City of Cordova, Alaska authorizing specific officers of the City of Cordova as signers of City checks, vouchers, notes, and other documents

M/Sherman S/Carpenter to approve Substitute Resolution 04-24-14 a resolution of the Council of the City of Cordova, Alaska authorizing specific officers of the City of Cordova as signers of City checks, vouchers, notes, and other documents

Sherman said this is a housekeeping measure, the City Clerk will insert the correct names.

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

19. Resolution 04-24-19 A resolution of the Council of the City of Cordova, Alaska approving a line of credit agreement between Key Bank, LLC and the city and authorizing the City Manager to execute that agreement

M/Carpenter S/Sherman to approve Resolution 04-24-19 a resolution of the Council of the City of Cordova, Alaska approving a line of credit agreement between Key Bank, LLC and the city and authorizing the City Manager to execute that agreement

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

20. Resolution 04-24-20 A resolution of the Council of the City of Cordova, Alaska urging the State Legislature and the Governor to increase the Base Student Allocation this year and inflation proof the BSA into the future for the benefit of Cordova School District students and all public-school students in Alaska

M/Ranney S/Sherman to approve Resolution 04-24-20 a resolution of the Council of the City of Cordova, Alaska urging the State Legislature and the Governor to increase the Base Student Allocation this year and inflation proof the BSA into the future for the benefit of Cordova School District students and all public-school students in Alaska

Ranney said we are at the point where education funding has fallen off the radar; we are considering not funding food service at our schools, so anything we can do to support increasing the BSA is a good move.

Sherman said this is well-written and almost every community in Alaska is having to write these, she hoped they all have or would be.

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

21. Resolution 04-24-21 A resolution of the Council of the City of Cordova, Alaska authorizing the City Manager to enter into a sole source contract with Different Strokes Alaska to purchase and install a new engine in the Refuse Division Ford F-550 Super Duty XL.

M/Sherman S/Kinsman to approve Resolution 04-24-21 a resolution of the Council of the City of Cordova, Alaska authorizing the City Manager to enter into a sole source contract with Different Strokes Alaska to purchase and install a new engine in the Refuse Division Ford F-550 Super Duty XL.

Sherman said staff did a great job explaining this in the memo; they figured out the best cost-effective way to solve the problem. **Kinsman** said the same for him, was well-described and explained.

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

M. Unfinished Business – none

N. New & Miscellaneous Business

22. Pending Agenda, CIP List, Calendar, Elected & Appointed Officials lists

Bourgeois said there is a paying customer with these rooms booked for 3 days including May 1, so that Council Meeting will be canceled. **Bourgeois** said she will get in touch with Council if a special meeting becomes necessary before May 15. Council scheduled a Thursday April 25, 6 pm work session with CRWP to get questions answered about Weir – as discussed during the Guest Speaker presentation tonight. School District will be getting Council their request in May, then Council will have a resolution after that to approve the district's budget and to set the City funding.

O. Audience Participation

P. Council Comments

Bailer thanked the City Attorney (**Jes Spuhler**) that helped us through the BOE Hearing, he said she did a great job.

Ranney said she appreciates the information from **Kate Morse**, and she looks forward to that work session and more information so we can move forward. She appreciates **Duncan's** thorough and professional reports in the packet. Lastly, congratulations to **Sam**.

Sherman said the weir presentation was very educational. She said kudos to **Emily Anderson** with the email PSA's – those are great. She commented that the spay/neuter clinic would be great for Cordova, and she thinks there are community members that would help.

Carpenter thanked **Kate Morse**, thanked the Council for being willing to talk more about that, thanked **Charlotte** for taking the time to talk to us and to meet with City staff about bear safety, and thanked **Sam Greenwood** and welcomed her. She also thanked **Helen Howarth** for her leadership and all the work she did for the City – she was onboard to help get the City through Covid – no small feat.

Kinsman said great info from **Kate** and **Charlotte**. Congrats to **Sam** and thanks to **Helen** as well. Thanked staff for Q1 reports and he also noted the dedication of our first responders.

Zastrow thanked the guest speakers – hoped we can support the weir project. Thanked **Sam** for stepping up – we couldn't have done better. Wished **Helen** well, he worked with her in other capacities and appreciated her leadership.

Jones can't add much, echoed the thanks. He appreciates all 7 council members in attendance. Congrats to **Sam**, he looks forward to working with her.

Mayor Allison passed along thanks to **Helen** for everything she did for the City – we pray for her full recovery. Welcomed **Sam** and looks forward to seeing what she does about staffing, and he hopes she'll keep Council updated and informed and he appreciates that she's been doing that already – it is noticed.

Q. Executive Session

23. Council discussion of City Manager Contract terms, matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the City

This executive session was conducted after item 8.

R. Adjournment

Hearing no objection **Mayor Allison** adjourned the meeting at 9:26 pm.

Approved: May 15, 2024

Attest: _____
Susan Bourgeois, City Clerk

DRAFT

With that, Tania submitted a “Notice of Exercise of Option” to finalize the purchase of the property. I have inspected the property and the structure and have found it to be considered “substantially complete” per the requirements of the lease. The home has plumbing / sanitation, heat, electricity, and a sealed weather tight building envelope, with the exception of a few pieces of siding that are set to be installed during the next stretch of nice weather.

Before we are able to close, the Title company is requiring a resolution from the City Council authorizing the City Manager to exercise the Purchase and Sale Agreement.

VI. LEGAL ISSUES: The Purchase and Sale Agreement has been reviewed by the City’s legal counsel and has been giving the okay.

VII. SUMMARY AND ALTERNATIVES: City Council could choose to approve the Purchase and Sale Agreement as presented, direct staff to amend the agreement in some way.

**CITY OF CORDOVA, ALASKA
RESOLUTION 05-24-22**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA,
AUTHORIZING THE CONVEYANCE OF LOT 1, USS 4606, TO TANIA HARRISON**

WHEREAS, Tania Harrison submitted a letter of interest to purchase Lot 1 of USS 4606 (“Property”) from the City of Cordova (“City”); and

WHEREAS, City Council Authorized the City Manager to negotiate a Lease with Option to Purchase with Tania Harrison; and

WHEREAS, a Lease with Option (“The Lease”) to Purchase was approved and executed in 2019; and

WHEREAS, since the execution of the Lease, Harrison has improved the land in accordance with the Lease, including the creation of onsite parking, installation of water and electrical service, installation of a septic system, and substantially completed the construction of a single-family home; and

WHEREAS, Harrison is not in default of the terms in the Lease; and

WHEREAS, Harrison submitted a Notice of Exercise of Option within the allowed period of the Lease; and

WHEREAS, City staff has drafted a Purchase and Sale Agreement to finalize the purchase of the property; and

WHEREAS, the Council has determined that the sale of the property to Tania Harrison, would be beneficial to and in the best interests of the City.

NOW, THEREFORE BE IT RESOLVED THAT the Council of the City of Cordova hereby authorizes and directs the City Manager to enter into a Purchase and Sale Agreement for the Property with Tania Harrison. The form and content of the Purchase and Sale Agreement, along with the Quitclaim Deed attached to the Purchase and Sale Agreement, now before this meeting is in all respects authorized, approved and confirmed by this Resolution, and the City Manager hereby is authorized, empowered and directed to execute and deliver such documents on behalf of the City, in substantially the form and content now before this meeting, but with such changes, modifications, additions and deletions therein as the City Manager shall deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of approval of any and all changes, modifications, additions or deletions therein from the form and content of said documents now before this meeting, and from and after the execution and delivery of said documents, and the City Manager hereby is authorized, empowered and directed to do all acts and things and to execute all documents as may be necessary to carry out and comply with the provisions of the documents as executed.

PASSED AND APPROVED THIS 15th DAY OF MAY 2024

David Allison, Mayor

ATTEST:

Susan Bourgeois, CMC, City Clerk

PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT (this "Agreement") is entered into this 3rd day of April, 2024 (the "Effective Date"), by and between the CITY OF CORDOVA, an Alaska municipal corporation ("Seller"), whose address is P.O. Box 1210, Cordova, Alaska 99574, and TANIA HARRISON ("Purchaser"), whose address is P.O. Box 931, Cordova, Alaska 99574.

WHEREAS, Seller is the owner of certain real property located in the City of Cordova, Alaska, generally described as Lot 1, USS 4606, and shown more particularly in **Exhibit A** attached hereto and made a part hereof (hereinafter defined as the Property); and

WHEREAS, Purchaser is a Lessee of the Property under that certain Lease with Option to Purchase, which commenced May 1, 2019 (the "Lease"); and

WHEREAS, Purchaser exercised her option to purchase, by notice dated February 27, 2024, and has funds to pay the cost of acquiring the Property; and

WHEREAS, Purchaser desires to buy from Seller, and Seller desires to sell to Purchaser, the Property, subject to and in accordance with the terms and provisions hereinafter set forth.

NOW, THEREFORE, in consideration of the foregoing Recitals (which are incorporated herein by this reference), the mutual covenants and conditions hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Purchaser hereby agree as follows:

1. Purchase and Sale. Seller hereby agrees to sell, assign, and convey to Purchaser, and Purchaser hereby agrees to purchase from Seller, all of Seller's right, title, and interest in and to that certain real property located in the Cordova Recording District, Third Judicial District, State of Alaska, known as Lot 1, USS 4606 (the "Property"), and more particularly shown in Exhibit A attached hereto and incorporated herein by this reference, together with any and all improvements thereon, and all rights, privileges, easements, and appurtenances thereto, but subject to Seller's right of first refusal as provided herein. The description for the Property provided in Exhibit A shall be amended and replaced with the legal description provided by the Title Company in the Title Report.

2. The Purchase Price. The purchase price for the Property is Twenty-Two Thousand Five Hundred and 00/100 Dollars (\$22,500.00) (the "Purchase Price") and shall be paid to Seller by Purchaser at the Closing (as that term is defined in Section 11 below) as follows:

(a) Within five (5) business days after execution of this Agreement by all parties, Purchaser shall deposit a fully executed copy of this Agreement, and the sum of One Thousand and 00/100 Dollars (\$1,000.00) as an earnest money deposit (the "Deposit"), in escrow ("Opening of Escrow") with Fidelity Title Agency of Alaska, LLC ("Escrow Agent").

(b) In the event the purchase and sale of the Property is consummated as contemplated hereunder, the Deposit shall be retained by Seller and credited against the Purchase Price at Closing, or otherwise disbursed in accordance with this Agreement.

(c) The balance of the Purchase Price over and above the amount paid by or credited to Purchaser pursuant to Section 2(b) above shall be paid to Seller in immediately available funds at the Closing.

3. Title. Seller shall order from Fidelity Title Agency of Alaska, LLC ("Title Company"), and shall deliver to Purchaser within ten (10) days following the Opening of Escrow, or within three (3) business of receipt from the Title Company, a preliminary title report pertaining to the Property (the "Commitment"), together with legible (to the extent available) copies of all documents relating to the title exceptions referred to in such Commitment.

(a) Within fifteen (15) days after the delivery of the Commitment, Purchaser shall notify Seller in writing of any title exceptions identified in the Commitment of which Purchaser disapproves. Any exception not disapproved in writing within said fifteen (15) day period shall be deemed approved by Purchaser, and shall constitute a "Permitted Exception" hereunder. Purchaser and Seller hereby agree that all non-delinquent property taxes and assessments, and Seller's right of first refusal shall also constitute "Permitted Exceptions." Within ten (10) days after receipt of Purchaser's written notice of disapproved title exceptions, if any, Seller shall notify Purchaser in writing of any disapproved title exceptions which Seller is unable or unwilling to cause to be removed prior to or at Closing. Seller's failure to give such notice shall be deemed an election not to remove any disapproved title exceptions. With respect to such exceptions, Purchaser then shall elect, by giving written notice to Seller and Escrow Agent within ten (10) days thereafter, (x) to terminate this Agreement, or (y) to waive their disapproval of such exceptions, in which case such exceptions shall then be deemed to be Permitted Exceptions. Purchaser's failure to give such notice shall be deemed an election to waive the disapproval of any such exception. In the event Purchaser elects to terminate this Agreement in accordance with clause (x) above, the Deposit, without interest, shall be immediately refunded to Purchaser; provided, however, that Purchaser shall be responsible for any title or escrow cancellation fees.

4. Limited Representations and Warranties of Seller. Seller represents and warrants to Purchaser that the following matters are true and correct as of the execution of this Agreement and also will be true and correct as of the Closing:

(a) This Agreement is, and all the documents executed by Seller which are to be delivered to Purchaser at the Closing will be, legal, valid, and binding obligations of Seller enforceable against Seller in accordance with their respective terms and does not and will not violate any provisions of any agreement to which Seller is a party or to which it or the Property is subject.

5. Representations, Warranties and Covenants of Purchaser. Purchaser represents and warrants to Seller that the following matters are true and correct as of the execution of this Agreement and also will be true and correct as of the Closing, and which shall survive Closing and shall not be merged into the Deed delivered at Closing:

(a) This Agreement is, and all the documents executed by Purchaser which are to be delivered to Seller at the Closing will be, duly authorized, executed, and delivered by Purchaser, and is and will be legal, valid, and binding obligations of Purchaser enforceable against Purchaser in accordance with their respective terms and do not and will not violate any provisions of any agreement to which either Purchaser is a party or to which they are subject.

(b) Purchaser is the Lessee of the Property, and is fully familiar with the condition of the Property based upon its use and occupancy of the same, and understands and agrees that the City has no knowledge of the condition of the Property. Purchaser shall purchase the Property based on Purchaser's own prior investigation and examination of the Property (or Purchaser's election not to do so) and upon the limited warranties, covenants, and representations contained in this Agreement; AND THAT, AS A MATERIAL INDUCEMENT TO THE EXECUTION AND DELIVERY OF THIS AGREEMENT BY SELLER, SUBJECT TO THE TERMS OF THIS AGREEMENT, PURCHASER IS PURCHASING THE PROPERTY IN AN "AS IS" PHYSICAL CONDITION AND IN AN "AS IS" STATE OF REPAIR, WITH ALL FAULTS, AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND, EXPRESS OR IMPLIED. Except as may be set forth in this Agreement, Purchaser hereby waives, and Seller does hereby disclaim, all warranties of any type or kind whatsoever with respect to the Property, whether express or implied, including, by way of description but not limitation, those of fitness for a particular purpose and use.

6. Conditions Precedent to Closing.

(a) The following shall be conditions precedent to Seller's obligation to consummate the purchase and sale transaction contemplated herein (the "Seller's Conditions Precedent"):

(1) Purchaser shall not have terminated this Agreement in accordance with Section 3, Section 13, or Section 14 of this Agreement within the time periods described in said Sections.

(2) Purchaser shall have delivered to Escrow Agent, prior to or at the Closing, for disbursement as directed hereunder, all cash or other immediately available funds due from Purchaser in accordance with this Agreement.

(3) There shall be no uncured breach of any of Purchaser's representations or warranties set forth in Section 5, as of the Closing.

(4) Purchaser shall have completed all Development described in the Development Proposal attached to the Lease with Option to Purchase, executed between the Parties and commencing May 1, 2019.

(5) Purchaser shall have delivered to Escrow Agent the items described in Section 9.

(6) The timely performance by Purchaser of each and every obligation imposed upon Purchaser hereunder.

The conditions set forth in this Section 6(a) are solely for the benefit of Seller and may be waived only by Seller and only in writing. Seller shall, at all times, have the right to waive any of these conditions.

(b) The following shall be conditions precedent to Purchaser's obligation to consummate the purchase and sale transaction contemplated herein (the "Purchaser's Conditions Precedent"):

(1) Sellers shall not have terminated this Agreement in accordance with Section 3 or Section 14 of this Agreement within the time periods described in said Sections.

(2) Title Company shall be committed to issue, at the Closing, an owner's policy of title insurance (the "Title Policy"), insuring Purchaser's interest in the Property, dated the day of the Closing, with liability in the amount of the Purchase Price, subject only to the Permitted Exceptions.

(3) There shall be no uncured breach of any of Seller's representations or warranties as set forth in Section 4 or the covenants as set forth in Section 7, as of the Closing.

(4) Seller shall have delivered the items described in Section 8.

(5) The timely performance by Seller of each and every obligation imposed upon Seller hereunder.

The conditions set forth in this Section 6(b) are solely for the benefit of Purchaser and may be waived only by Purchaser and only in writing. Purchaser shall, at all times have the right to waive any of these conditions.

7. Covenants of Seller. Seller hereby covenants with Purchaser, as follows:

(a) After the date hereof and prior to the Closing, no part of the Property, or any interest therein, will be voluntarily sold, mortgaged, encumbered, leased, or otherwise transferred without Purchaser's consent which may be withheld in their sole and absolute discretion.

(b) Seller agrees to notify Purchaser promptly of the occurrence of any event which violates any covenant set forth in this Section 7.

8. Seller's Closing Deliveries. At or prior to the Closing, Seller shall deliver to Escrow Agent the following:

(a) A Quitclaim Deed with Right of First Refusal in substantially the form attached hereto as Exhibit B, executed by Seller conveying the Property to Purchaser (the "Quitclaim Deed").

(b) A closing statement prepared by the Title Company itemizing and approving all receipts and disbursements made in connection with Closing, including all attorney's fees, environmental assessment fees, appraisal fees, escrow fees, recording fees, and title insurance fees.

(c) Any other documents, instruments, or agreements reasonably necessary to effectuate the transaction contemplated by this Agreement, including but not limited to a document terminating the Lease as of Closing.

9. Purchaser's Closing Deliveries. At or prior to the Closing, Purchaser shall deliver to Escrow Agent the following:

(a) The balance of the Purchase Price, together with such other sums as Escrow Agent shall require to pay Purchaser's share of the Closing costs, prorations, reimbursements, and adjustments as set forth in Section 10 and Section 12, in immediately available fund.

(b) Deliver to Seller a Certificate of Substantial Completion, in a form required by the Seller, certifying that Purchaser has substantially completed construction of the improvement(s) identified in Section 5 of the Lease.

(c) Any other documents, instruments, or agreements reasonably necessary to effectuate the transaction contemplated by this Agreement, or which may be required by the Title Company, including but not limited to a document terminating the Lease as of Closing. A draft termination of Lease, which is subject to review and approval by the Title Company, is annexed hereto and incorporated herein as **Exhibit C**.

10. Prorations and Adjustments. The following shall be prorated and adjusted between Seller and Purchaser as of the day of the Closing, except as otherwise specified:

(a) General real estate, personal property, and ad valorem taxes and assessments, and any improvement or other bonds encumbering the Property, for the current tax year for the Property. Purchaser is not responsible for delinquent real estate taxes, personal property taxes, ad valorem taxes, or assessments arising prior to Closing. Base Rent and any Additional Charges, as those terms are defined in the Lease, shall be prorated as of the date of Closing.

(b) Utility charges, if any. Purchaser acknowledges and agrees that Seller shall be entitled to all refunds of utility deposits with respect to the Property and that such amounts are not to be assigned to Purchaser in connection with the sale of the Property, but only to the extent paid by Seller and not Purchaser. However, Purchaser will be responsible for any additional assessments effective prior to Closing, of which notice is received after Closing. No additional assessments are known as of the Effective Date.

For purposes of calculating prorations, Purchaser shall be deemed to be in title to the Property, and, therefore entitled to the income therefrom and responsible for the expenses thereof for the entire day upon which the Closing occurs. All such prorations shall be made on the basis of the actual number of days of the month which shall have elapsed as of the day of the Closing and based upon the actual number of days in the month and a three hundred sixty-five (365) day year. In no event will there be any proration of insurance premiums under Seller's existing policies of insurance relating to the Property, and Purchaser acknowledges and agrees that none of Seller's insurance policies (or any proceeds payable thereunder) will be assigned to Purchaser at the Closing, and Purchaser shall be solely obligated to obtain any and all insurance that they deem necessary or desirable. The provisions of this Section 10 shall survive the Closing.

11. Closing. The purchase and sale contemplated herein shall close on or before thirty (30) days after the Effective Date (the "Closing"), but in no event later than April 30, 2024, unless otherwise agreed in writing by the parties. As used herein, the term "Closing" means the date and time that the Quitclaim Deed is recorded in the Cordova Recording District, Third Judicial District, State of Alaska (the "Official Records"). The Closing shall occur at the offices of the Escrow Agent as set forth in Section 18(m), or at such other location mutually agreed to by the parties.

12. Closing Costs. Purchaser shall pay the fee for recording the Quitclaim Deed, the premium for the Title Policy, and for all fees and costs Seller 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. Purchaser shall bear the expense of their own counsel. Unless otherwise specified herein, if the sale of the Property contemplated hereunder does not occur because of a default on the part of Purchaser, all escrow cancellation and title fees shall be paid by Purchaser; if the sale of the Property does not occur because of a default on the part of Seller, all escrow cancellation and title fees shall be paid by Seller.

13. Risk of Loss. If prior to the Closing, any portion of the Property is subject to a taking, or eminent domain proceedings are commenced, by public authority (other than Seller) against all or any portion of the Property, Purchaser shall have the right, exercisable by giving notice to Seller within ten (10) business days after receiving written notice of such taking (but in any event prior to the Closing), either (i) to terminate this Agreement, in which case neither party shall have any further rights or obligations hereunder (except as may be expressly provided to the contrary elsewhere in this Agreement or in the Lease), and any money (including, without limitation, the Deposit and all interest accrued thereon) or documents in escrow shall be returned to the party

depositing the same, and Purchaser and Seller each shall be responsible for one-half of any title or escrow cancellation fee, or (ii) to accept the Property in its then condition, without any abatement or reduction in the Purchase Price, and receive an assignment of all of Seller's rights to any condemnation award payable by reason of such taking. Purchaser's failure to elect timely shall be deemed an election of (ii). If Purchaser elects to proceed under clause (ii) above, Seller shall not compromise, settle, or adjust any claims to such award without Purchaser's prior written consent. As used in this Section 13, "taking" shall mean any transfer of the Property or any portion thereof to a governmental entity (other than Seller) or other party with appropriate authority, by exercise of the power of eminent domain.

14. Default.

(a) No party shall be deemed to be in default hereunder unless such party fails to cure an alleged default within ten (10) days after receipt from the other party of written notice thereof; provided, however, that (i) if such alleged default is not susceptible of being cured within said ten (10) day period, such party shall not be deemed in default hereunder so long as such party commences to cure the alleged default within said ten (10) day period and diligently prosecutes the same to completion within thirty (30) days; and (ii) no notice shall be required or cure period permitted in the event the alleged default is a failure to close the transaction contemplated hereby at the Closing.

(b) In the event of a default by Seller hereunder, Purchaser shall be entitled, in addition to any and all other remedies to which Purchaser may be entitled at law or in equity, (i) to terminate this Agreement by written notice to Seller, in which event the Deposit shall be returned to Purchaser and neither party shall have any further rights, obligations, or liabilities hereunder, or (ii) to enforce Seller's obligations hereunder by a suit for specific performance, in which event Purchaser shall be entitled to such injunctive relief as may be necessary to prevent Seller's disposition of the Property pending final judgment in such suit.

(c) In the event of a default by Purchaser hereunder, Seller shall be entitled, as Seller's sole and exclusive remedy, to terminate this Agreement by written notice to Purchaser, in which event, the Deposit shall be retained by Seller as liquidated damages; thereafter, neither party shall have any further rights, obligations, or liabilities hereunder. Termination of this Agreement does not terminate the Lease, which will remain unmodified and in full force and effect. The parties acknowledge and agree that the actual damages in such event are uncertain in amount and difficult to ascertain, and that said amount of liquidated damages was reasonably determined.

15. Escrow.

(a) Instructions. Within five (5) business days after execution of this Agreement, Purchaser shall deposit a copy of this Agreement executed by both Purchaser and Seller with Escrow Agent. Nothing in this Agreement shall prevent Seller from depositing a copy of the fully executed agreement with Escrow Agent. This Agreement, together with such further instructions, if any, as the parties shall provide to

Escrow Agent by written agreement, shall constitute the escrow instructions. If any requirements relating to the duties or obligations of Escrow Agent hereunder are not acceptable to Escrow Agent, or if Escrow Agent requires additional instructions, the parties hereto agree to make such deletions, substitutions, and additions hereto as Seller and Purchaser shall mutually approve, which additional instructions shall not substantially alter the terms of this Agreement unless otherwise expressly agreed to by Seller and Purchaser.

(b) Deposits into Escrow. Seller shall make its deliveries into escrow in accordance with Section 8. Purchaser shall make its deliveries into escrow in accordance with Section 9. Escrow Agent is hereby authorized to close the escrow only if and when: (i) Escrow Agent has received all items to be delivered by Seller and Purchaser pursuant to Sections 8 and 9; and (ii) Title Company can and will issue the Title Policy concurrently with the Closing.

(c) Close of Escrow. Provided that Escrow Agent shall not have received written notice in a timely manner from Purchaser or Seller of the failure of any condition to the Closing or of the termination of the escrow, and if and when Seller and Purchaser have deposited into escrow the matters required by this Agreement and Title Company can and will issue the Title Policy concurrently with the Closing, Escrow Agent shall:

(1) Deliver to Seller the Purchase Price, after satisfying the Closing costs, prorations and adjustments to be paid by Seller pursuant to Section 10 and Section 12, respectively.

(2) Deliver to Purchaser the Quitclaim Deed by causing it to be recorded in the Official Records of the Cordova Recording District, Third Judicial District, State of Alaska and immediately upon recording delivering to Purchaser a conformed copy of the Quitclaim Deed.

(3) Deliver to Purchaser any funds deposited by Purchaser, and any interest earned thereon, in excess of the amount required to be paid by Purchaser hereunder.

(4) Deliver the Title Policy issued by Title Company to Purchaser.

16. Reciprocal Indemnification.

(a) Seller hereby agrees to indemnify, hold harmless, and defend Purchaser from and against any and all loss, damage, claim, cost and expense, and any other liability whatsoever, including without limitation reasonable attorneys' fees, charges, and costs, incurred by Purchaser by reason of: (i) Seller's breach of any covenants, representations, or warranties of Seller contained in this Agreement which survive the Closing, or (ii) without limiting the generality of the foregoing, Seller's failure to duly perform and discharge Retained Liabilities, as defined below. The Retained Liabilities include: (i) any liability the existence of which would constitute a breach of any of Seller's representations or warranties contained in Section 4; and (ii) any expenses, liabilities, or

obligations relating to the Property or its operation arising from acts, omissions, occurrences, or matters that took place prior to the Closing.

(b) Purchaser hereby agrees to indemnify, hold harmless, and defend Seller from and against any and all loss, damage, claim, cost and expense, and any other liability whatsoever, including without limitation reasonable attorneys' fees, incurred by Seller by reason of: (i) Purchaser's breach of any covenants, representations, or warranties of Purchaser contained in this Agreement which survive the Closing; (ii) Purchaser's breach of the right of first refusal; or (iii) without limiting the generality of the foregoing, Purchaser's failure to duly perform the Assumed Liabilities. The Assumed Liabilities include: (i) Seller's obligations and liabilities with respect to the Property or its operation which are expressly assumed in writing by Purchaser pursuant to this Agreement or documents delivered at Closing; and (ii) any expenses, liabilities, or obligations relating to the Property or its operation arising from acts, omissions, occurrences, or matters that take place on or after the Closing.

17. Right of First Refusal. Purchaser covenants and agrees to acquire the Property subject to Seller's right of first refusal, as provided in this Section. Purchaser further covenants and agrees that Purchaser shall not sell, transfer, convey, or dispose, or attempt to sell, transfer, convey, or dispose, of the Property in violation of Seller's right of first refusal, and that any sale, transfer, conveyance, or other disposal of property which violates Seller's right of first refusal shall be void. The Quitclaim Deed to be delivered by Seller pursuant to the terms of this Agreement shall provide notice of Seller's right of first refusal, in substantially the form annexed hereto as **Exhibit B**. Purchaser covenants and agreements provided in this Section shall survive Closing. The terms of Seller's right of first refusal are as follows:

(a) **Right of First Refusal.** Seller shall have a right of first refusal subject to the same conditions provided in this Agreement. Any sale, conveyance, transfer, or other disposition made in violation of Seller's right of first refusal shall be void and unenforceable.

(b) **Exercise of Right of First Refusal.**

(i) Purchaser may accept an offer for the sale, conveyance, transfer, or other disposition of the Property only if the offer is made subject to the Seller's right of first refusal herein. Immediately upon acceptance of an offer for the sale, transfer, conveyance, or other disposition from a third party (the "Purchase Offer"), Purchaser shall present a copy of the Purchase Offer and acceptance to Seller by written notice, by certified mail or overnight delivery, to the address set forth above, or at such other address designated by Seller in writing. Seller will then have sixty (60) days from receipt of the Purchase Offer (the "ROFR Period") to either agree to purchase the Property on the same terms and conditions set forth in the Purchase Offer, or decline to exercise its right of first refusal to Purchaser at the address set forth above no later than sixty (60) days after being presented with a copy of the Purchase Offer. If Seller agrees to accept the Purchase Offer within the ROFR Period, the property shall be conveyed to the Seller in accordance with the terms of the Purchase Offer.

(ii) If after execution of the Purchase Offer, the Purchaser and third-party amend the Purchase Offer, the Purchaser shall present a copy of the Purchase Offer as amended (“Amended Purchase Offer”) to Seller in accordance with Section 17(b)(i) above, and Seller will then have ten (10) days from receipt of the Amended Purchase Offer (“Amendment Period”) to either agree to purchase the Property on the same terms and conditions set forth in the Amended Purchase Offer, or decline to exercise its right of first refusal no later than ten (10) days after being presented with a copy of the Amended Purchase Offer. If Seller agrees to accept the Amended Purchase Offer, within the Amendment Period, the Property shall be conveyed to the Seller in accordance with the terms of the Amended Purchase Offer.

(c) **Sale or Disposal by Grantees.** If Seller does not timely exercise its right of first refusal or declines to exercise its right of first refusal, Purchaser may then sell or otherwise dispose of the Property 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 or Amended Purchase Offer, if applicable, then any interest of the Seller in and to the Property shall cease and be of no further force and effect. If the sale or other disposition is not completed on the terms and conditions in the Purchase Offer or Amended Purchase Offer, if applicable, then Seller will continue to have its exclusive right of first refusal under the procedures outlined above, before Purchaser may convey or transfer its interest in the property to a third party.

(d) **Waiver.** If Seller does not timely exercise its right of first refusal, or if Seller declines to exercise its rights in response to a particular Purchase Offer or Amended Purchase Offer, if applicable, and provides Purchaser with written notice of its decision to decline, then Seller’s City Manager shall, upon written request from Purchaser, and within ten (10) days of receiving the written request, deliver to Purchaser a document, in recordable form, attesting to Seller’s waiver and relinquishment of its right of first refusal and right to purchase regarding the specific Purchase Offer or Amended Purchase Offer, if applicable, (the “Waiver Document”). The Waiver Document shall identify the date the Purchase Offer or Amended Purchase Offer, if applicable, was made, and shall be held by Purchaser in escrow, and not recorded, until after the closing on the Purchase Offer or Amended Purchase Offer, if applicable. If the sale or other disposition is not completed on the same terms and conditions set forth in the Purchase Offer or Amended Purchase Offer, if applicable, then Purchaser shall return the Waiver Document to the Seller. Purchaser agrees to pay all costs and expenses, including reasonable attorney’s fees, incurred by Seller in preparing and recording the Waiver Document. Seller’s relinquishment or forfeiture of its right to first refusal and right of purchase regarding one Purchase Offer or Amended Purchase Offer, if applicable, in no way waives or terminates its right to first refusal and right of first purchase regarding any subsequent Purchase Offer.

18. General Provisions.

(a) Each individual executing this Agreement hereby represents and warrants that he or she has the capacity set forth on the signature pages hereof with full power and authority to bind the party on whose behalf he or she is executing this Agreement to the terms hereof.

(b) Time is of the essence in the performance of and compliance with each of the provisions and conditions of this Agreement. In the computation of any period of time provided for in this Agreement or by law, the day of the act or event from which such period of time runs shall be excluded, and the last day of such period shall be included, unless it is a Saturday, Sunday, or legal holiday, in which case the period shall be deemed to run until the end of the next business day.

(c) Seller represents and warrants to Purchaser, and Purchaser represents and warrants to Seller, that there is no broker, finder, or other intermediary of any kind with whom such party has dealt in connection with the transaction contemplated hereby, and each party agrees to indemnify, defend, and hold harmless the other from any claim made by any broker or agent alleging entitlement to any fee or commission as a result of having dealt with the indemnifying party.

(d) This Agreement, including all exhibits attached hereto, constitutes the entire agreement and understanding of the parties with respect to the subject matter hereof, and there are no other prior or contemporaneous written or oral agreements, undertakings, promises, warranties, or covenants with respect thereto not contained herein.

(e) This Agreement may be amended or modified only by a written instrument executed by all of the parties hereto.

(f) No waiver of any condition or provision of this Agreement by any party shall be valid unless in writing signed by such party. No such waiver shall be deemed or construed as a waiver of any other or similar provision or of any future event, act, or default.

(g) If any provision of this Agreement is deemed unenforceable in whole or part, such provision shall be limited to the extent necessary to render the same valid or shall be deemed excised from this Agreement and replaced by a valid provision as close in meaning and intent as the excised provision, as circumstances require, and this Agreement shall be construed as if said provision had been incorporated herein as so limited or as so replaced, as the case may be.

(h) Headings of articles and sections herein are for convenience of reference only and shall not be construed as part of this Agreement.

(i) This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors, and permitted assigns.

(j) This Agreement shall be governed by and construed in accordance with the laws of the State of Alaska.

(k) This Agreement may be executed in multiple counterparts, each of which shall be deemed an original but all of which, taken together, shall constitute a single instrument.

(l) In no event shall this Agreement be construed more strongly against any one person solely because such person or its representative acted as draftsman hereof, it being acknowledged by the parties hereto that both have been represented by competent legal counsel, that this Agreement has been subject to substantial negotiation, and that all parties have contributed substantially to the preparation of this Agreement.

(m) Any notice, request, demand, instruction, or other document to be given or served hereunder or under any document or instrument executed pursuant hereto shall be in writing and shall be sent by United States registered or certified mail, return receipt requested, postage prepaid and addressed as follows:

Seller:	City of Cordova Attn: City Manager P.O. Box 1210 Cordova, Alaska 99574
Purchaser:	Tania Harrison P.O. Box 931 Cordova, Alaska 99574
Escrow Agent:	Fidelity Title Agency of Alaska 3150 C Street, Suite 220 Anchorage, Alaska 99503
Title Company:	Fidelity Title Agency of Alaska 3150 C Street, Suite 220 Anchorage, Alaska 99503

Any party may change its address for notice by written notice given to the other in the manner provided in this Section. Any such communication, notice, or demand shall be deemed to have been duly given or served on the date three (3) days after being placed in the U.S. Mail.

(n) The parties agree to execute such instructions to Escrow Agent and Title Company and such other instruments and to do such further acts as may be reasonably necessary to carry out the provisions of this Agreement on terms mutually acceptable to Purchaser and Seller.

(o) Notwithstanding anything to the contrary contained herein, this Agreement shall not be deemed or construed to make the parties hereto partners or joint venturers, or to render either party liable for any of the debts or obligations of the other, it

being the intention of the parties to merely create the relationship of Seller and Purchaser with respect to the Property to be conveyed as contemplated hereby.

[Remainder of Page Intentionally Left Blank]



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



AGENDA ITEM 7
City Council Meeting Date: 5/15/24
CITY COUNCIL COMMUNICATION FORM

FROM: Susan Bourgeois, City Clerk
DATE: 04/29/24
ITEM: Resolution 05-24-23 recognizing national hospital week
NEXT STEP: Majority voice vote, roll call vote of consent calendar

ORDINANCE RESOLUTION
 MOTION INFORMATION

- I. REQUEST OR ISSUE:** Resolution supporting National Hospital Week per request from CCMC CEO, Dr. Hannah Sanders.
- II. RECOMMENDED ACTION:** Council motion to approve Resolution 05-24-23.
- III. BACKGROUND:** Dr. Sanders has helped facilitate the Alaska Hospital and Healthcare Association's May Board meeting at the Cordova Center on May 16. She requested City Council approve this Resolution which is timely since National Hospital week falls at that same time.

**CITY OF CORDOVA, ALASKA
RESOLUTION 05-24-23**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA,
RECOGNIZING NATIONAL HOSPITAL WEEK FROM MAY 12-18, 2024 IN THE
CITY OF CORDOVA**

WHEREAS, the City of Cordova, Alaska, acknowledges the crucial role that hospitals play in providing quality healthcare services to our community members; and

WHEREAS, National Hospital Week, observed annually in May, serves as an opportunity to recognize and honor the dedication, compassion, and tireless efforts of healthcare professionals, including doctors, nurses, technicians, administrators, and support staff, who work tirelessly to ensure the health and well-being of our residents; and

WHEREAS, Cordova Community Medical Center not only provides medical treatment but also serves as vital community anchor, promoting health education, prevention, and wellness initiatives, and contributing to the economic vitality of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Cordova, Alaska, hereby declares its recognition and appreciation of National Hospital Week, and extends heartfelt gratitude to all healthcare professionals, volunteers, and support staff for their invaluable contributions to the well-being of our community.

BE IT FURTHER RESOLVED that the City of Cordova encourages all residents to take this opportunity to express their gratitude and support for our local hospitals and healthcare providers, recognizing their pivotal role in safeguarding the health and safety of our community members.

PASSED AND APPROVED THIS 15th OF MAY 2024.

David Allison, Mayor

ATTEST:

Susan Bourgeois, CMC, City Clerk

**CITY OF CORDOVA, ALASKA
PROCLAMATION OF APPRECIATION TO**

ANNE SCHAEFER

I, Mayor David Allison, do hereby issue this Proclamation of Appreciation to **Anne Schaefer for her dedication to the advancement of the City of Cordova while serving as a City Council Member**

WHEREAS, **Anne Schaefer was elected unanimously by the sitting Council in December 2017 to fill the vacancy in Seat E, then was elected by the voters in 2018 and again in 2021, both times defeating well-known and long-time Cordovans, which speaks volumes to her reputation among the electorate as an intelligent, fair and competent Council member; and**

WHEREAS, as City staff brought important requests before the Council, **Anne Schaefer was a Council member who asked the hard questions and trusted the subject matter experts to guide the prudent decisions she then made; and**

WHEREAS, her kind, thoughtful, demeanor and discerning, scientific, approach to problems helped guide Cordova through the stressful Covid-19 pandemic; and

WHEREAS, **Anne Schaefer made difficult decisions when City budgets were tight; she understood the need to think long-term about sustaining City staffing and infrastructure not skimping and slashing in order to get through present-day problems; and**

WHEREAS, she researched pending issues and asked questions of the Clerk, Manager and staff before meetings in order to enhance her understanding of the important topics she and the City Council would then be voting upon.

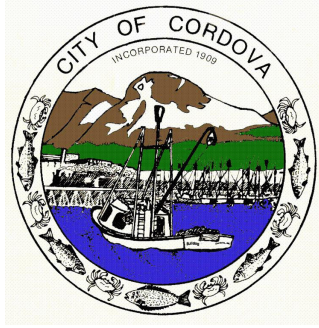
NOW, THEREFORE, BE IT PROCLAIMED that the Mayor, City Council members, City staff, and citizens of Cordova do hereby express their sincere appreciation to **Anne Schaefer for her willingness to dedicate many hours of her own time in service to the Community as a valued City Council member.**

SIGNED THIS 15th DAY OF MAY 2024



David Allison, Mayor





AGENDA ITEM 9
City Council Meeting Date: 05/15/24
CITY COUNCIL COMMUNICATION FORM

FROM: Susan Bourgeois, City Clerk
DATE: 05/7/24
ITEM: Certification of the 2024 Property Assessment Roll
NEXT STEP: Majority voice vote or roll call vote of consent calendar

ORDINANCE
 MOTION

RESOLUTION
 INFORMATION

I. REQUEST OR ISSUE: Certification of the 2024 Property Assessment Roll

II. RECOMMENDED ACTION / NEXT STEP: Suggested motion:

I move to certify the accuracy of the 2024 property assessment roll of all the real property within the City of Cordova valued as of January 1, 2024.

III. FISCAL IMPACTS: Certification of the property assessment roll is the next step toward collection of 2024 property taxes. The certification of the roll by Council produces the full taxable value of the City. The charts/graphs are representative of change in value over time, exempt value vs. taxable value, and a breakdown of the different types of exemptions. Council will set a mill rate before June 15, which when applied to assessed value determines property tax amounts which get billed to the individual property owners. Bills go in the mail per City Code by July 1, 2024, and the collection is in halves, the first half due on or before August 31, 2024 (September 2, 2024, is actual due date because August 31 falls on a weekend and then September 2 is a holiday) and the second half due on or before October 31, 2024. Property taxes as approved in the 2024 budget will provide \$3 million of revenue to fund City services, Cordova School District, City infrastructure, and personnel.

IV. BACKGROUND INFORMATION: Contract Assessor, Appraisal Company of Alaska conducted a customary review of Cordova's properties in the winter of 2023 to arrive at new values for the 2024 assessment roll. All properties are assessed at their values as of January 1 of the assessment year using the software system MARS. A revaluation of assessed land values was conducted to ensure values align with the prevailing market trend and are consistent with comparable lots in the vicinity. Commercial and

residential land values on average received a 10% across the board increase in 2024. Residential improvements received approximately a 5% increase. There was a \$1 million increase in total value attributable to new construction including the completion of improvements on properties that had already been under construction. Oil and gas property increased by \$140,500. Assessment notices were mailed to all property owners on March 6, 2024. During the 30-day appeal period, the Deputy Clerk received 83 appeals which were handled by Appraisal Company of Alaska, the City's contracted Assessor. The Board of Equalization Hearing was held on April 15, 2024, at which time, the Board heard 22 appeals which had not been resolved between the appellant and assessor. Final decision letters were sent on April 19, 2024, to all appellants whose appeals were decided at the Board of Equalization Hearing. Adjusted Assessment notices were sent to all appellants whose property values changed as a result of the appeal and BOE process, on April 19, 2024.

V. LEGAL ISSUES: The pertinent references to the Cordova Municipal Code are as follows:

5.36.190 - Appeal—Entry of changes by assessor.

Except as to supplementary assessments, the assessor shall enter the changes so certified upon his records, and certify the final assessment roll by June 1st.

(Ord. 777 (part), 1996: prior code § 13.121, as amended during 1979 codification).

5.36.230 - Delivery of statement to council.

When the final assessment records have been completed by the assessor as provided in this chapter, the assessor shall deliver to the council on or before June 1st of each year a statement of the total assessed valuation of all real property within the city.

(Ord. 777 (part), 1996: prior code § 13.125, as amended during 1979 codification).

5.36.240 - Amount set by resolution.

The council shall thereupon by resolution annually before June 15th fix a rate of tax levy and designate the number of mills upon each dollar of value of assessed taxable real property that shall be levied.

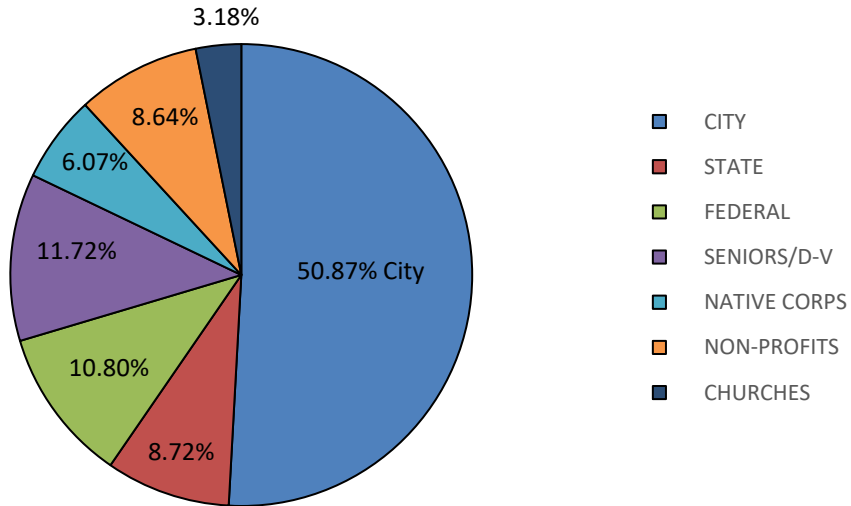
(Ord. 777 (part), 1996: prior code § 13.126, as amended during 1979 codification).

VI. SUMMARY AND ALTERNATIVES: Council should certify the accuracy of the assessment roll unless there is reason to believe there was a breach in procedure or error in calculations by either by the Contract Assessor or the City Clerk's Office. Approval of Consent Calendar will accomplish approval of the motion as suggested in II.

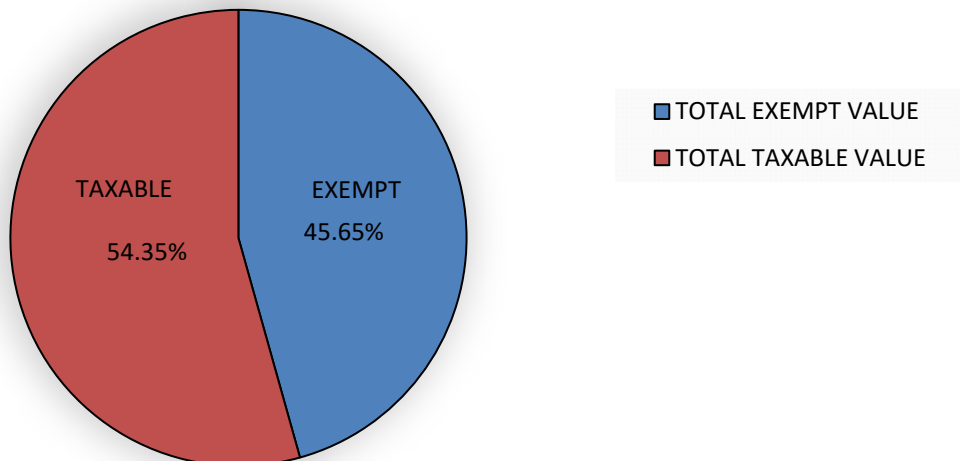
THREE YEAR COMPARISON OF EXEMPT VALUE TO TAXABLE VALUE

	2024	%	2023	%	2022	%
TOTAL LAND	\$123,281,700		\$106,831,300		\$93,665,600	
TOTAL IMPROVEMENTS	\$433,175,900		\$421,222,100		\$375,227,610	
TOTAL REAL PROPERTY VALUE	\$556,457,600	100%	\$528,053,400	100%	\$468,893,210	100%
TOTAL EXEMPT VALUE	\$254,045,087	45.65%	\$248,555,024	47.07%	\$226,178,275	48.24%
TOTAL TAXABLE VALUE	\$302,412,513	54.35%	\$279,498,376	52.93%	\$242,714,935	51.76%
EXEMPTION BY TYPE:						
CITY	\$129,231,310	50.87%	\$127,288,365	51.21%	\$126,185,000	55.79%
STATE	\$22,158,032	8.72%	\$20,793,595	8.37%	\$16,868,200	7.46%
FEDERAL	\$27,436,200	10.80%	\$25,303,900	10.18%	\$23,269,800	10.29%
SENIORS/D-V	\$29,777,128	11.72%	\$28,340,564	11.40%	\$25,006,375	11.06%
NATIVE CORPS	\$15,416,200	6.07%	\$14,339,900	5.77%	\$12,732,400	5.63%
NON-PROFITS	\$21,957,217	8.64%	\$24,555,900	9.88%	\$14,506,100	6.41%
CHURCHES	\$8,069,000	3.18%	\$7,932,800	3.19%	\$7,610,400	3.36%
TOTAL EXEMPT VALUE	\$254,045,087	100%	\$248,555,024	100%	\$226,178,275	100%

2024 EXEMPTION TYPES

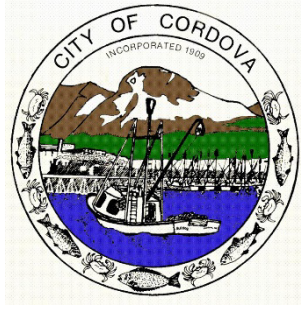


2024 TAXABLE VS EXEMPT



CITY OF CORDOVA
TEN YEARS CORDOVA PROPERTY VALUES COMPARISON

TAX YEAR	PROP TAX BILLED	MILL RATE	TAXABLE VALUE	EXEMPTED VALUE	TOTAL VALUE
2014	\$2,129,122	12.07 & 11.07	\$179,527,870	\$200,270,200	\$379,798,070
2015	\$2,155,026	11.53	\$186,905,960	\$205,166,480	\$392,072,440
2016	\$2,234,841	11.05	\$202,118,470	\$205,663,800	\$407,782,270
2017	\$2,533,433	12.35	\$205,136,290	\$203,768,000	\$408,904,290
2018	\$2,533,554	11.81	\$214,526,160	\$206,410,900	\$420,937,060
2019	\$2,640,957	11.81	\$223,620,381	\$216,689,879	\$440,310,260
2020	\$2,642,762	11.08	\$238,516,445	\$216,739,775	\$455,256,220
2021	\$2,641,228	11.06	\$238,809,005	\$217,999,275	\$456,808,280
2022	\$2,800,930	11.54	\$242,714,935	\$226,178,275	\$468,893,210
2023	\$2,800,574	10.02	\$279,498,376	\$248,555,024	\$528,053,400
2024	Unknown	Not Set Yet	\$302,412,513	\$254,045,087	\$556,457,600



AGENDA ITEM 10
City Council Meeting Date: 5/15/2024
CITY COUNCIL COMMUNICATION FORM

FROM: Malvin Fajardo, Superintendent of Facilities
Kevin Johnson, Acting Public Works Director

DATE: 5/9/24

ITEM: Award of Invitation to Bid Contract to DXP Alaska Pump & Supply, INC

NEXT STEP: Council authorization of the City Manager to negotiate this contract

ORDINANCE
 MOTION

RESOLUTION
 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: *DXP Alaska Pump & Supply, INC*
- B. Contract Price: *\$51,291.00*
- C. Nature & quantity of the work that the City shall receive under the contract:
DXP Alaska Pump & Supply, INC will acquire and ship a new Deming 7182 Series Pump & Motor to Cordova (FOB)
- D. The time for performance under the contract.
It is anticipated that this contract will be completed no later than August 30th, 2024.

II. RECOMMENDED ACTION / NEXT STEP: Council suggested motion “to direct the City Manager to negotiate a contract with DXP Alaska Pump & Supply, INC, to provide & *ship a new Deming 7182 Series Pump & Motor to Cordova (FOB) for a sum of not to exceed Fifty-one Thousand, Two Hundred Ninety-one Dollars and Zero Cents (\$51,291.00)*

III. FISCAL IMPACTS: The contract will be paid from existing budgeted money from the Sewer Depreciation fund

IV. BACKGROUND INFORMATION: The City of Cordova has seven (PWSSC, Ferry Dock, Morpac, Murcheson, Eyak, Odiak, & Whiskey Ridge) lift stations, and serves 862 sewer service customers (commercial & residential). The Odiak Lift Station is the central lift station that receives sanitary sewer from the PWSSC, Ferry Dock, Morpac, Murcheson, & Eyak lift stations, totaling 300,000 gallons per day in the winter & 600,000 gallons per day of sanitary sewage in the summer. If the sanitary sewer is not transferred to the Wastewater Treatment plant to be treated, the sanitary sewer will spill into the seawater and cause massive environmental issues and contaminate the shores within Odiak Slough. The Odiak Lift Station was built in 1975 and was modified & upgraded in 1998.

The Odiak LS has three pumps and motors that alternate or activate when they cannot keep up with the flow intake from heavy customer use or Inflow/Infiltration.

Inflow occurs when rainwater is misdirected into the sanitary sewer system instead of storm sewers. Examples are roof drains, sump pumps, manhole covers, and cross-connections from a storm drain. The inflow remedy is to remove improper connections to the sanitary sewer.

Infiltration occurs when groundwater seeps into the sanitary sewer system through cracks or leaks in the sewer pipes. The cracks or leaks may be caused by age-related deterioration, loose joints, damage, or root infiltration. The infiltration remedy is to repair or replace the leaking infrastructure.

Pump #3 has lost its efficiency by 75% compared to pumps #1 and #2, which cost more to operate for longer run times.

The pumps and motors have not been changed since 1998 and are about 26 years old. The typical lift station pump and motor life expectancy is 15 to 20 years. Eventually, all three pumps and motors will need to be replaced.

Ignoring the need to replace Odiak LS's pumps will result in higher operating costs, potential damage/loss to property, possible fines from the EPA and ADEC, and potential environmental harm.

The Odiak LS's #3 motor is a US Motors, Model# 6207-27-J/C3, 25HP, 1770 RPM, 208/230/460V, & 3PH. The identified replacement pump is a Deming 7182-4066 series, 4 x 4 x 12 x 3 size, Left Hand Rotation, & with a 9.875 inches impeller diameter.

V. LEGAL ISSUES: This adheres to the City Code 5.12.110 Solicitation and Acceptance of Bids and 5.12.170 Award to Responsible Bidder or Proposer and this memo reflect requirements of 5.12.040.

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)

5.12.110 Solicitation and acceptance of bids.

- A. The City Manager shall initiate competitive sealed bidding by issuing an invitation for bids. The invitation for bids shall state, or incorporate by reference, all specifications and contractual terms and conditions applicable to the procurement.
- B. Public notice of the invitation for bids shall be published at least once not less than fourteen days before the last day on which bids will be accepted, . The notice also shall be posted at the Cordova post office or such other place in the city designated by the council that is accessible to the public. The contents of the notice shall be sufficient to inform interested readers of the general nature of the supplies, services or construction being procured and the procedure for submitting a bid. The City Manager shall mail or otherwise deliver notices to prospective bidders that have registered their names and addresses on a current bidders' mailing list maintained by the City. The City Manager shall keep a written record of the name of each person receiving notice and of the date and manner of delivery. The failure of any person to receive notice under this subsection shall not affect the validity of any award or contract.
- C. The terms of an invitation for bids may be modified or interpreted only by written addendum issued by the City Manager. Addenda to bids shall be sent to each recipient of the original bid documents. A bid may be considered responsive only if it acknowledges receipt of all addenda except for any addendum that the City Manager determines in writing would have no material effect on the terms of the bid.
- D. Sealed bids shall be submitted by mail, delivery service or in person at the place and no later than the time specified in the invitation for bids. Bids not submitted at the proper place or within the time specified shall not be opened or considered.
- E. Bids shall be opened at the time and place designated in the invitation for bids. All bid openings shall be open to the public. Bids are not open to public inspection until after the notice of intent to award a contract is issued. The City Manager shall tabulate the amount of each bid and shall record such other information as may be necessary or desirable for evaluation together with the name of each bidder. The tabulation shall be open to public inspection, and a copy of the tabulation shall be furnished to each bidder. To the extent the bidder designates in writing and other provisions of law permit, trade secrets and other proprietary data contained in a bid document shall be withheld from public inspection.
- F. Bids shall be accepted unconditionally without alteration or correction. No criteria except those set forth in the invitation for bids, including all specifications and addenda, may be used in determining the low bidder and the responsiveness of bids.

(Ord. 809 (part), 1998).

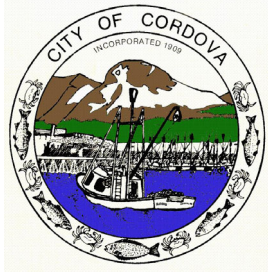
(Ord. No. 1203, § 10, 9-21-2022)

5.12.170 Award to responsible bidder or proposer.

A contract award under this chapter shall be made only to a responsible bidder or proposer. The city manager shall determine whether a bidder is responsible on the basis of the following criteria:

- A. The skill and experience demonstrated by the bidder in performing contracts of a similar nature;
- B. The bidder's record for honesty and integrity;
- C. The bidder's capacity to perform in terms of facilities, equipment, personnel and financing;
- D. The past and present compliance by the bidder with laws and ordinances related to its performance under the contract; and
- E. The bidder's past performance under city contracts. If the bidder has failed in any material way to perform its obligations under any contract with the city, the city manager may consider the bidder to be not responsible.
- F. The bidder's past performance of financial obligations to the city. If at the time of award the bidder is delinquent, overdue or in default on the payment of any money, debt or liability to the city, the city manager shall consider the bidder to be not responsible.

(Ord. 809 (part), 1998).



City Council Meeting Date: 5/15/24
CITY COUNCIL COMMUNICATION FORM

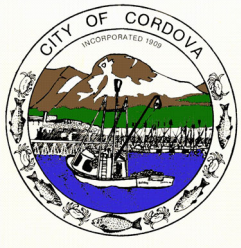
FROM: Samantha Greenwood, City Manager
DATE: 5/8/24
Item: Manager's Report

Title 5 rewrite. We met with the lawyers and discussed staff edits to the property tax portion of the draft ordinance. The lawyers need to research some of the suggested changes. We also discussed a plan that included a schedule that we all agreed to. This is a huge task, and we will split up the new Title 5 to keep it moving forward. We will tackle the property tax sections first, including economic development exemptions. Then, we will tackle the sales tax sections. This allows us to focus the discussions and delineate goals and steps forward. The end goal is to have all of the work completed and the ordinance to take effect by 1/2025.

On the June 5th meeting agenda, we will have the first reading of an ordinance for the property tax sections of Title 5. We had a lot of discussion on the economic development exemption portion of this ordinance, including where it is discussed to codify the section that provides for an application process to be put into place. Then, identifying and developing application forms will focus on the needed economic development at that time – can be revisited if the needed economic development changes. The application forms will be approved by city council.

Staff suggests the following timeline.

June 5th – First read of the Property tax code - Develop a list of the types of economic development incentives you want to create application forms for. Pick the first economic development type that we want to make a form for and continue to move through the process. The schedule could be an hour-long work session before every meeting until we have completed the forms. Then, move to sales tax. We can monitor progress and determine if we need additional meetings to have everything completed by 1/2025.



Susan Bourgeois, CMC
City of Cordova
Office of the City Clerk
Cordova, AK 99574
601 First Street * PO Box 1210

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

CITY CLERK'S REPORT TO COUNCIL

May 15, 2024, Regular Council Meeting

Property Assessments/Taxation: Tonight, you are being asked to certify the property assessment roll. What that means is you are certifying, i.e., confirming that the Clerk's Department and the City Assessor have followed the procedures to arrive at the complete assessment roll.

Board/Commission Vacancies: Please continue to ask people if they are interested in either Parks & Rec or PWSAC. If any other applications are received before the meeting date/time, I will bring them for consideration.

Mayor Allison and the City Council are soliciting applications to fill 2 seats on the Parks and Recreation Commission (terms through Nov '24 and Nov '26), and to fill the City Representative to the PWSAC Board (term through Sept '24)

PWSAC rep cannot be an Area E salmon permit holder, a processing industry interest or native organization interest

please fill out an application on the City website or email cityclerk@cityofcordova.net or call 907-424-6248

Council will fill seats as applications are received

Pending Agenda Items: Council inquired about the status of item A5 on the pending agenda at the April 17, 2024, Regular Meeting. I had mentioned the possibility of the Governor having introduced such a bill in 2022 or 2023 and said I would follow up and research that. See email correspondence with Jenny Martin, staff for Senator Gary Stevens. I will report verbally if there is an update before the meeting date on the status of HB66. Here is a link to see more detail.

https://www.akleg.gov/basis/Bill/Detail/33?Root=HB%20%2066#tab6_4

Calendar: notice on the calendars, at first June meeting we will discuss canceling 2nd June meeting due to it falling on a holiday (Juneteenth), as usual, we can fill in with a special meeting if items are time-sensitive and cannot wait until July 3 Regular Meeting.

Susan Bourgeois

From: Jenny Martin <Jenny.Martin@akleg.gov>
Sent: Friday, April 26, 2024 3:07 PM
To: Susan Bourgeois
Subject: RE: legislation regarding punishment for causing ODs

Hi Susan,

Yes, HB 66 passed the House May 11, 2023. Based on the schedule for next week it looks like it will be moving out of Senate Judiciary and into Senate Finance next week. It has a hearing in Senate Finance on May 3. That is all a good sign and signals to me will most likely be passed out of the Senate before the end of session. Looks like the Senate made a few changes, so as long as the House agrees to those changes, then once it passes the Senate it would go to the Gov for his signature.

Here is an article in the media last year when it passed out of the House: <https://alaskapublic.org/2023/05/12/alaska-house-passes-bill-to-increase-jail-time-for-fentanyl-and-other-drug-crimes/#:~:text=The%20bill%20approved%20by%20the,sentence%20would%20be%2099%20years.>

here are highlights for the bill: https://www.akleg.gov/basis/get_documents.asp?session=33&docid=29954

let me know if you have any other questions.

Sincerely,
Jenny

Jenny Martin
Staff for Sen. Stevens
907-235-0690 (Homer)
907-486-4925 (Kodiak)
800-821-4925 (toll free)
907-465-4925 (Juneau)

From: Susan Bourgeois <cityclerk@cityofcordova.net>
Sent: Friday, April 26, 2024 2:33 PM
To: Jenny Martin <Jenny.Martin@akleg.gov>
Subject: legislation regarding punishment for causing ODs

Jenny,

Very specific question for you. A few years ago a local man died of a fentanyl overdose. His mother spoke to City Council at a meeting and requested we support legislation to make stricter punishments for drug dealers whose sales lead to overdose deaths. At the time, I thought the Governor had introduced similar legislation. I wonder if that went anywhere or if there is anything pending this year that is about this topic.

Thanks,

Susan Bourgeois, CMC, City Clerk

City of Cordova
PO Box 1210
Cordova, AK 99574

April 24, 2024

Dear City Manager, Mayor and City Council Members,

Our board of directors and I would like to thank the City of Cordova for its continued partnership with Cordova Chamber of Commerce. We feel confident that our work to support businesses and grow a more resilient, diversified economy in Cordova multiplies the City’s annual \$110,000 investment. The City of Cordova’s support continues to be vital to the success of our business support, economic development, quality of life, and destination marketing efforts as we grow and evolve our programs to include the latest Blue Economy and regenerative models. Here is an abridged report of our major activities and programs in Q1 2024:

- **Meeting/Conference Outreach**

- Met with organizers of Alaska Mariculture Conference in February to discuss viability of hosting 2025 conference in Cordova. They loved the facility. Main concern was capacity (175-200 participants in the past). Will continue conversation.
- Providing support to Alaska Power Association (Aug 2025), Pioneers of Alaska (Oct 2024), and Alaska Historical Society (Sep/Oct 2024) statewide conferences to be held in Cordova. Alaska Telecom Association sounds interested in returning to Cordova soon. Will pursue.
 - Participated in three meetings for AHS conference planning
- Direct outreach to local business leaders requesting they submit to me a list of small conferences and meetings they attend that would fit the size and scale of the Cordova Center
- Updated Alaska.org (popular independent traveler planning site) pages for Cordova Center on more engaging language and imagery
- Running ads for Cordova Center in Edible Alaska as available.
- Continuing to run social media [content](#) to promote meetings in Cordova.
- Updated the full pages on [Chamber website](#) about Cordova Center and meeting planning in Cordova, based on recommendations from Cordova Center coordinator and City Manager
- Procured printing estimate for printing of facility guides, sent to Cordova Center coordinator
- Including sections on Cordova Center and “Meeting in Cordova” in quarterly emails to our destination marketing audience.
- Providing planning and logistical support to Alaska Power Association (Aug 2025), Pioneers of Alaska (Oct 2024), and Alaska Historical Society (Oct 2024) statewide conferences to be held in Cordova – including assistance with lodging, catering, tours, and transportation.



- Also started outreach to a few other meeting & conference prospects
- Worked with Cordova Center coordinator and City Manager to formalize an MOU.
- **Business Support**
 - Partnered with PWSEDD on [Childcare Solutions Forum](#) on Feb 23-24. Great event that was fruitful! (Image on previous page)
 - Partnering with CRWP on revamped aluminum recycling program. We donated one large receptacle for aluminum recycling and will store two more large receptacles, some medium/small receptacles, and reusable dinnerware that businesses, groups, and individuals can rent for free to encourage reuse/recycling in Cordova.
 - Hosted **Business Empowerment + Beers Series** event on **Feb 6, 4:30-7pm @ Copper River Brewing**. First event with new format combining popular casual networking event with easily digestible business resources and information. About a dozen people attended to learn about *Opportunities in Regenerative Tourism*, a presentation by Mondy Jamshidi-Kent was followed by social hour and option to stay for brewery Trivia! [Recording here.](#)
 - Planning Q2 **Business Empowerment + Beers** event with AK Small Business Development Center (who will be here in person to teach classes and offer 1-on-1 business counseling)
 - Offering ribbon cuttings virtually & in-person free to all Chamber members.
 - Equipment Rental procedure – many members have been taking advantage of this
 - Working to get one or more staff trained as AK SBDC Navigator, funded by PWSEDD
 - Sending emails to “Members” audience every other week and to our “All Business” audience once per month
 - Workforce Development
 - **Chamber Choice Healthcare** – now have several members that have signed up for this. Great benefit to keep Cordova’s job market competitive to other communities.
 - Keeping an ongoing [list of businesses needed in Cordova](#) and willing to customize our new [Digital Visitor Guide](#) for employee recruitment & relocation purposes
 - Cordova Business Hub FB Group is available for all members to share announcements with other businesses, ask questions, have business-related discussions, etc.
- **Events Report**
 - **Iceworm Festival** – We supported the Iceworm Board by running their raffle as well as providing free promotion for the festival, as usual. Trying to establish an MOU with the Iceworm Board to define scope of partnership and benefits to both parties.
 - **Shorebird Festival** – May 3-5. Encouraging visitors to stay on throughout the following week to catch the migration peak ~May 7. Doing outreach to local businesses to encourage them to offer specials/events during that time as well. We have selected our Festival artwork, have our keynote and other speakers lined up, recruiting guides and third party activities. Getting registrations coming in.
- **Destination Marketing update:**
 - Cathy was recruited by the statewide tourism org, ATIA, to sit on their new Sustainable Tourism sub-committee. In March, Cathy was asked to serve as **chair** of that committee.
 - Destination Toolkit available to all local businesses openly sharing all research and results of regenerative tourism destination strategy as well as resources and tools like a media kit, branding kit, and target demographic information.



- Cathy completed her courses and now holds a Professional Certificate in Sustainable Tourism Destination Management from the George Washington University. ATIA believes this to be the first such certification held by a tourism professional in Alaska!
- **Regenerative Impact Studio** - Cathy has been meeting weekly with Mondy Jamshidi-Kent (regenerative tourism expert in Hawai'i) to plan Regenerative Impact Studio Exchange (RISE) this winter.
 - Also have been meeting with potential partners: ABEC, AK SBDC, Chugach Corp, NVE, Native Conservancy, Native Hawaiian Hospitality Assoc, Alaska Native cultural practitioner Mary Goddard, etc.
 - Funding: \$7400 received from Hurtigruten Foundation grant, Alaska Airlines supporting with 10 flight vouchers, and seeking support from many others.
 - Planning an in-person kick-off event during Shorebird Festival weekend followed by an 8-week hybrid Impact Studio to include cultural and environmental training, business mentoring, and tour development. Mentoring and personal business counseling included. Successfully developed tours are loaded onto a marketplace website (TBD) + up to 9 months of testing/mentoring. Possibly offer micro-grants through bank sponsors.
- Shared preliminary results via zoom of Cordova's Community Sentiment Toward Tourism survey in partnership with the [Oregon State Resident Sentiment research project](#)
- Participated in development of Whittier's Tourism Best Management Practices (TBMP) - available to view [here](#). Good learning experience to bring into practice in Cordova.
- Looking for support to develop Google Advertising and social media strategy that better targets regenerative tourism and independent adventure traveler market
- **Expedition Cruise Visits**
 - Hurtigruten Roald Amundsen is on the schedule for two visits to Cordova in 2024. Looking like the will have a higher occupancy than last year (350 vs 200 pax). Been working closely with them to put together included tours and optional tours that benefit local businesses.
 - TUI (Hapag-Lloyd) also coming in twice. Advised them to change 7/20 AM visit to a PM visit on 7/19. Also trying to get more positive impact from them for local businesses and tour operators.
 - No longer expecting 9 "turns" from smaller (96 pax) Lindblad vessel in 2024. 2026 would be next opportunity.
 - We are expecting weekly visits from UnCruise (36 pax), from May – September. Been working closely with them to ensure good local economic impact.
- Cruise head tax research – Cathy is conducting outreach to several other coastal AK communities who receive state-allocated Cruise Passenger Vessel (CPV) funds from larger boats + what they charge (if anything) for a local cruise head tax.
 - Discussed with DLT and Chamber board member on harbor commission has been relaying that info.
 - Haines is discussing (and will likely approve) an increase to \$3 head tax + \$5 Port Development fee
 - Seward has a similar \$20 Improvement fee per passenger
 - Main feedback from industry is that any changes made should be communicated to cruise companies for year following.
- Destination Leadership Team update meeting monthly, discussing cruise head tax, business improvement district, and sharing destination-related updates. Recruiting more DLT members. Let Cathy know if you're interested or have recommendations.
- Collecting a library of user-generated videos via new platform SocialV that we can are using for destination marketing purposes. We have two campaigns currently active:
 - Member Testimonials campaign – each "why I'm a member" video provides entry to win a free Chamber membership for one year. [Link to participate here](#).

- Best of Cordova campaign – each scenic video submitted provides entry to win a \$100 local gift cards. Link to participate [here](#).
 - Planning to offer [Yiftee community gift cards](#) (free to us and to local merchants, card buyers pay a \$1 + 5% card value eDelivery fee) for prizes that drive local spending.
- **Cooperative Advertising** – Off to a slow start selling cooperative ads for 2023, but happy to provide these discounted targeted options to local businesses.
- Keeping website up to date with visitor and travel info. New [Regenerative Tourism page](#).
- Quarterly emails to our DM audience through Mailchimp
- **Blue Economy Project**
 - Met with some mariculture leaders who were in town for PWSSC’s Mariculture ReCon Meeting last week to discuss how we can best support this burgeoning industry.
 - Working to recruit next Mariculture Conference of Alaska to be held at Cordova Center.
 - Been sharing Mariculture-related opportunities, grants, and info via email, social channels, jobs board, etc.
 - **Blue Economy Social** at Gala included information to increase understanding of topic
 - Working to establish a Blue Economy committee.
 - Received interest last summer from several local business members about participating on this committee, but need a strong chair.
 - Projects could include: promoting energy & innovation projects and funding opportunities on the horizon, ocean-based business Collaboration, whatever other projects the committee is interested in undertaking.
- **Advocacy**
 - Partnering with PWSSC, CEC, NVE, CDFU, CRPWSMA, CRWP, and others on Innovate Cordova, hosted by Senator Murkowski in Cordova on May 17-19.
 - Participated in last two quarterly Ferry Focus Groups with the AMHS and Operations Board, representing PWS region.
 - Reached out to local businesses to BOF Meeting in Cordova next December and received commitments from three eateries to having services available for this group to keep this important meeting. Will be reaching out again to remind and confirm details. Following up.
 - Sent out Call to Action about Governor’s executive order to reorganize the AMH OB. Legislature has 60 days to reject this order. AMHS summer schedule is open for booking.
 - Shop Cordova First – promoted throughout the year in 2023, not just during holidays.
- **Organization & Professional Development –**
 - Cathy was asked by Alaska Outdoor Alliance to present to and help lead a session at the Confluence Summit in Anchorage. She presented alongside Randy Durband, CEO of the Global Sustainable Tourism Council.
 - Still looking for an opportunity to send one of our staff to attend another Alaska festival, as was listed as a strategic planning goal. Would prefer one that is similar to our festivals, but they tend to overlap our events in timing.
 - Installed new CRM software, CC-Assist. Can start processing membership renewals on anniversary date, not calendar year.
- **Funding update**
 - **Expecting to continue the 45% increase from last year in non-dues revenue.** This complements and compounds the impact of our membership dues and City support!
 - Gaming revenue is up thanks to new pulltab vendor, Powder House and steady from long-time vendor, Laura’s.



- \$7400 awarded by Hurtigruten Foundation grant (more details under Destination Marketing).
- Foundation Committee needs to meet again to discuss forming a 501c3 Foundation under our 501c6 Chamber org to apply for more grants and take on more fundraising.
- Economic Injury Disaster Loan is our only major long-term liability. Very low interest rate provides secure access to rainy-day funds in our Ways & Means account if ever needed. We paid back \$48,900 of our \$88,900 and are now making regular monthly loan payments. Considering another balloon payment based on final year-end financials.
- Planning to repeat successful Cordova Business Gala again in November 2024.

Council Packet Correspondence Primer: Communicating with Your Elected Cordova Officials

This primer provides an overview of City of Cordova policies regarding the submission of correspondence to the City Clerk's office for distribution to City Council. These policies are general in nature and do not preempt the application of relevant laws to correspondence distribution. To the extent you have questions regarding the distribution of specific correspondence, please contact the City Clerk's office.

What gets published in Council packets as Correspondence?

- Letters, emails, cards, or other written or electronic mail addressed to City Council, any individual member of City Council or the Mayor, regardless of whether or not the sender has requested inclusion of the correspondence in a City Council packet.
- Letters, emails, cards, or other written or electronic mail written by the Mayor, individual City Council members in their capacity as elected officials, or the Council as a body
- Letters, emails, cards, or other written or electronic mail by agencies/entities that are pertinent to Council and the citizens of Cordova (e.g. population determination, full value determination, open comment periods for projects/leases in and around Cordova, etc.)
- Only correspondence received by the Clerk's Office on or before noon on the Wednesday before a regular Council meeting is eligible for inclusion in the packet for that meeting. Correspondence eligible for inclusion received after that date and time will be included in the next regularly scheduled Council meeting packet. (See CMC 3.12.035).

What does not get published in Council packets as Correspondence?

- Letters, emails, cards, or other written or electronic mail that are disparaging to individuals or entities
- Letters, emails, cards, or other written or electronic mail that have been sent anonymously
- Letters, emails, cards, or other written or electronic mail that contain confidential information or information that would warrant a constitutional violation of privacy or could potentially violate an individual's or an entity's constitutional rights.

More information about items not subject to publication:

- Correspondence that is not subject to publication in a Council packet will, however, be forwarded to the Mayor and City Council members with notification that the communication will not be included in the Council packet and the reasons for the exclusion.
- The City will attempt to contact the writer of the correspondence to inform them that the City has determined not to publish what they have sent. Notifications will be sent to the return address on the communication if one has been provided. (the best way to ensure the City is able to reach the writer is if the correspondence has been emailed through the City Clerk cityclerk@cityofcordova.net)
- A person who submits a communication that is not subject to publication in a Council packet, may still attend a meeting and read the communication during audience comments (if it is about an agenda item) or during audience participation, if it is not about an agenda item. Oral comments during a Council meeting will not be monitored or limited for content unless the comments made incite or promote violence against a person or entity. The City is not responsible or liable for the comments, thoughts, and/or opinions expressed by individuals during the public comment period at a Council meeting.

Suggestions concerning correspondence:

- Correspondence intended for all Council members should be emailed to the City Clerk at cityclerk@cityofcordova.net, hand-delivered or sent via U.S. mail to the Clerk's office. Correspondence should be clearly addressed to "Cordova City Council." Unless clearly stated otherwise, the City Clerk will presume that all correspondence addressed to City Council is intended for inclusion in the packet.

Jeremiah Beckett
Cordova Copper Star LLC
317 First Street
Cordova AK 99574-0036

Date: 04/11/2024

To: Cordova City Council

RE: Insurance denial of travel lift incident for Copper Star

I'm writing this letter to the City of Cordova Council requesting support in resolving an open insurance claim regarding the August 22nd, 2023, incident when the city-owned and operated travel lift dropped our tender vessel, Copper Star, causing significant damage and lost income. The insurance claim was filed with the city insurer "Navigators / The Hartford Insurance Co." and can be referenced by claim # LIA382066.

In reviewing past Harbor Commission reports we could not find any reference of this incident, only the repair effort, so we understand many of you might not be aware of this issue.

While we understand it is the insurance company's job to minimize exposure and costs to the insurer, we have a pretty clear case that should have been acknowledged and closed months ago. Instead of finally receiving approval status this month, we received notification on 04/09/24 that the City of Cordova is denying any responsibility for our claim of damages and lost income.

We recognize the challenges associated with employee errors that result in such accidents, but that incident has resulted in over \$160,000 in damages and lost revenue. After 8 months of jumping through all requested hoops of the City's insurance team, our claim was denied and our efforts to repair the vessel and recoup some of the losses were stalled by the insurance company. This has led to additional economic losses and undue stress, and ultimately me writing this letter asking you, the City Council, to please direct staff and the insurance company to resolve our claim and make us whole.

Here are the facts:

- 1) City staff removed our vessel without proper documentation for travel lift approval.
- 2) City staff failed to halt vessel removal after the first attempt despite clear visual and audible issues with the lift.
- 3) The travel lift broke on the second attempt causing our vessel to be dropped and damaged.
- 4) This incident is why the removal of boats from South Harbor was delayed last year.
- 5) This incident hindered the Copper Star from fulfilling its 2023 tender contract and Fall SERVS commitment.
- 6) This incident caused over \$93,000 in damages, approximately \$70,000.00 in lost revenue, and injured our captain who is still undergoing treatment.

According to the city's travel lift documentation, there are two key items that insurance is overlooking.

- 1) The travel lift agreement has a statement on page 2 "This signature covers all round-trip operations during the calendar year for the vessel on Page one."

- a) Nowhere in the travel lift agreement does it say a vessel owner is agreeing to the travel lift document beyond one calendar year or in perpetuity.
 - b) City insurance has claimed the city is not liable solely for the reason our vessel has a signed lift agreement from 2018, although the agreement clearly states one calendar year and this incident occurred five years later.
 - c) The 2018 travel lift document referred to by insurance was not signed by the owner or an authorized agent.
 - d) The onus is on the harbor staff and the City of Cordova to ensure the travel lift documents are completed each year, not the owner.
 - e) We had no signed agreement in 2023 to remove our vessel, so we did not waive any rights for potential damages or misconduct in using the travel lift.
- 2) The travel lift agreement has another important statement. "The City shall not be liable for death or injury to persons, or damage to property, upon the vessel, yard facilities or premises adjacent thereto arising from any cause other than the willful misconduct of the City."
- a) The incident was documented and has partial video, it is clear there were visible issues and audible crunching of equipment on the lift's first attempt. The lift operation should have been aborted immediately until those symptoms were investigated.
 - b) Whether lack of training or oversight; the travel lift operators willfully continued the lift operation after a failed attempt plus visible and audible issues, resulting in the lift completely breaking and dropping our vessel.
 - c) The City, by negligence of their employees, failed to safely lift our vessel and abort the operation after the failed first attempt resulting in our vessel being dropped and damaged.
 - d) The City engaged us last November to remove the boat for the winter, knowing the audible symptoms on the lift had returned. We had heard rumors that the previous audible noises had returned and as a result, we refused to use the travel lift until management cleared for operation. The City brought back the travel lift vendor who had to repair multiple items before the lift was safe for operations. We were finally removed from the water safely on December 4th, 2023.

This incident is unfortunate, but insurance exists to address incidents like this without unnecessary cost to the City or stakeholders, so please use the insurance available and help us resolve this matter.

We are requesting formal feedback from the City by the end of April so we can either confirm support for resolving this matter with insurance or if we need to consider alternative resolutions.

Kind regards,



Jeremiah Beckett
Owner/Cordova Copper Star LLC

From: Dotty Widmann <thenetloftworkshops@gmail.com>
Sent: Saturday, April 13, 2024 6:28 PM
To: David Allison <mayer@cityofcordova.net>
Cc: Kevin Johnson <planning@cityofcordova.net>; Helen Howarth <citymanager@cityofcordova.net>
Subject: Appointment

Dear Mayor Allison,

I am the owner of The Net Loft here in Cordova, one of the few retail establishments left here in Cordova. This will be our 40th year of being in business and very committed to serving our community in multiple ways.

I have been working on a project for several years. Right in the middle of my planning my mother passed away and then Covid hit. We have steadily kept the business moving through these years. Unfortunately, the project I had in mind tripled in price and interest rates have tripled as well, so the money I had budgeted for the project has forced me to seek a loan. I want to build a new store and triple our space, develop our webstore, and create a community learning space on the top floor for our classes which has been the core of the shop since we began.

I sought out the owner of the corner lot opposite Steens on Main Street and purchased three lots and had them replatted into one lot. I have been working with an architect and was hoping to acquire funding and start the project this year. I am in the midst of that process as we speak.

There are two things I would like to talk with you about and wondered if there would be a time I could meet with you. I have had different feedback from various people, but the biggest comment that is causing me concern has to do with parking. I would like to meet with you and look hard into parking solutions that would help ease the problem for potential customers. I had first wanted to build in another spot in town and was told by the planning commission that I belonged downtown. If there is not parking in the town center, and if many people are telling me I should not go through with this building in this location, I have cause for concern. I believe this new building will be a highlight to our deteriorating Main Street. I need your help to figure out a way to not have to rethink this project due to locals concern for parking for the new store.

I also wanted to speak with you about what it would take to get some incentives with some property tax shifts for at least five years to help ease some of the financial pain and to help encourage this type of community development.

My phone number is 907 317-2819. I would love to meet with you this week if possible and think long and hard about some real strategies to put our Main Street back in shape and create a Main Street that reflects the beauty that surrounds Cordova, for the sake of those who call this their home and for those who choose to visit as an offering of our hospitality.

I have copied this letter to the city planner.

Thanks and kind regards,

Dotty Widmann
The Net Loft Traditional Handcrafts
140 Adams Avenue
PO Box 880
Cordova, Alaska 99574
907 424-7337

the little shop in a great big wild www.thenetloftak.com "Follow the fish, Follow the knitting."

PWSRCAC announces election of board officers

Taylor, Brooke D <BTaylor@pwsrcac.org>

Fri 5/3/2024 8:54 AM

News release

Prince William Sound RCAC announces election of board officers

The Prince William Sound Regional Citizens' Advisory Council held its annual board meeting in Valdez, Alaska, on May 2-3, 2024. Among other business, the board convened to elect officers who will serve from May 2024 to May 2025.

The elected executive committee is comprised of:

- **President:** Robert Archibald, representing the City of Homer
- **Vice President:** Amanda Bauer, representing the City of Valdez
- **Treasurer:** Mako Haggerty, representing the Kenai Peninsula Borough
- **Secretary:** Bob Shavelson, representing the Oil Spill Region Environmental Coalition
- **Three Members-at-Large:**
 - Ben Cutrell, representing Chugach Alaska Corporation
 - David Janka, representing City of Cordova
 - Angela Totemoff, representing the Community of Tatitlek

"Of all the advances made in the safe transportation of oil since the 1989 Exxon Valdez oil spill, perhaps the most innovative and significant was the establishment of permanent, industry-funded citizen oversight for both Cook Inlet and Prince William Sound," Robert Archibald said. "Everyone involved should be proud of what has been accomplished since the spill, but we also should never become so satisfied with the current services or processes that we become complacent. Constant vigilance is needed to prevent a return to the pre-1989 complacency that allowed this disaster to happen. I am honored to lead our board for another year as we work toward our shared goal of protecting our communities, economies and environment."

The council is grateful to have the support of its many volunteers from all over the Exxon Valdez oil spill region. The new executive committee is an excellent representation of the council. For more information, visit www.pwsrcac.org.

The Prince William Sound Regional Citizens' Advisory Council, with offices in Anchorage and Valdez, is an independent nonprofit corporation whose mission is to promote the environmentally safe operation of the Valdez Marine Terminal and associated oil tankers. The council's work is guided by the Oil Pollution Act of 1990, and its contract with Alyeska Pipeline Service Company. The council's member organizations are communities in the region affected by the 1989 Exxon Valdez oil spill, as well as aquaculture, commercial fishing, environmental, Alaska Native, recreation and tourism groups.

Brooke Taylor, APR (she/her)

Director of Communications

Prince William Sound Regional Citizens' Advisory Council

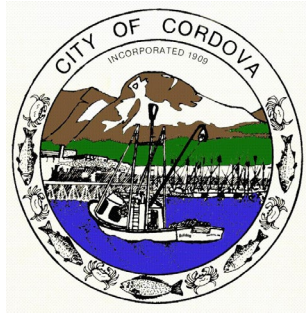
3709 Spenard Road, Suite 100 | Anchorage, Alaska 99503

D: 907.273.6228 | C: 907.301.3784 | M: 907-277-7222

brooke.taylor@pwsrcac.org

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AGENDA ITEM 18
City Council Meeting Date: 05/15/24
CITY COUNCIL COMMUNICATION FORM

FROM: Susan Bourgeois, City Clerk
DATE: 04/22/24
ITEM: Action on how to proceed concerning Council Attendance at Meetings
NEXT STEP: Council votes to bring changes forward or not

ORDINANCE RESOLUTION
 ACTION ITEM(S) INFORMATION

I. REQUEST OR ISSUE: Council member Kinsman asked for a discussion item about City Council member attendance at meetings via remote means in 2023 and this is a follow up to that discussion.

II. RECOMMENDED ACTION / NEXT STEP: 2 suggested motions are before you:
1) Motion to direct staff to bring forward an ordinance to effectuate a change to Council attendance that would require members to attend 50% of all regular meetings (12 of 24) in a year in-person.
2) Motion to direct staff to bring forward ordinance to effectuate a change to Council attendance that would require members to attend 100% of all executive sessions and quasi-judicial roles in-person only.

Points to consider:

- motion 1 needs more specificity – when are the 50% calculations looked at? After someone has been on council for 1 year or from Jan 1-Dec 31 of each year? current code language is “absent from more than 50% of regular meetings within any period of four consecutive calendar months”.
- will motion 1 lead to more excused absences? Currently if Council members are travelling or away from Cordova for medical or work-related or other excusable absences, they often choose to still attend Council meetings remotely, if item 1 becomes the new rule, might they forego remote attendance for something that would be an excused absence so as to limit their remote attendance (i.e. save them for when they are out of town for an unexcused reason)?
- will there be any exceptions for motion 1 for cases of illness – if someone is contagious they might want to call in from their home in Cordova so as not to infect others, but would that still go against their allowable remote attendances?

- motion 1 may lead to uncomfortable scrutiny by staff of Council absences
- both motions may lead to overall increased difficulty in attaining quorums; inability to obtain quorums overall may lead to staff's inability to move ahead with projects, purchases, any/all City work that requires/hinges on Council action
- inadvertent outcome of one or both motions might also be more canceled meetings and replacement of same with Special meetings – citizens may feel more left out of the process/ City may seem to be proceeding in a less transparent way if more and more Council actions are taken at Special meetings which can occur on 24-hours' notice vs. at regular meetings which are known to be on first and third Wednesday of every month
- would changing to a once/month Regular Meeting schedule help with absences/remote attendance?
- motion 2 concerns – there have been times when only 4 or 5 attend an executive session and Council members are not ready to make decisions until everyone is there or more are there to discuss and decide – if there is no ability to attend e.s. remotely, that may lead to delays in important decisions
- if there are so many citizens that feel misrepresented due to Council members remote attendance, where are they when it comes time for correspondence, audience participation at meetings, and declaring candidacy and running for Council themselves? Last few elections Council seats have been mostly uncontested
- what do you all think your average weekly/monthly time commitment is as a Council member? Are stipends, either monthly or per meeting another component of this? perhaps if Council members get stipends per meeting it would seem more reasonable to have stricter attendance requirements
- motion 2 – some quasi-judicial roles are agenda items within a meeting, such as land sale items – how are those to be handled? Or is it meant to be only executive sessions, BOE's and BOA's only that require in-person attendance?

Next page: Table of Contents for this agenda item.

Table of Contents for the “Council Member Attendance” Agenda Item

1. Agenda item as it appeared in the 6/21/23 Council packet..... (page 64)
2. Regular Meeting of 6/21/23 minutes, p. 3, item 13..... (page 86)
3. Charter Section 2-8 and Code 3.12.022: absences to terminate membership..... (page 87)
4. Council member Kinsman’s Email February 28 re: this item..... (page 88)



AGENDA ITEM 13
City Council Meeting Date: 06/21/23
CITY COUNCIL COMMUNICATION FORM

FROM: Susan Bourgeois, City Clerk
DATE: 06/13/2023
ITEM: Discussion of Council Remote Attendance at Meetings
NEXT STEP: Direction to Staff

ORDINANCE RESOLUTION
 DISCUSSION INFORMATION

I. REQUEST OR ISSUE: Council member Kinsman asked for a discussion item about City Council member attendance at meetings via remote means.

II. RECOMMENDED ACTION / NEXT STEP: After discussion, Council should give staff clear direction on changes they would like to see in City Code and/or policy that are different from the existing code and rules about attendance for Cordova City Council now.

III. FISCAL IMPACTS: No significant fiscal impacts. If remote attendance is curtailed there could be lost opportunities if quorums become difficult to establish and timely actions are unable to be taken.

IV. BACKGROUND INFORMATION: Attached is a chart with information about several other municipalities and what they have in place – either in code or policy. Also attached, the pertinent code or policy from each of these other cities/boroughs. I did this research by emailing City Clerks around Alaska and then using the information of those who replied because I could get better details. I emailed Council member Kinsman and he had info on a few other cities based on having read some of their codes – I tried to get better details from those cities, but no one replied to my emails. Dillingham is included though I never corresponded directly with anyone there. Seward is included – I found what I could in their Code.

V. LEGAL ISSUES: Ordinances would need to be written in order to change City Code. Attached are several parts of Alaska Statutes Title 29 Municipal Government.

Title 29 Chapter 4 Classification of Municipalities. Also, 29.20.170 and 29.20.280 about vacancies in the Council/assembly and Mayor, respectively. The general law municipalities are required to follow 29.20.170 and 29.20.280 but you will notice that some of the home rule municipalities have adopted similar language.

VI. SUMMARY AND ALTERNATIVES: Council could decide to keep Cordova's code as is and make no changes. If Council does decide to make changes, staff should be given clear direction on what changes the majority wants to make.

remote attendance item in
6/21/23 council packet

municipality	how many on Council/Assembly	max # can attend remotely	deadline to tell Clerk	other re: tc	other re: tc	stipends or pay?	other re: pay	attendance rules: i.e. terminate or forfeit membership	other: attendance	other: attendance
Cordova home rule city	Mayor, 7 Council members	n/a	whenever possible should be noticed prior to mtg			no pay		unexcused more than half of all reg mtgs in a 4-month period		
Juneau home rule borough	Mayor+8, Mayor is voting member of assembly	3	at least 4 hrs before		must give address of where they are	Mayor-\$3500/mo assembly-\$750/mo		unexcused 3 in a row reg mtgs		
Kenai home rule city	Mayor+6, Mayor is a voting member of council	3	at least 2 hours before, if no notice, cannot attend	max of 4x allowed from Nov-Nov 12 mo period	may attend 2 more if medical or family medical or death or traveling on City business	Mayor-\$1,000/mo Council-\$500/mo		miss half of reg and spec in 3 months		
Petersburg home rule borough	Mayor+6, Mayor is a voting member of assembly but can't initiate motions	no max	at least 5 days before	assembly can vote to not allow for specific mtg		Mayor-\$225/mtg attended assembly-\$150/mtg		unexcused 3 in a calendar year	phsically absent from borough for more than 90 days	
Valdez home rule city	Mayor+6, Mayor is a voting member of council	3, needs to be a quorum in person	at least 24 hours	member pays cost of teleconference	newly elected 3 in person before teleconference		if an unexcused reason for being away only 3 such remote attendance/cal year allowed	unexcused 3 in a row reg mtgs, excused absence requires prior Council approval		
Seward home rule city	Mayor+6, Mayor is a voting member of council	couldn't find and/or didn't get a response from email to city					Mayor-\$600/mo Council-\$400/mo	failure to attend council meetings for 90 consecutive days	departs from city with intent to stay away for more than 90 days	attends less than 5 meetings in a 5-month period
Wrangell home rule borough	Mayor+6, Mayor is a voting member of assembly but can't initiate motions	reg mtg quorum needs to be physically present	by 4pm on Fri before Tues reg mtg., 12 hours before a spec	max 4x within calendar year, no more than 2 consecutive reg mtgs		no pay		unexcused more than half of all reg mtgs in a 4-month period		
Wasilla 1st class city	Strong Mayor+6 Council	no max	no requirement			Council-\$225/reg attended \$112.50/spec		unexcused 3 in a row reg mtgs	phsically absent from city for more than 90 days	
Unalaska 1st class city	Mayor, 6 Council members	at least 3 must be in person	must tell Clerk in advance	up to 6 times annually	more considered by Mayor on case-by-case	Mayor-\$700/mo Council-\$250/reg, \$125/spec	pd if in attendance or away on City business, all other absences unpaid	unexcused more than 4 consecutive in 12 mos including wksns	phsically absent from city for more than 90 days	fails to attend 75% of reg mtgs in a year Jan-Jan
Dillingham 1st class city	Mayor, 6 Council members					no pay		unexcused 3 in a row reg mtgs	phsically absent from borough for more than 90 days, unless excused	

Following this chart:

Cordova Municipal Code 3.08.040 and 3.12.022

Juneau Rules of Procedure - Rule 16 - remote participation

Kenai Municipal Code 1-15-130 Remote electronic participation

Petersburg Borough Code of Ordinances 3.08.070 Teleconference procedures and limitations & 3.08.080 Quorum and voting requirements

Valdez City Council Policies & Procedures I. Attendance

Seward Municipal Code Chapter 2.10 on vacancy, excused absences & compensation

Wrangell Municipal Code 3.04.035 Absence from meetings & 3.05.050 Teleconferencing

Wasilla Municipal Code 2.04.040 Vacancy on the council & 2.04.070 Public meetings

Unalaska City Code 2.20.075 Participation by telephone or other electronic means

Cordova Municipal Code:

3.08.040 - Absences to terminate membership.

A. If the mayor is absent from more than one-half of all the regular meetings of the council held within any period of four consecutive calendar months, without being excused from attending such meetings, the council shall declare the mayor's office vacant. The council shall determine whether any absence is excused.

B. For purposes of this section, an absence will be considered excused if due to the following causes and shall require approval by council at the next regularly scheduled meeting:

- 1.The illness or injury of the mayor or a family member;
- 2.The death of a family member;
- 3.An employment-related commitment;
- 4.A commitment for city business; or
- 5.Other good cause approved by the council.

The mayor may participate in a council meeting by teleconference but not as presiding officer.
(Ord. 957 § 1, 2004).

3.12.022 - Absences to terminate membership.

A. If a council member is absent from more than one-half of all the regular meetings of the council held within any period of four consecutive calendar months, without being excused from attending such meetings, the council shall declare the member's seat vacant. The council shall determine whether any absence is excused.

B. For purposes of this section, an absence will be considered excused if due to the following causes and shall require approval by council at the next regularly scheduled meeting:

- 1.The illness or injury of the council member or a family member;
- 2.The death of a family member;
- 3.An employment-related commitment;
- 4.A commitment for city business; or
- 5.Other good cause approved by the council.

C. Whenever possible, absences should be noticed to the city clerk prior to the meeting for purposes of securing a quorum at the meeting.

D. A council member may participate in a council meeting by teleconference.
(Ord. 957 § 2, 2004).

C. Effect of Notice. The effect of giving notice of reconsideration is to suspend all action on the subject of the notice until a motion for reconsideration is made and acted upon or until the time within which the motion for reconsideration may be made and acted upon has expired.

D. Time in Which Notice Must Be Taken Up. A notice of reconsideration expires unless a motion for reconsideration is made and acted upon prior to adjournment of the next regular meeting succeeding the meeting at which the action to be reconsidered occurred.

E. Successive Reconsideration. There may be only one reconsideration even though the action of the Assembly after reconsideration is opposite from the action of the Assembly before reconsideration.

F. Precedence. A motion for reconsideration has precedence over every main motion and may be taken up at any time during the meeting when there is no other motion on the floor.

G. Effect. A motion for reconsideration completely cancels the previous vote on the question to be reconsidered as though the previous vote had never been taken.

RULE 16. REMOTE PARTICIPATION.

When a meeting is conducted entirely remotely (i.e. video conferencing technology), then all members are expected to attend remotely. The following apply to meetings that are held completely in-person or as a hybrid (partially in-person and partially remotely):

A. A member may participate remotely in an Assembly meeting, or an Assembly Committee meeting, if the member declares that circumstances prevent physical attendance at the meeting. If the Mayor chooses to participate remotely, the Deputy Mayor shall preside.

B. No more than the first three members to contact the Clerk regarding remote participation in a particular meeting may participate remotely at any one meeting.

C. The member shall notify the Clerk and the presiding officer, if reasonably practicable, at least four hours in advance of a meeting which the member proposes to attend remotely by and shall provide the physical address of the location, the telephone number, and any available facsimile, email, or other document transmission service.

D. At the meeting, the Clerk shall establish the remote connection technology when the call to order is imminent.

E. A member participating remotely shall be counted as present for purposes of quorum, discussion, and voting.

F. The member participating remotely shall make every effort to participate in the entire meeting and must have video turned on except during breaks. From time to time during the meeting the presiding officer shall confirm the connection.

Juneau - rules of procedure

G. The member participating remotely may ask to be recognized by the presiding officer to the same extent as any other member.

H. To the extent reasonably practicable, the Clerk shall provide backup materials to members participating remotely.

I. If the remote technology connection cannot be made or is made then lost, the meeting shall commence or continue as scheduled and the Clerk shall attempt to establish or restore the connection, provided that if the member participating remotely is necessary to achieve a quorum, the meeting shall be at ease, recess, or adjourn as necessary until the remote connection is established or restored.

J. Meeting times shall be expressed in Alaska time regardless of the time at the location of any member participating remotely.

K. Participation remotely shall be allowed for regular, special, and committee meetings of the Assembly.

L. Remarks by members participating remotely shall be transmitted so as to be audible by all members and the public in attendance at the meeting, provided that in executive session the remarks shall be audible only to those included in the executive session.

M. Any member of the public present with the member participating remotely shall be allowed to speak to the same extent the person was physically present at the meeting.

N. As used in these rules, "remote" means any system for synchronous two-way voice communication (i.e. telephone) or video conferencing technology. If a member needs to participate remotely, video conferencing technology is preferred. "Mayor" includes the Acting Mayor or any other member serving as chair of the meeting.

O. Regular and special meetings of the following entities must be recorded and live broadcast in a manner that is reasonably calculated to provide meaningful remote public observance and participation, when allowed, of the public meeting:

- i. Assembly
- ii. Assembly Standing Committees
- iii. Planning Commission
- iv. Hospital Board
- v. Docks and Harbors Board
- vi. Airport Board
- vii. Ski Area Board
- viii. Systemic Racism Review Committee

Any other board, commission, or committee meeting with anticipated substantial public interest should be recorded and live broadcast in a manner that is reasonably calculated to provide meaningful remote public observance and participation, when allowed, of the public meeting.

1.15.130 Remote electronic participation.

- (a) A member of the Council may participate via electronic means in a Council meeting, if the member declares that circumstances prevent physical attendance at the meeting. If the Mayor chooses to participate via electronic means, the Vice-Mayor or president pro tempore shall preside.
- (b) No more than the first three (3) members to contact the Clerk regarding remote electronic participation in a particular meeting may participate via electronic means at any one (1) meeting unless it is a special meeting called to consider an emergency action, in which case all members may participate via remote electronic participation.
- (c) The member shall notify the Clerk's office as soon as reasonably practical, but not less than two (2) hours prior to the start of the Council meeting that the member proposes to attend by remote electronic means. Such notification shall state the reason for remote electronic participation and, if needed, shall provide the telephone number, and any available facsimile, email, or other document transmission service. Failure to provide the notification within the period of time provided herein shall result in the member's exclusion from attendance of a Council meeting through remote electronic participation. The Clerk shall notify all Council Members of the request.
- (d) At the meeting, the Clerk shall establish the appropriate connection when the call to order is imminent.
- (e) A member participating by remote electronic means shall be counted as present for purposes of discussion, voting, constituting a quorum and attendance.
- (f) The member participating by remote electronic means shall make every effort to participate in the entire meeting. From time to time during the meeting, the presiding officer shall confirm the connection, if necessary.
- (g) The member participating by remote electronic means may ask to be recognized by the Chair to the same extent as any other member.
- (h) To the extent reasonably practicable, the Clerk shall provide backup materials to members participating by remote electronic means at the member's expense.

- (i) If the remote electronic connection cannot be made or is made and then lost, the meeting shall commence or continue as scheduled and the Clerk shall attempt to establish or restore the connection.
- (j) Meeting times shall be expressed in Alaska Time regardless of the time at the location of any member participating by remote electronic means.
- (k) Participation by remote electronic means shall be allowed for regular, special and work session meetings of the Council.
- (l) Remarks by members participating by remote electronic means shall be transmitted so as to be audible by all members and the public in attendance at the meeting; provided, that in executive session the remarks shall be audible only to those included in the executive session.
- (m) As used in these rules, "electronic means" means any system for synchronous two (2) or more way voice and/or virtual communication. "Mayor" includes the Vice-Mayor or any other member serving as president pro tempore.
- (n) Each Council member may attend a maximum of four (4) regular meetings by remote electronic means during the twelve (12) month period starting November 1st of each year unless an exception provided below applies and any number of special meetings or work sessions.
- (o) A Council member may attend an additional two (2) meetings by remote electronic means during a twelve (12) month period starting November 1st of each year if the member declares that he or she is physically unable to attend the meeting due to the need for extended medical care and treatment of the member or extended medical care and treatment or death of the member's immediate family.
- (p) A Council member may attend an additional two (2) meetings by remote electronic means during a twelve (12) month period starting November 1st of each year when the member is traveling on Council approved City business.
- (q) In this section, "immediate family" means the spouse of the person, another person cohabitating with the person in a conjugal relationship that is not a legal marriage, a child (including a stepchild or foster child) of the person, a parent, sibling, grandparent, aunt or uncle of the person, or a parent or sibling of the person's spouse.

(r) In this section “City business” means anytime a member is traveling or in a location outside the City on behalf of the City or attending training, as approved by Council and in compliance with the Council travel policy.

(s) In this section “emergency action” means any action which in the judgment of Council is necessary for the immediate preservation of public peace, health or safety.

(Ords. 2130-2005, 2168-2006, 2203-2006, 2701-2013, 2813-2015, 2981-2017, 3198-2021, 3338-2023)

The Kenai Municipal Code is current through Ordinance 3338-2023, passed March 15, 2023.

Disclaimer: The City Clerk has the official version of the Kenai Municipal Code. Users should contact the City Clerk for ordinances passed subsequent to the ordinance cited above.

[City Website: www.kenai.city](http://www.kenai.city)

[City Telephone: \(907\) 283-7535](tel:(907)283-7535)

[Code Publishing Company, A General Code Company](#)

Chapter 3.08 ASSEMBLY AND MAYOR

3.08.070 Teleconference procedures and limitations.

- A. It is preferable to have assembly members physically present for assembly meetings, and assembly members should make all reasonable effort to physically attend every meeting. Teleconference procedures may not be used as a regular means of attendance at meetings.
- B. An assembly member who cannot be physically present for a regularly scheduled assembly meeting shall, if possible, notify the borough clerk at least five days prior to the scheduled time for the meeting of his or her participation in the meeting by telephonic means of communication.
- C. Attendance and participation by an assembly member or members at special meetings may be by teleconference.
- D. A member participating by teleconference shall, while actually on the teleconference, be deemed to be present at the meeting for all purposes. Documents that are to be considered at the meeting shall be made available to the assembly member or members participating by teleconference, if practicable.
- E. If the mayor participates telephonically, the vice-mayor, or the senior assembly member in the vice-mayor's absence, shall preside over and perform all other functions of the mayor at the meeting.
- F. Any vote at a meeting where one or more assembly members are participating by teleconference shall be taken by roll call.
- G. The means used for a teleconference meeting of the assembly must enable each member appearing telephonically to clearly hear the mayor, all other assembly members, and public testimony at the meeting, as well as be clearly heard by all in attendance.
- H. Participation by teleconference may be denied, by vote of the assembly, whenever the physical presence of the individual is considered essential to effective participation in the meeting or to the proper conduct of the business to be addressed at the meeting.
- I. The borough clerk shall note all members appearing telephonically in the minutes of the meeting.

(Ord. No. 2017-14 , § 3, 11-6-2017)

3.08.080 Quorum and voting requirements.

- A. Four assembly members shall constitute a quorum for the transaction of business. The mayor shall be counted as an assembly member for quorum purposes.
- B. An assembly member or members participating by teleconference shall be counted for purposes of determining a quorum, however all assembly members and the mayor should make reasonable effort to be physically present for every meeting.
- C. Any assembly member or the mayor who fails to attend three regular meetings of the assembly per calendar year, either in person or by teleconference, without being excused by the assembly shall forfeit office.
- D. No assembly action is valid or binding unless adopted by the affirmative vote of four or more assembly members. All assembly members present at a meeting, either in person or by teleconference, are required to vote on matters before the assembly, subject to Section 19.03(A) of the borough Charter, and except as otherwise provided in this Code.

(Ord. No. 2017-14 , § 3, 11-6-2017; Ord. No. 2021-13 , § 3, 9-20-2021)

Chair and cannot proceed with the alleged improper comments without the permission of the Council, Board or Commission expressed by a vote of a majority of the members at that meeting, upon the question "Shall the member be allowed to continue speaking". There shall be no debate on the question.

Violations of the code of conduct by appointed members of committees, boards or commissions may result in disciplinary action as determined by an investigative committee appointed by the Mayor.

H. **Rules of Order:** Roberts Rules of Order Revised shall be the source of meeting procedure except where a different procedure is proper by law or Council custom.

I. **Attendance:**

1. A member of the city council may participate in and vote at a regular meeting, special meeting, or work session of the city council by teleconference (e.g., telephone, videoconferencing, or similar technology) under the following circumstances:

a. The regular meeting, special meeting or work session is held with a quorum of members physically present.

b. A council member is participating by teleconference due to:

- An illness or injury of the council member or family member.
- The birth or death of a family member.
- An employment-related commitment.
- A commitment for city business.
- Other similar circumstances as determined by the Mayor, Mayor Pro-Tempore or Committee chair, as applicable.

c. Reasonable technical capabilities are available at the meeting location to allow participation by teleconference, to include being able to hear and engage in discussion and being audible to all persons participating in the meeting.

d. Prior to the meeting, reasonable efforts are made to ensure the council member participating by teleconference is provided with the meeting agenda and other pertinent documents to be discussed and/or acted upon. Access to the agenda and

documents from the city website or agenda software is considered sufficient access.

- e. Council members shall provide the City Clerks' office with at least 24 hours' notice of their intent to participate by teleconference and provide contact information for purposes of setting up the teleconference.
- f. No more than the first three members to contact the City Clerks' office requesting participation by teleconference at a particular meeting may participate remotely.
- g. Notwithstanding other provisions herein, all members may participate by teleconference in a special meeting called to consider an emergency action.
- h. In the event that there has been a declaration of disaster emergency, the physical quorum requirements are suspended for the duration of the emergency. During the period of a state of city emergency, the city may convene with a quorum of members appearing in person, or electronically, or a combination of members appearing in person and electronically through a live or real-time participation format.
- i. Council members are responsible for any charges incurred due to their participation by teleconference in a meeting unless they are absent from the community on City business.
- j. Council members participating via teleconference shall make every effort to participate in the entire meeting. From time to time during the meeting, the Mayor or City Clerk shall confirm the connection, and will disconnect the remote member if that member, the council, and the public are not clearly audible to one another. All votes taken at the meeting are by roll call.
- k. City Council members may participate by teleconference in regular meetings three (3) times per calendar year unless the council member is participating by teleconference due to a reason as described in (b) of this section.

Newly elected members may only attend by teleconference after attending at least three (3) regular meetings in person.

- l. The Mayor and Mayor Pro-Tempore may not preside over or chair a meeting in which they are participating by teleconference.

2. The seat of any Council member, including the Mayor, shall become vacant if the Council member is absent from three consecutive regular meetings without excuse.
3. Administrative staff as required should be available for all Council meetings.

J. **Motions for Reconsideration:** Any action may be brought up for reconsideration one time by any Council member if action which was approved has not begun (i.e., contract signed, notice to proceed issued).

K. **Requests of Administration:** Requests for information that is readily available or for tasks of an incidental nature, may be made by any individual council member, any time, without concurrence of a quorum.

Requests that will result in the use of staff time for the development of new documents, or to conduct activities that would not occur in the normal course of business, as determined by the city manager, shall require verbal consent by at least four (4) members of the council. (Four members of the council constitute a quorum).

L. **Attendance of Media at Council Meetings:** All official meetings of the City Council and its commissions, boards and committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings. Recording, audio or video, arrangements shall be made with the City Clerk.

M. **Discipline:** Council has the right to control its meeting hall. The mayor as presiding officer shall act on behalf of the Council in enforcing order as provided by parliamentary law. Decorum of the members should reflect the dignity of the Council and the public good.

N. **Declaration of Interest:** Each newly elected city council member shall complete a Declaration of Interest form setting forth each organization, board, non-profit corporation, etc., on which that newly elected city council member is a member. It is the obligation of the council member, throughout the duration of his/her term of office, to declare his interest prior to any relevant council discussions and to update this Declaration of Interest form to reflect any change of status on any current or new board positions. The Declaration of Interest form will be kept in the City Clerk's office and will be available to the public upon request. Each Council member will comply with the conflict of interest sections of the Valdez City Code.

III. **ORDER OF BUSINESS AND AGENDA:** Only items appearing on the published or posted agenda may be acted upon. Any other business coming before the body may be introduced only by majority consent of the members and acted upon only if it is inconsequential and of minor significance. Failing the consent of the majority, the item shall be deferred to the next special or regular meeting agenda.

A. **Agenda Format:** The usual order of business will be as follows:

2.10.056 Vacancy on council.¹

- A. The council seat shall become vacant upon the occurrence of any of the following:
1. Expiration of the term of office;
 2. Death of the incumbent;
 3. Resignation approved by council;
 4. Removal from office in the manner provided by law;
 5. Ceasing to possess at any time the qualifications or eligibility required by the Charter for election or appointment to office;
 6. After final conviction of a felony involving moral turpitude, or of any offense involving a violation of an oath of office;
 7. A judicial determination that the incumbent is of unsound mind;
 8. A decision of a competent tribunal declaring the election or appointment of the incumbent void;
 9. Failure to take the oath or make the affirmation or file the bond required for the office within ten days from the date of appointment or certification of election or within such other time not exceeding 20 days thereafter as the council may fix;
 10. A member departs from the city with the intent of remaining absent for more than 90 days;
 11. Failure to attend council meetings for 90 consecutive days;
 12. Attends less than five council meeting during any continuous five-month period;
 13. With the concurrence of two-thirds of its members, the council may expel one of its members for a conviction of a violation of AS 15.13 or a felony or misdemeanor described in AS 15.56 as a corrupt practice. The council shall consider that conviction during the first meeting following final determination of the conviction.
- B. Filling vacancies. If a vacancy occurs in an elective office, other than a vacancy occurring from a recall, the vacancy shall be filled in accordance with Charter Section 2.13.
- C. Process for filling vacancies. The process for filling vacancies in this section is:
1. The city clerk will distribute and publish a notice of vacancy, the procedure, and any application form for applying.
 2. Each applicant will make a presentation to the council regarding their qualifications to serve.
 3. The council will then vote and sign ballots provided by the city clerk.
 4. The city clerk will read the ballot aloud, will tabulate the votes, and announce the results to the council.
 5. The council may then, by motion and voice vote affirm the appointment of the candidate receiving the highest number of votes and the required votes for official council action.

¹See charter § 2.13 for provisions on filling vacancies in elective offices.

(Ord. 482, § 1(part), 1980; Ord. 568, 1986; Ord. 94-51; Ord. No. 2022-011, § 1, 8-22-2022; Ord. No. 2023-002, § 1, 2-13-2023)

2.10.061 Excused absences.

- A. In order for an absence to be excused, a council member shall contact the city clerk prior to a council meeting and state the reason for their inability to attend the meeting.
- B. The city clerk will inform the presiding officer of the request for an excused absence prior to the meeting and the presiding officer will rule whether absence is excused or unexcused.
- C. When calling the roll call for the meeting, the city clerk will indicate whether a member's absence was ruled to be excused or unexcused, and the clerk will make an appropriate notation in the minutes.
- D. If another council member questions the member's absence, the presiding officer will inquire if there is a motion to excuse the member. This motion is non-debatable.
- E. Upon passage of the motion by a majority of members present, the absent member will be considered excused and the city clerk will make an appropriate notation in the minutes.

(Ord. No. 2022-011, § 1, 8-22-2022)

2.10.125 Compensation.²

- A. Compensation for service on the city council is as follows:
 - 1. The mayor shall be compensated at the rate of \$600.00 per month; and
 - 2. Each council member shall be compensated at the rate of \$400.00 per month.
- B. Compensation shall be paid quarterly on the payday for the first pay period ending in January, April, July and October of each year.
- C. Council members are not eligible to participate in the Public Employees' Retirement system of Alaska (PERS).

(Ord. 579, 1986; Ord. 96-07; Ord. No. 2021-005, § 1, 6-28-2021; Ord. No. 2022-011, § 1, 8-22-2022)

²See charter § 2.5 for provisions on council compensation.

3.04.035 Absence from meetings.

- A. If an elected or appointed assembly member or the mayor is absent and not excused from more than one-half of all regular meetings of the assembly held within any period of four consecutive calendar months, the member shall cease to hold office and the assembly shall declare the office vacant.
- B. An elected or appointed assembly member or the mayor participating in a regular meeting of the assembly by teleconference in accordance with WMC [3.05.050](#) is deemed present at that meeting and such participation not an unexcused absence.
- C. If an elected or appointed assembly member or the mayor is absent from a regular meeting of the assembly on borough business, the absence shall be deemed to be excused. [Ord. 915 § 2, 2016; Ord. 881 § 3, 2014.]

3.05.050 Teleconferencing.

A. The mayor or an assembly member who will be absent from a meeting, including public hearings and work sessions of the assembly, including an executive session, may participate in the meeting by telephone or other electronic means as provided in this section and provided the following circumstances are met:

- 1. The meeting is held with a quorum of members physically present, except for work sessions and special assembly meetings. Work sessions and special assembly meetings can be either held with a physical quorum, by teleconference, or a combination of teleconference and in person.
- 2. Reasonable technical capabilities are available at the meeting location to allow the member to participate by teleconference, including being able to hear and engage in discussion, and being audible to all persons participating in the meeting;
- 3. Prior to the meeting reasonable efforts will be made to ensure that the member participating by teleconference is provided with the meeting agenda and other pertinent documents to be discussed and acted upon; access to the agenda and documents from the borough's website will be considered sufficient access;
- 4. For any executive session, the member participating by teleconference shall acknowledge that there is no other person with the member or in close enough proximity to hear the meeting discussion.

B. Participation of Mayor and Assembly Members by Teleconference.

- 1. An assembly member may request to participate in any meeting of the assembly by notifying the clerk to arrange for teleconference participation by 4:00 p.m. on the Friday before the Tuesday regular assembly meeting, and at least 12 hours before any special assembly meeting.
- 2. The mayor, or the presiding officer in the absence of the mayor, may request to participate in any meeting of the assembly by notifying the clerk to arrange for teleconference participation by 4:00 p.m. on the Friday before the Tuesday regular assembly meeting, and at least 12 hours before any special assembly meeting.
- 3. The mayor and any assembly member participating by teleconference shall be deemed to be present at the assembly meeting for the purpose of voting; provided, that:

The mayor, or the presiding officer in the absence of the mayor, shall not preside over the assembly meeting when participating by teleconference.

4. The mayor and any assembly member participating by teleconference shall have the same right to participate in any matter as if physically present at the assembly meeting, including debate under WMC [3.05.060](#), adjudicatory matters, and presentations. Reasonable efforts shall be made to make available to the mayor and any assembly member participating by teleconference any pertinent documents that are to be discussed and/or acted upon, including the assembly packet.

5. The mayor and any assembly member participating by teleconference shall have the same right to vote on any matter as if physically present at the assembly meeting. All voting at the meeting shall be by roll call vote. The assembly member who is participating by teleconference, or the mayor when participating by teleconference, determines whether the member or the mayor has had the opportunity to evaluate all pertinent information, including any testimony and/or evidence, and is prepared to vote.

6. Teleconference participation at any assembly meeting by each assembly member or by the mayor is limited to four times during the 12-month period commencing January 1st each year. However, teleconference participation by a member or the mayor will not be allowed consecutively for more than two regular meetings. Participation in a meeting by teleconference while out of town on municipal business does not count toward the four times for which teleconference participation is permitted or toward the two consecutive regular meetings limit on participation by teleconference.

C. All votes taken at the meeting are by roll call of the members physically present at the meeting and the members participating by teleconference. [[Ord. 1032](#) § 3, 2022; [Ord. 947](#) § 2, 2018; Ord. 915 § 3, 2016; Ord. 882 § 2, 2014.]

remote attendance from in
6/21/23 council packet

2.04.040 Vacancy on the council.

A. The council shall, by two-thirds concurring vote, declare a council seat vacant only when the incumbent:

1. Fails to qualify or take office within 30 calendar days after election or appointment;
2. Unless excused by the council, is physically absent from the city for 90 consecutive calendar days;
3. Resigns and the resignation is accepted;
4. Is physically or mentally unable to perform the duties of office;
5. Is convicted of a felony or of an offense involving a violation of the oath of office;
6. Is convicted of a felony or misdemeanor described in AS [15.56](#);
7. Is convicted of a violation of AS [15.13](#);
8. No longer physically resides in the city; or
9. Unless excused by the council, misses three consecutive regular meetings.

B. A council member who ceases to be a city voter immediately forfeits office and no council action is needed.

C. Except as otherwise provided in this section or required by law, if a vacancy occurs on the council, the remaining members shall appoint a qualified person to fill the vacancy within 45 days from the date the vacancy is declared.

D. If a seat is vacated with less than 30 days remaining in its term, that seat shall not be filled by appointment consistent with AS [29.20.180](#).

E. If a seat is vacated with 30 or more days remaining in its term, the notice of offices to be filled has been published for the upcoming regular election, the seat is not included in that notice, and that election has not yet been certified, the council shall fill the vacancy no more than 45 days after certification of that election.

F. If the vacant seat is up for election and the person appointed to the position would serve less than 60 days before the vacant seat is filled at that election, the council may determine by resolution that it is in the city's best interest not to make a short-term appointment and to fill the seat through the election process.

G. If membership is reduced to less than the number required to constitute a quorum, the remaining members shall, within seven calendar days, appoint the number of qualified persons necessary to constitute a quorum.

H. A person appointed under this section serves until the next regular election at which the vacant seat can be filled. If a vacant seat is filled at an election before the end of the term vacated, a successor shall be elected to serve only the balance of the term. (Ord. 20-32 § 2, 2020; Ord. 18-22 § 2, 2018; Ord. 10-32(AM) § 2, 2010; Ord. 05-16(AM) § 2, 2005; prior code § 2.04.050)

2.04.070 Public meetings.

A. All meetings and work sessions of the council, except for executive sessions, are open to the public and shall be electronically recorded.

B. At least 24-hour advance public notice, setting out the date, time, place and agenda or issue of the meeting shall be given for all regular and special meetings and work sessions of the council, using print or broadcast media.

C. Teleconferencing may be used for all lawful activities of the city and, if all voting individuals have an opportunity to evaluate all testimony and evidence, to vote on actions.

Teleconferencing may not be used as a regular form of participating for regular meetings of the council. (Prior code § 2.08.015)

Unalaska City Code

§ 2.20.075 PARTICIPATION BY TELEPHONE OR OTHER ELECTRONIC MEANS.

(A) A Council member or the Mayor may participate by telephone or other electronic means, in any meeting or work session, including executive session, up to six (6) times annually. Additional meetings by telephone or other electronic means may be considered by the Mayor or Mayor pro-tem depending on the circumstances which prevent the person's physical attendance at the meeting. A City Council meeting or executive session must have at least three (3) members physically present. Any member participating by telephone or other electronic means shall be considered present at the meeting or session for all purposes under this chapter. In order to participate by telephone or other electronic means, the member or the Mayor must declare in advance to the City Clerk that out of town travel or other circumstances prevent physical attendance at the meeting. If the Mayor chooses to participate via telephone or other electronic means, the Vice Mayor or an appointed Mayor pro tem shall preside in the Mayor's stead.

(B) Notice under this section is acceptable, if provided in writing or via electronic mail, and must include a short description of the circumstances which prevent the person's physical attendance at the meeting.

(C) Telephonic participation shall be refused by the Mayor if, at any time, it appears that technical capabilities or other interference does not allow all persons, whether physically present or not, to hear and engage in discussion. Where practicable, any written materials or other information presented during the meeting should be made available to persons participating via telephone or other electronic means.

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Chapter 04. Classification of Municipalities.

Sec. 29.04.010. Home rule.

A home rule municipality is a municipal corporation and political subdivision. It is a city or a borough that has adopted a home rule charter, or it is a unified municipality. A home rule municipality has all legislative powers not prohibited by law or charter.

Sec. 29.04.020. General law.

A general law municipality is a municipal corporation and political subdivision and is an unchartered borough or city. It has legislative powers conferred by law.

Sec. 29.20.170. Vacancies.

The governing body may provide by ordinance the manner in which a vacancy occurs in any elected office except the office of mayor or school board member. Unless otherwise provided by ordinance, the governing body shall declare an elective office, other than the office of mayor or school board member, vacant when the person elected

- (1) fails to qualify or take office within 30 days after election or appointment;
- (2) is physically absent from the municipality for 90 consecutive days unless excused by the governing body;
- (3) resigns and the resignation is accepted;
- (4) is physically or mentally unable to perform the duties of office as determined by two-thirds vote of the governing body;
- (5) is convicted of a felony or of an offense involving a violation of the oath of office;
- (6) is convicted of a felony or misdemeanor described in [AS 15.56](#) (*Chapter 56. Election Offenses, Corrupt Practices, and Penalties.*) and two-thirds of the members of the governing body concur in expelling the person elected;
- (7) is convicted of a violation of [AS 15.13](#); (*State Election Campaigns*)
- (8) no longer physically resides in the municipality and the governing body by two-thirds vote declares the seat vacant; this paragraph does not apply to a member of the governing body who forfeits office under [AS 29.20.140\(a\)*](#); or
- (9) if a member of the governing body, misses three consecutive regular meetings and is not excused.

Sec. 29.20.280. Vacancy in the office of mayor.

(a) The governing body shall, by two-thirds concurring vote, declare the office of mayor vacant only when the person elected

- (1) fails to qualify or take office within 30 days after election or appointment;
- (2) unless excused by the governing body, is physically absent for 90 consecutive days;
- (3) resigns and the resignation is accepted;
- (4) is physically or mentally unable to perform the duties of office;
- (5) is convicted of a felony or of an offense involving a violation of the oath of office;
- (6) is convicted of a felony or misdemeanor described in [AS 15.56](#) (*Chapter 56. Election Offenses, Corrupt Practices, and Penalties.*);
- (7) is convicted of a violation of [AS 15.13](#); (*State Election Campaigns*)
- (8) no longer physically resides in the municipality; or
- (9) if a member of the governing body in a second class city, misses three consecutive

regular meetings and is not excused.

(b) A vacancy in the office of mayor occurring six months before a regular election shall be filled by the governing body. The person appointed serves until the next regular election when a successor is elected to serve the balance of the term. If a member of the governing body is appointed mayor, the member shall resign the seat on the governing body. If a vacancy occurs more than six months before a regular election, the governing body shall call a special election to fill the unexpired term. (c) Notwithstanding (b) of this section, a vacancy in the office of mayor of a second class city shall be filled by and from the council. A mayor appointed under this subsection serves the balance of the term to which appointed, except the mayor may serve only while a member of the council.

***Sec. 29.20.140. Qualifications.**

(a) A borough voter is eligible to be a member of the assembly and a city voter is eligible to be a member of the council. A member of the governing body who ceases to be a voter in the municipality immediately forfeits office.

remote attendance item
6/21/23 council packet

M/Carpenter S/Jones to amend the maps by keeping Lots 8 & 9 Odiak Park Subdivision (Plat 74-272) as not available.

Jones supports the amendment – would like to see info brought forward maybe this fall about what it would cost to remedy the ownership confusion.

Vote on the motion to amend: 5 yeas, 0 nays, 2 absent (Meyer, Sherman). Motion was approved.

Jones said he appreciates staff's diligence in going around town and thinking outside the box, finding land that can be developed as we have a shortage. **Kinsman** echoed that. **Bailer** said we have come a long way, back in 1990 it was very difficult to attain City land.

Vote on the main motion as amended: 5 yeas, 0 nays, 2 absent (Meyer, Sherman). Motion was approved.

M. Unfinished Business – none

N. New & Miscellaneous Business

13. Council Meeting Attendance – discussion

Kinsman said he has gotten an earful from people from time to time about Council teleconferencing so much and whether or not they live in town still. **Kinsman** suggested limiting Council attendance by teleconference to no more than half the regular meetings each year – i.e. required to be in-person for half of all regular meetings. **Carpenter** said she appreciates that in-person attendance is beneficial, but she is uncertain exactly how she feels. **Schaefer** said she would be ok with having some guidelines but would err on the side of flexibility and believes 50% seems too stringent. **Jones** said he sees both sides but agrees we need flexibility. He also believes we need to do something about this – he thinks there have been 4 instances in the past several years where a council member has been residing elsewhere but remains on Council. **Bailer** said he will be gone 90 days each winter. He follows the State guidelines, he maintains AK residency and Cordova residency. He believes that if a Council member stays engaged that is more important than whether they teleconference or come in person to meetings. **Mayor Allison** opined that he would much rather have an engaged and prepared Council member on the phone than one in person who admits out loud that he is unprepared because he hasn't read the packet. **Bailer** also said that there are not people clamoring to get these seats – often we are running for seats unopposed. **Kinsman** said the engagement is better when there are more in the room – the dialogue is better. **Carpenter** said if we are to consider any changes it shouldn't be on the residency side it should be on the in-person attendance side. **Bourgeois** said she believed any strict guidelines could lead to canceled meetings, lack of quorums – would be onerous on staff to police some of these measures that exist in other communities. After further discussion, Council asked the Clerk to keep this on Pending Agenda for Council to revisit in fall.

14. Pending Agenda, CIP List, Calendar, Elected & Appointed Officials lists

Council scheduled a noon work session with Harbor Commission on July 5. Sheridan Alpine will present on July 5.

O. Audience Participation

Katrina Hoffman of 301 South Second Street, spoke about Council's residency and attendance discussion – she said that maybe an unintended consequence of limiting teleconference attendance is ablest? Are there those who could be rich contributors to discussions who are on the autism spectrum, have an anxiety disorder, have long-Covid, or are wheelchair-bound and in-person attendance is much more difficult for them, something that should be considered.

Greg Meyer of 1 Cannery Row, said he is delighted that Council is opening up more land around town. He reminded them that 2 years ago Cannery Row Inc. put a proposal in which got tabled – he hasn't heard anything from anyone about that in 2 years.

Cecelia Wiese of 400 Railroad Row, thanked Council for considering her concerns. She applauded Planner **Johnson** – he has been professional and patient in listening to her concerns.

P. Council Comments

Jones thanked everyone for the in-person attendance tonight.

Section 2-8. - Mayor and Council: Absences to terminate membership.

If the mayor or any council member is absent from more than one-half of all the regular meetings of the council held within any period of four consecutive calendar months, without being excused from attending such meetings, the council shall declare the mayor's office or that member's seat vacant. The council shall determine whether any absence is excused.

(Amended by Resolution 5-95-56, approved by the voters on July 19, 1995).

3.12.022 - Absences to terminate membership.

A. If a council member is absent from more than one-half of all the regular meetings of the council held within any period of four consecutive calendar months, without being excused from attending such meetings, the council shall declare the member's seat vacant. The council shall determine whether any absence is excused.

B. For purposes of this section, an absence will be considered excused if due to the following causes and shall require approval by council at the next regularly scheduled meeting:

1. The illness or injury of the council member or a family member;
2. The death of a family member;
3. An employment-related commitment;
4. A commitment for city business; or
5. Other good cause approved by the council.

C. Whenever possible, absences should be noticed to the city clerk prior to the meeting for purposes of securing a quorum at the meeting.

D. A council member may participate in a council meeting by teleconference.

(Ord. 957 § 2, 2004).

Susan Bourgeois

From: Kasey Kinsman
Sent: Wednesday, February 28, 2024 1:58 PM
To: Susan Bourgeois
Subject: Re: Pending Agenda items and points for Stevens & Stutes meet & greet

Good afternoon Susan,

Related to Pending Agenda Item #2, I would like to have this broken into 2 items:

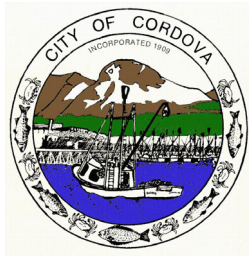
2a- attendance policy related to an in-person clarification to code for general council meetings. I am proposing a 50% or 12 in-person meeting requirement.

2b- attendance policy related to in-person clarification to code for executive sessions. I am proposing 100% in-person attendance requirement.

I am happy to come in and chat more about this. I hope proposing something this specific will help get something pushed through or have it die on the floor.

Thanks,

Kasey



AGENDA ITEM # 19
City Council Meeting Date: 5/15/24
CITY COUNCIL COMMUNICATION FORM

FROM: Kevin Johnson, City Planner

DATE: 5/9/24

ITEM: Land Disposal – Proposal for Portion of Lot 1, Block 7A, Tidewater Development Park

NEXT STEP: City Council Decision on Proposal

ORDINANCE
 RESOLUTION

INFORMATION
 MOTION

I. REQUEST OR ISSUE:

Requested Actions:	Make Decision on Disposal
Applicant:	The Jump (Stephanie Rusinski)
Legal Description:	A portion of Lot 1, Block 7A, Tidewater Development Park
Area:	Approximately 600 Square Feet
Zoning:	Unzoned
Attachments:	Proposal Packet (The packet distributed to potential proposers) Proposal from The Jump (Stephanie Rusinski)

The request for proposals for this property began January 31st and ended March 1st at 4:30 PM. The city received one proposal for the property. Attached is the full proposal packet as published for the public, and the received proposal.

II. RECOMMENDED ACTION / NEXT STEP: Staff has provided the following motions for the City Council to open the agenda item for discussion:

“I move to recommend City Council approve the proposal from The Jump and direct staff to negotiate a lease for a portion of Lot 1, Block 7A, Tidewater Development Park.”

Alternate motion: “I move to not dispose of the requested portion of land to The Jump”

III. FISCAL IMPACTS: Leasing the space would bring in revenue for the city from lease payments and sales tax associated with the business leasing the space year-round as opposed to half of the year.

IV. BACKGROUND INFORMATION: A letter of interest to lease the space on a year-round long-term basis was received from The Jump in September of 2023. The applicant was interested in keeping their business on the lot year-round instead of moving it each winter. This would allow them to both operate during the winter months as well as save on wear and tear on the building from moving it on and off the lot each season.

The Planning Commission reviewed the letter of interest at their 10/10/23 meeting. At that meeting the Commission passed a motion recommending that the City Council directly negotiate an agreement with The Jump to lease a portion of the property.

The City Council, at their 10/25/24 meeting, reviewed the letter of interest and Planning Commission's recommendation. At that meeting the Council passed a motion directing staff to prepare and publish a Request for Proposals (RFP) to determine if there is any other interest from the public in either purchasing or leasing all or a portion of the lot.

Staff published the attached RFP packet on January 31st and an end date of March 1st. One proposal was received and has been attached for the commissions review and recommendation. The received proposal is to lease 600 square feet (20' X 30') for The Jump to remain in its current location and operate year-round.

Planning Commission reviewed the proposal at their 4/9/24 meeting. At that meeting they passed a motion recommending that the City Council accept the proposal and direct staff to negotiate a lease with The Jump. The Commission did add that they would like to see similar language in the lease that is included in the Forest Service lease. This language would allow for the city to terminate the lease to either improve the area if funding becomes available or if a proposal was received for private development that is considered a higher and better use. The Commission also added that they would like to see the lot be valved for additional food trucks.

V. SUMMARY AND ALTERNATIVES: City Council could choose to direct staff negotiate a long-term lease or direct staff not to negotiate a long-term lease.

CITY OF CORDOVA



LD-RFP-24-02 SEALED PROPOSAL FORM

All proposals must be received by the Planning Department by **Friday, March 1st, 2024 at 4:30 PM.**

Property: Lot 1, Block 7A, Tidewater Development Park. See attached map.

Name of Proposer: _____

Name of Organization: _____

Address: _____ Phone #: _____

_____ Email: _____

Note: All submitted proposals for this property will be reviewed by the Planning Commission using the attached criteria. The Planning Commission will then recommend a proposal to City Council for final review and acceptance.

The City Council reserves the right to reject any proposal, part of any proposal, or all proposals. The City Council may accept any proposal deemed most advantageous to the City of Cordova or reject any or all proposals at their absolute discretion.

The chosen proposal will be subject to a Site Plan Review conducted in accordance with Chapter 18.42 of the Cordova Municipal Code. Prior to the issuance of a Building Permit, the City Council must approve the site plan for the project.

The available area available for purchase or lease is approximately 35,000 square feet. This area is made up of a roughly a 20,000 square foot pad area and 15,000 square feet of riprap extending from the pad down to the mean high tide line. See attachment C for more detail. Prior to sale of the property a replat will be required to adjust property lines to align with the Mean High-Water line.

The fair market value for Lot 1, Block 7A, Tidewater Development Park is **\$300,000.00** for the pad area and down to the mean hightide line, and will be the **minimum** price that will be accepted for the property if the proposal requests to purchase the property.

If a proposal is submitted to lease only a portion of the lot for a non-permanent use such as food trucks, coffee stand, non-food vendors, or other similar uses, the minimum cost will be \$1.00 per square foot of requested space.

If the successful proposal amount is greater than the minimum price, the amount in the proposal shall be the amount paid for the property.

Proposals shall include a deposit of **\$1,000.00**. In the event that a proposal is not awarded the opportunity to purchase the property, the City will reimburse the deposit to the proposer, otherwise deposit will be credited to costs associated with the contract preparation. **Nonpermanent use proposals shall submit a deposit of \$500.00.**

The attached **Lease with Option to Purchase** is a template for the agreement that will be negotiated with the proposal that is awarded the property. The terms and conditions of this template are subject to change as the City sees fit during the negotiation process with the chosen proposer.

The property is currently unzoned. Based on the chosen proposal a rezone to align the property with an appropriate zoning district, and or a conditional use permit will be required to be approved in conjunction with a building permit.

Proposed Price \$ _____

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.

Additional Minimum Information Required (please attach separately with this proposal form):

1. Describe the development you are proposing*.
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. What is 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?

*The site is not served by water or sewer. Proposals for nonpermanent uses / structures must include a detailed plan on how they will address their water needs and disposal of wastewater. The site does have one electrical service connection. Expansion of this service will be the proposer’s responsibility if necessary.

Included for your convenience:

- Attachment A:** Criteria used when evaluating each submitted proposal.
- Attachment B:** A location map showing the subject property.
- Attachment C:** The property parcel with measurements.
- Attachment D:** Sample Lease with Option to Purchase Agreement

Please mail proposals to: **City of Cordova**
 Attn: Breakwater Fill Lot Proposal
 P.O. Box 1210
 Cordova, Alaska, 99574

Or email proposals to citymanager@cityofcordova.net and planning@cityofcordova.net. The email subject line shall be “Proposal for Lot 1, Block 7A,” and the proposal shall be attached to the email as a PDF file.

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

For questions or more information about the land disposal process, contact the City Planning Department at 424-6220, planning@cityofcordova.net, or stop by in person.

Proposals received after Friday, March 1st, 2024 at 4:30 PM will not be considered.

ATTACHMENT A

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.

A proposals score is not the final determination on if it will be chosen. City Council has ultimate discretion and may select the proposal they determine best based on their own determination. The Council may also reject any and all proposals based on their own determination.

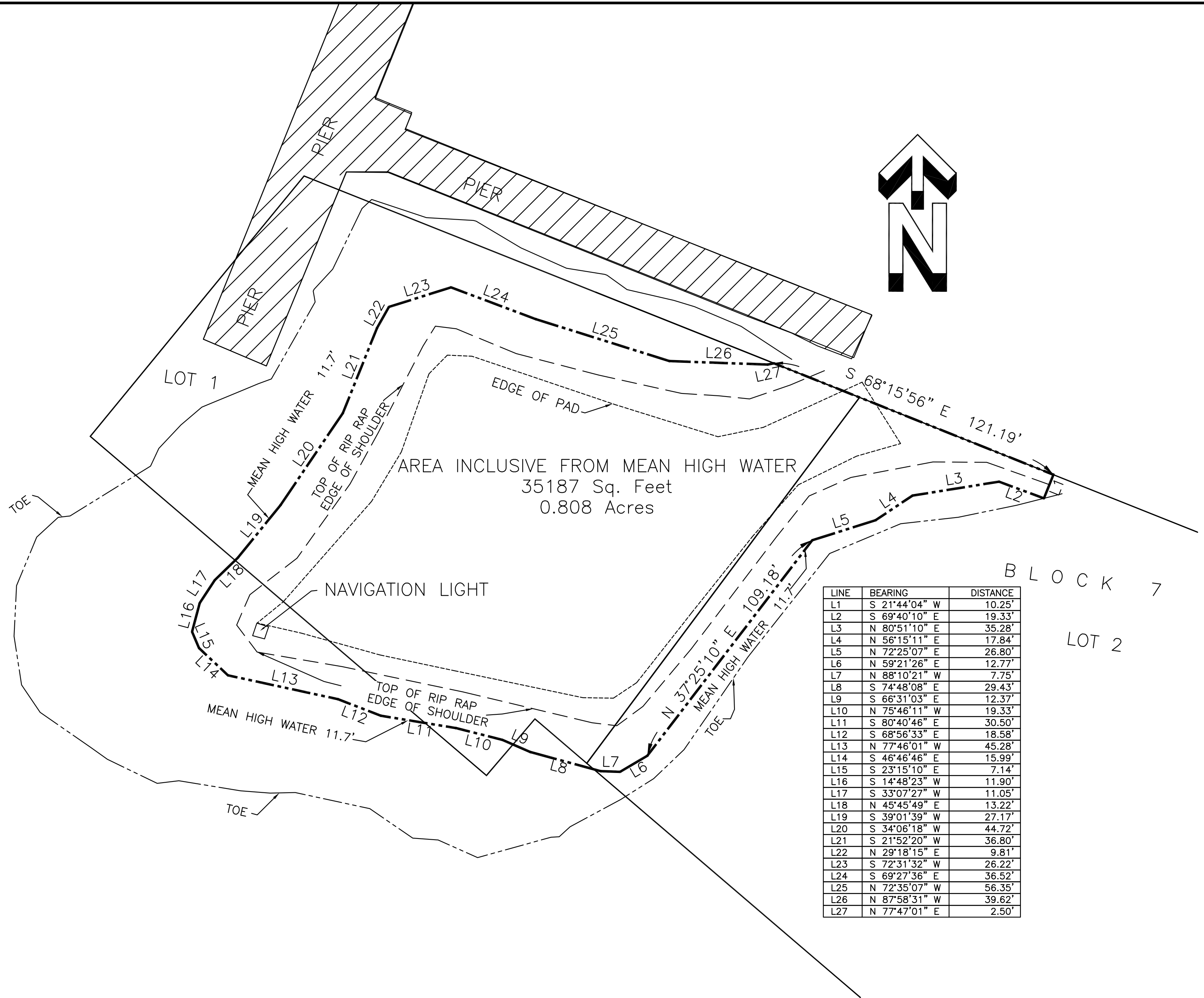
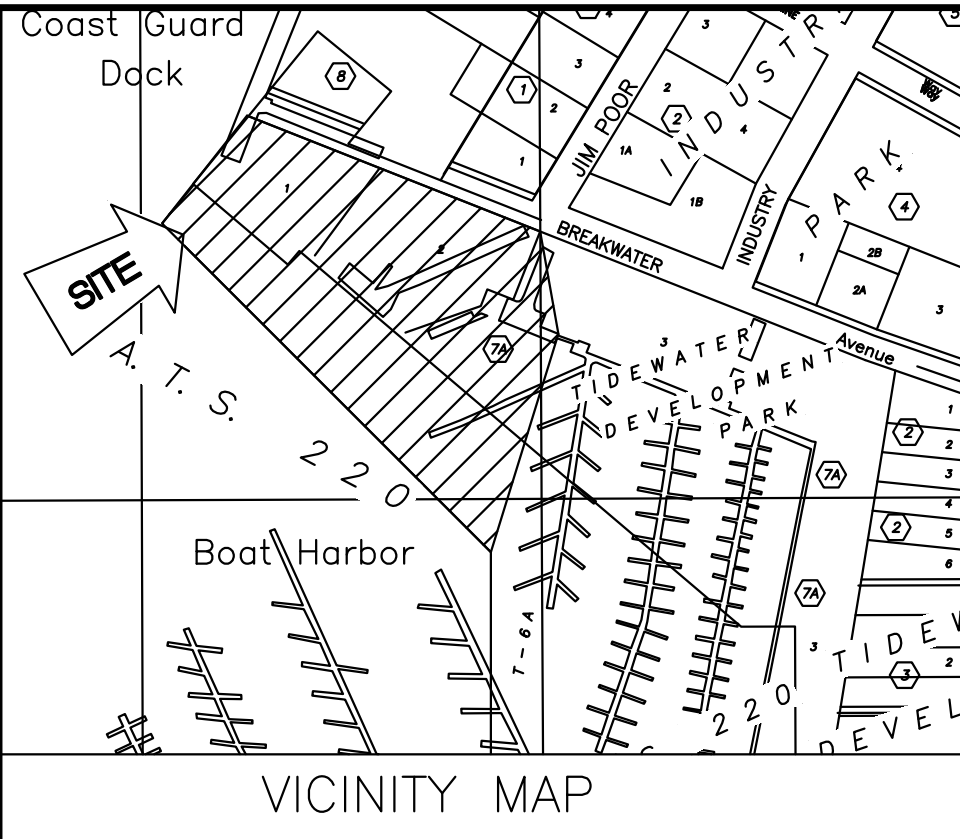
Final Land Disposal Evaluation Criteria

Criteria	Multiplier	Proposal Rank 1-10	Subtotal for Proposal
Value of improvements	1.75		
Number of Employees	1.5		
Sales Tax Revenue	1.25		
Importance to Community	1.75		
5yr Business Plan/Timeline	0.75		
Enhanced Architectural Design	1		
Proposal Price	1		
Consistency with Comprehensive Plan	1		
Total			

ATTACHMENT B



Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community



LINE	BEARING	DISTANCE
L1	S 21°44'04" W	10.25'
L2	S 69°40'10" E	19.33'
L3	N 80°51'10" E	35.28'
L4	N 56°15'11" E	17.84'
L5	N 72°25'07" E	26.80'
L6	N 59°21'26" E	12.77'
L7	N 88°10'21" W	7.75'
L8	S 74°48'08" E	29.43'
L9	S 66°31'03" E	12.37'
L10	N 75°46'11" W	19.33'
L11	S 80°40'46" E	30.50'
L12	S 68°56'33" E	18.58'
L13	N 77°46'01" W	45.28'
L14	S 46°46'46" E	15.99'
L15	S 23°15'10" E	7.14'
L16	S 14°48'23" W	11.90'
L17	S 33°07'27" W	11.05'
L18	N 45°45'49" E	13.22'
L19	S 39°01'39" W	27.17'
L20	S 34°06'18" W	44.72'
L21	S 21°52'20" W	36.80'
L22	N 29°18'15" E	9.81'
L23	S 72°31'32" W	26.22'
L24	S 69°27'36" E	36.52'
L25	N 72°35'07" W	56.35'
L26	N 87°58'31" W	39.62'
L27	N 77°47'01" E	2.50'

BASIS OF BEARING—NAD 83

VERTICAL CONTROL—
 IS MEAN LOWER LOW WATER DATUM, IN U.S. SURVEY FEET
 (MLLW=0.00')
 HOLDING TIDAL BENCH MARK "NO 13 1970" AS 21.53' AND
 NOAA/NOS TIDAL BENCH MARK "4050 H 1982 AS 30.33'.
 TIDAL DATUM IS BASED ON THE 1983-2001 TIDAL EPOCH
 FROM NOAA/NOS TIDAL MARK LIST "9454050 CORDOVA, ORCA
 INLET, PRINCE WILLIAM SOUND ALASKA" PUBLISHED
 05/16/2003.
 CALCULATION FOR MEAN HIGH WATER WERE BASED ON THE
 RECORDED MEAN RANGE OF 10.2 AND MEAN TIDE LEVEL OF
 6.6'. USING THE STATE OF ALASKA D.N.R. FORMULA THE
 MEAN HIGH WATER MAR IS 11.7'.

- NOTES:
1. SUBJECT TO ALL CONDITIONS, SERVITUDE'S, EASEMENTS, COVENANTS, RESERVATION, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.
 2. SUBJECT TO ALL COPY RIGHT LAWS.



**PROPOSED LOT
 at MEAN HIGH WATER**

CORDOVA ALASKA

DRAWN BY MSTD	DATE 2-17-15	PROJECT NO. CORDOVA RECORDING DISTRICT
SCALE 1"=30'	SHEET 1 of 1	PREPARED FOR: CITY OF CORDOVA

ST. DENNY SURVEYING INC.
 P.O. BOX 388, KODIAK, ALASKA 99615 (907) 481-3500 95

CITY OF CORDOVA



LD-RFP-24-02 SEALED PROPOSAL FORM

All proposals must be received by the Planning Department by **Friday, March 1st, 2024 at 4:30 PM.**

Property: Lot 1, Block 7A, Tidewater Development Park. See attached map.

Name of Proposer: Stephanie Rusinski

Name of Organization: The Jump

Address: PO Box 1345
Cordova, AK
99574

Phone #: (907) 831-6246

Email: SRusinski@gmail

Note: All submitted proposals for this property will be reviewed by the Planning Commission using the attached criteria. The Planning Commission will then recommend a proposal to City Council for final review and acceptance.

The City Council reserves the right to reject any proposal, part of any proposal, or all proposals. The City Council may accept any proposal deemed most advantageous to the City of Cordova or reject any or all proposals at their absolute discretion.

The chosen proposal will be subject to a Site Plan Review conducted in accordance with Chapter 18.42 of the Cordova Municipal Code. Prior to the issuance of a Building Permit, the City Council must approve the site plan for the project.

The available area available for purchase or lease is approximately 35,000 square feet. This area is made up of a roughly a 20,000 square foot pad area and 15,000 square feet of riprap extending from the pad down to the mean high tide line. See attachment C for more detail. Prior to sale of the property a replat will be required to adjust property lines to align with the Mean High-Water line.

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The property is currently unzoned. Based on the chosen proposal a rezone to align the property with an appropriate zoning district, and or a conditional use permit will be required to be approved in conjunction with a building permit.

Proposed Price \$ 0

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.

Additional Minimum Information Required (please attach separately with this proposal form):

1. Describe the development you are proposing*.
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)
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6. What is your proposed timeline for development?

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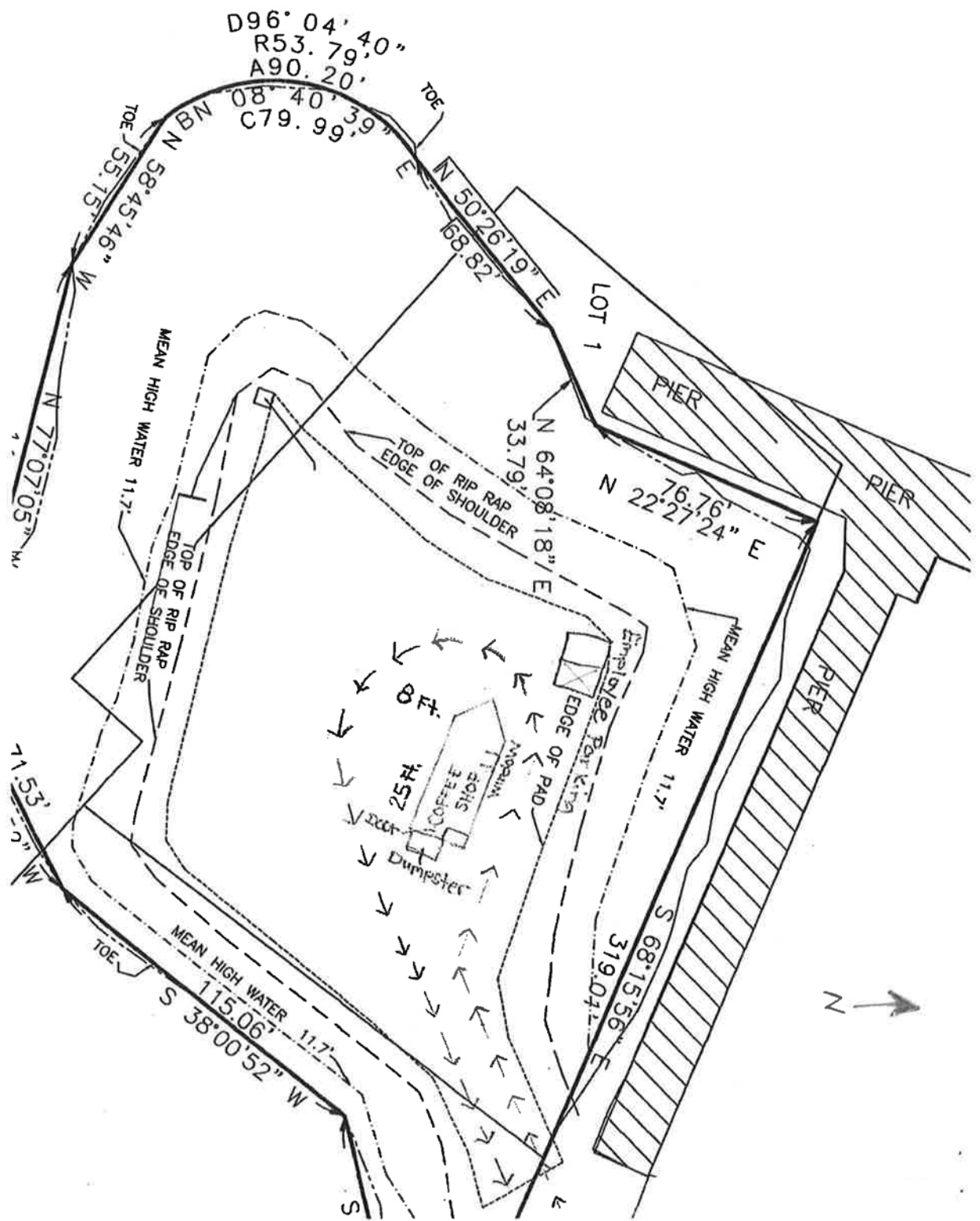
Proposals received after Friday, March 1st, 2024 at 4:30 PM will not be considered.

Dear City of Cordova,

My name is Stephanie Rusinski, owner/operator of The Jump Espresso & More. I have the privilege of operating my seasonal coffee shop on the breakwater city lot, 6 months out of the year. I'm writing a proposal in regards of renting the city lot for a long term lease. Along with being able to operate in the winter seasons as well. We just finished up our 7th season of operation. Each year we have the building moved off the city lot. Moving the building twice each year, I am concerned about the damage its causing the structure. It's also hard on the equipment we use to generate revenue. We would like to keep the building on the lot through the winter and be a business in Cordova that operates year round. Bringing in year round tax revenue along with the joy it would bring many people of Cordova, please consider.

Thank you for your time
Best regards ~
Stephanie Rusinski





On Tue, Oct 3, 2023 at 1:55 PM Kevin Johnson <planning@cityofcordova.net> wrote:

Hey Stephanie,

I have a couple follow up questions about your plans for The Jump to be ran year-round.

1. With your business not being connected to the water / sewer system you have exterior tanks for your fresh and grey water, how will you handle these systems once the temperature drops below freezing?
2. As I am sure you know, there are extreme north winds that rip through that area and other businesses have had structural failures due to these winds. What do you plan to do to make your structure more permanent since it will be there year-round? How will you protect the building from moving or blowing away/over due to the north winds?

Please get your responses back to me ASAP as I will need this information at the Planning Commission next Tuesday.

Thanks,

Kevin Johnson

City Planner

City of Cordova

907-424-6220



From: stephanie rusinski <thejump76@gmail.com>

Sent: Tuesday, October 3, 2023 1:23 PM

To: Kevin Johnson <planning@cityofcordova.net>

Subject: Re: Long Term Lease for Breakwater Lot

Good questions.

That little shack is jammed packed with heavy equipment. We have been through many wind storms, once a 100 mph wind storm that sent a tied up boat out of the harbor and flipped it on to spike island.

Our shack remained in perfect condition. I strongly believe it will be safe. We also carry full covered insurance.

As far as freezing temperatures.

I've been observing the winters for the last 7 years. Those temperatures are always questionable but don't really seem to be in effect all of the time, usually only fluctuating through December, January or February.

But also rains a lot.

As of now we plan to operate when it's not freezing and will visit that issue when it approaches. Figuring out how to insulate our fresh water tank we use in the back of our truck.

The grey water I'm not worried about. It's inside our insulated shop that will have a heater along with the hot oven and coffee machine that produce very hot temperatures. If we can't empty our tank we will just wait for the days everything thaws and not be open. We have money saved for the months of rent owed to the city even if we are not up and running you will still be paid the expenses owed. But that's worse case scenario.

I strongly believe we will figure out a way.

Looking back at all the winters I have seen mostly a great opportunity to be an operating business.

Definitely not letting the freezing temperatures or wind storms stopping us.

Let me know if there are any other concerns.

Thank you for your time!

Alternate motion: “I move to not dispose of the requested remnant of USS 3345”

III. FISCAL IMPACTS: The city would receive the money from the sale of the property and the property would become part of the city’s tax base increasing property tax collection in the future along with sewer, water, and garbage fees.

IV. BACKGROUND INFORMATION: Diana Riedel has submitted a Letter of Interest to purchase a remnant of USS 3345 located along LeFevre Street, for the purpose of constructing an 800 – 1300 square foot single-family home for her daughter. They plan to have a home completed within 5 years.

Staffs only concern is related to the location of a sanitary sewer main that runs through the property, however this concern can be mitigated by requiring that a 20-foot utility easement, centered on the main, be platted. A 20-foot easement would allow for plenty of room for city crews to access the main in case there is a need to repair or replace that section of the main that runs through the property. Requiring the easement to be shown on a plat would provide additional protection as the location would then be depicted on a surveyed map and recorded so that it is tied to the property. The easement would restrict any owner of the lot from building any structures within the easement area. The area could still be used for passive uses like a driveway, parking area, or other uses that do not restrict the city’s ability to access the main if need be. Staff has visited the site, located the sewer main, and inspected the main. The main is in good condition based on the video inspection of the line.

One additional item that will need to be clarified during the disposal process is related to if the property is a platted lot or if it is Right-of-Way (ROW). After reviewing the original survey of the area, it was noted that the land may be ROW and not a platted lot. This does not prohibit the city from disposing of the land, but a ROW Vacation would be necessary if that is the case. The status of the land would be determined during the disposal process when we have the property surveyed. If it is determined to be ROW, a ROW vacation would come before the Planning Commission and City Council prior to either a Lease with Option to Purchase or a Purchase and Sale Agreement is entered into.

Based on the proposed site plan provided by the applicant, it appears that they could place the footprint of a home outside of the future utility easement, property line setbacks, lake setback, and provide onsite parking. This would all be confirmed follow the completion of a survey that would take place during the disposal process.

The Planning Commission reviewed the letter of interest at their 4/9/24 regular meeting. At that meeting they passed a motion recommending that the City Council disposal of the lot by directing staff to publish a 30-day Request For Proposals.

V. LEGAL ISSUES: Clarification on land status needs to be obtained before entering into a sale agreement.

VI. SUMMARY AND ALTERNATIVES: City Council could choose to dispose of the land or not.



To: City of Cordova Planning Commission

From: Diana Riedel, PO Box 6 Cordova, AK 99574 (907) 253-5364 dianariedel@hotmail.com

March 19, 2024

Dear City of Cordova,

I went over the 2023 land disposal map (amended and approved by city council on 06/21/2023) and I would like to formally put in a letter of interest on the Lefevre street property that is listed as available.

It is the property in-between Sorensens' and Eleshansky's on Eyak lake off Lefevre street and it abuts the Chugach Alaska Corporation Lutheran homesite tract 31 land.

The intended use of the land would be to construct a small single-family residence. Approximately 800-1300 sq feet.

I was involved in the affordable housing committee with the city and native village of Eyak and active in paying attention to the current housing market. My main motivation for wanting to buy this land and have a small home constructed is because my daughter recently turned 18 and would like to be able to continue living and working in Cordova. She has explored the rental market and there is nothing she can currently afford that is also a healthy environment.

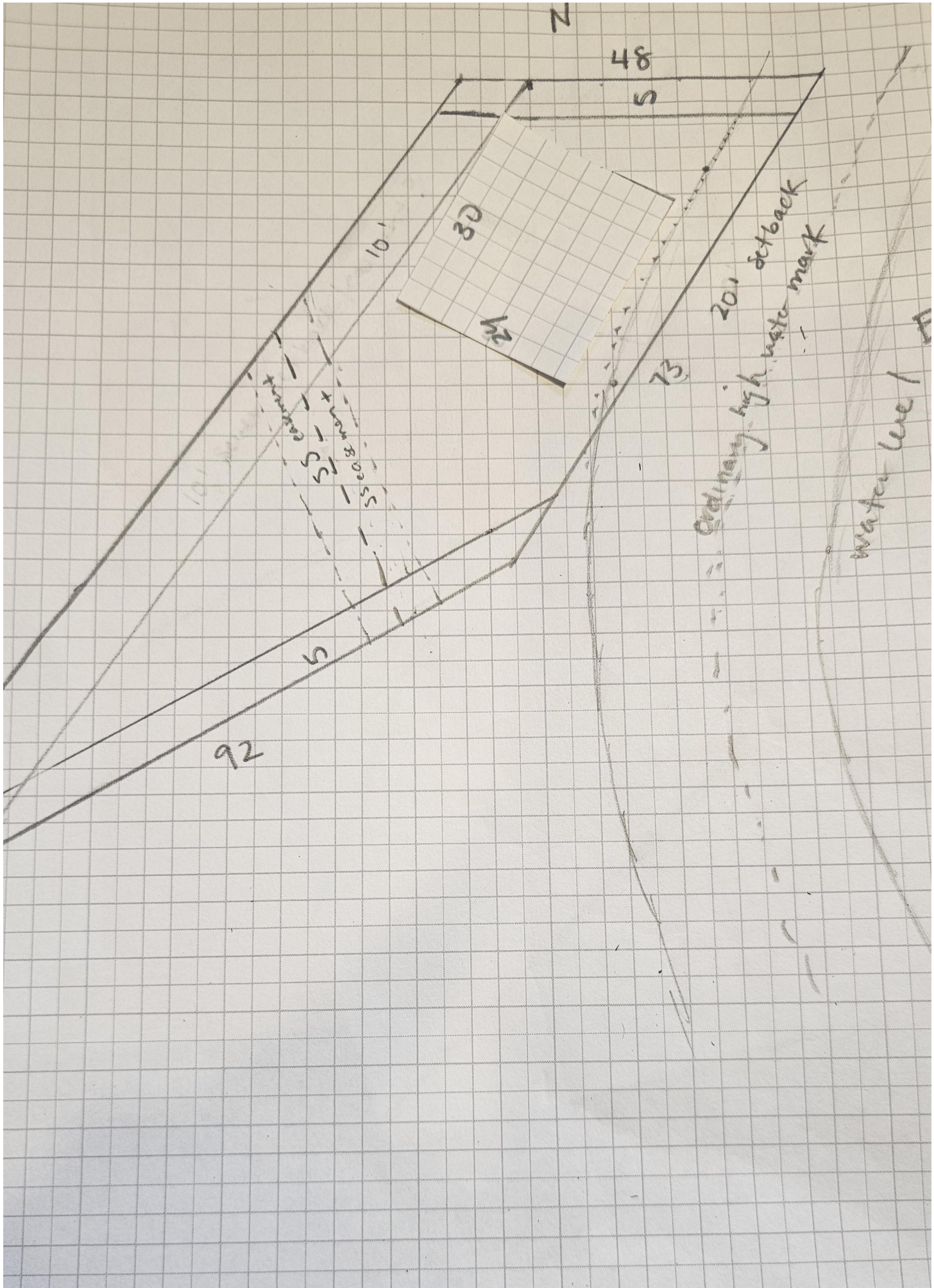
She is currently going to UAF (distant learning) for early childhood development and works part time at the elementary school as a substitute teachers aid. She also bought into commercial fishing and would like to make her long-term residence here. With our wet and windy environment, I think new construction and new construction practices are the only way to go. In 2013 my husband and I constructed a 6-star energy rated home here in Cordova. My husband and I currently have our general contractors license, insurance, and bonding under Dineega Services. My cousin is also a licensed and bonded residential contractor.

I hope to have this project started and completed within 5 years. Hopefully sooner than later but we are watching the interest rates now and would like a little bit of the time buffer to get this project done.

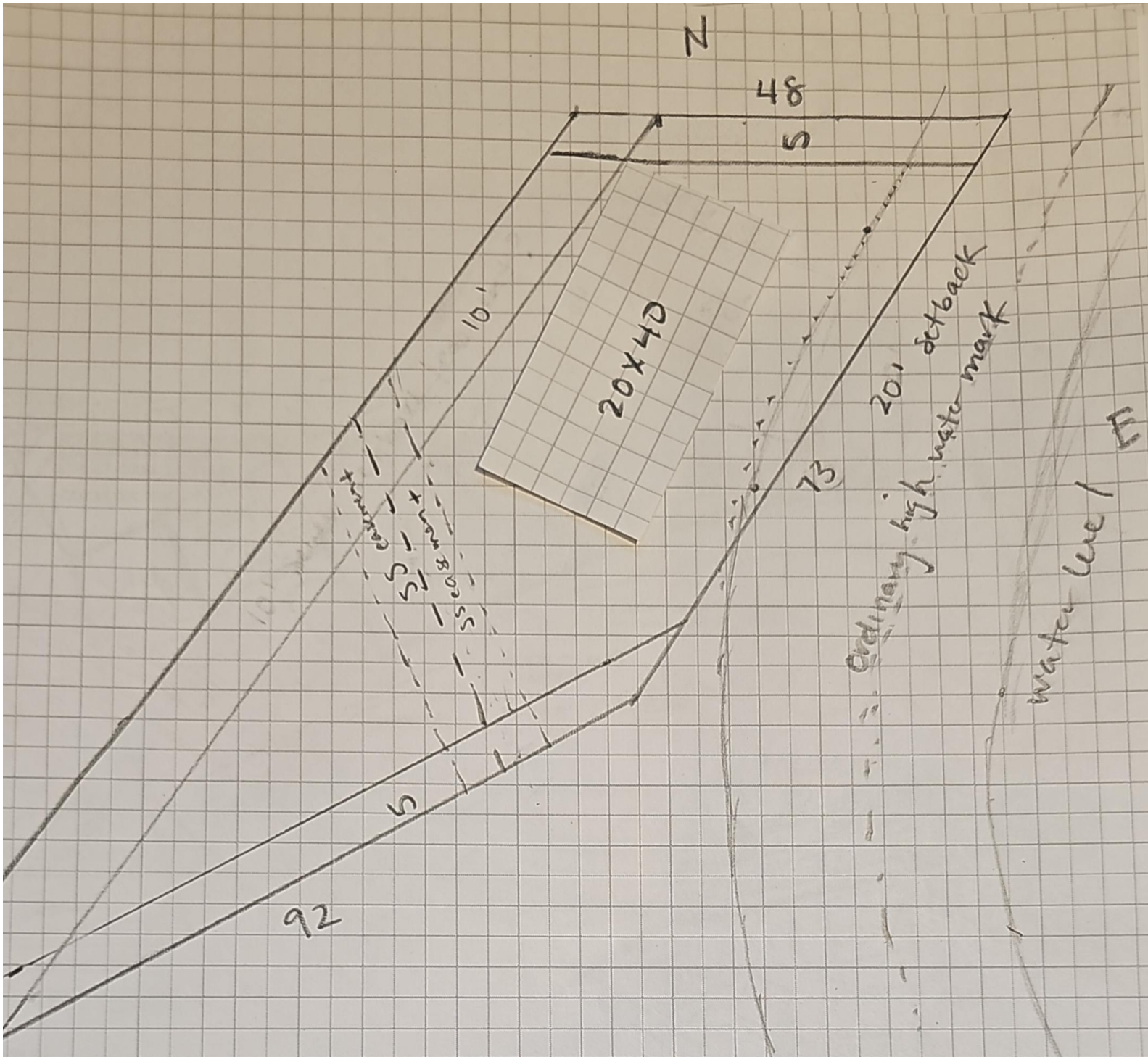
I have enclosed my \$250 application fee with this letter. Thank you for your time and consideration on this letter of interest on this property. I hope we can work towards one small affordable housing project at a time.

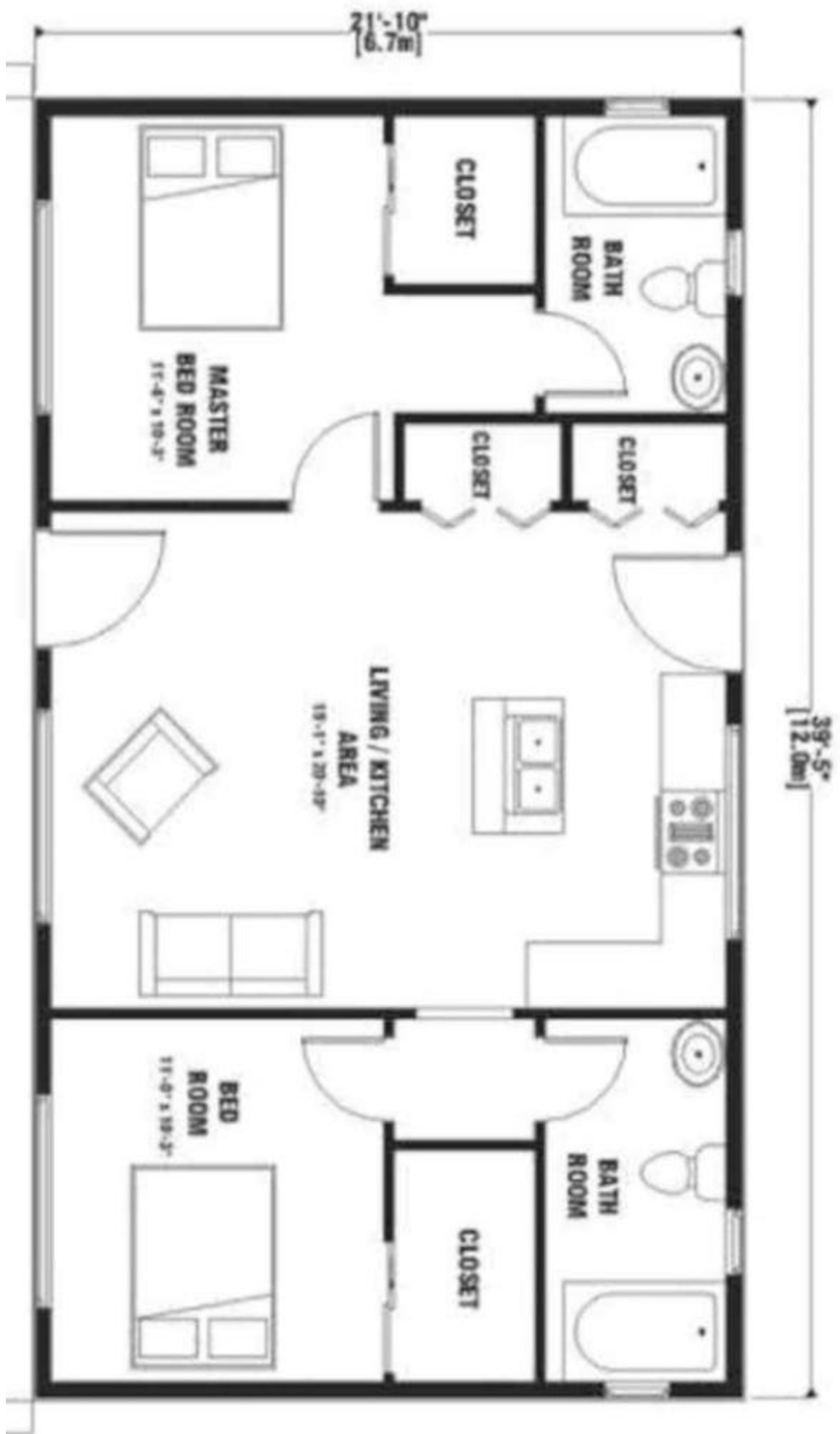
Thank you, Diana Riedel

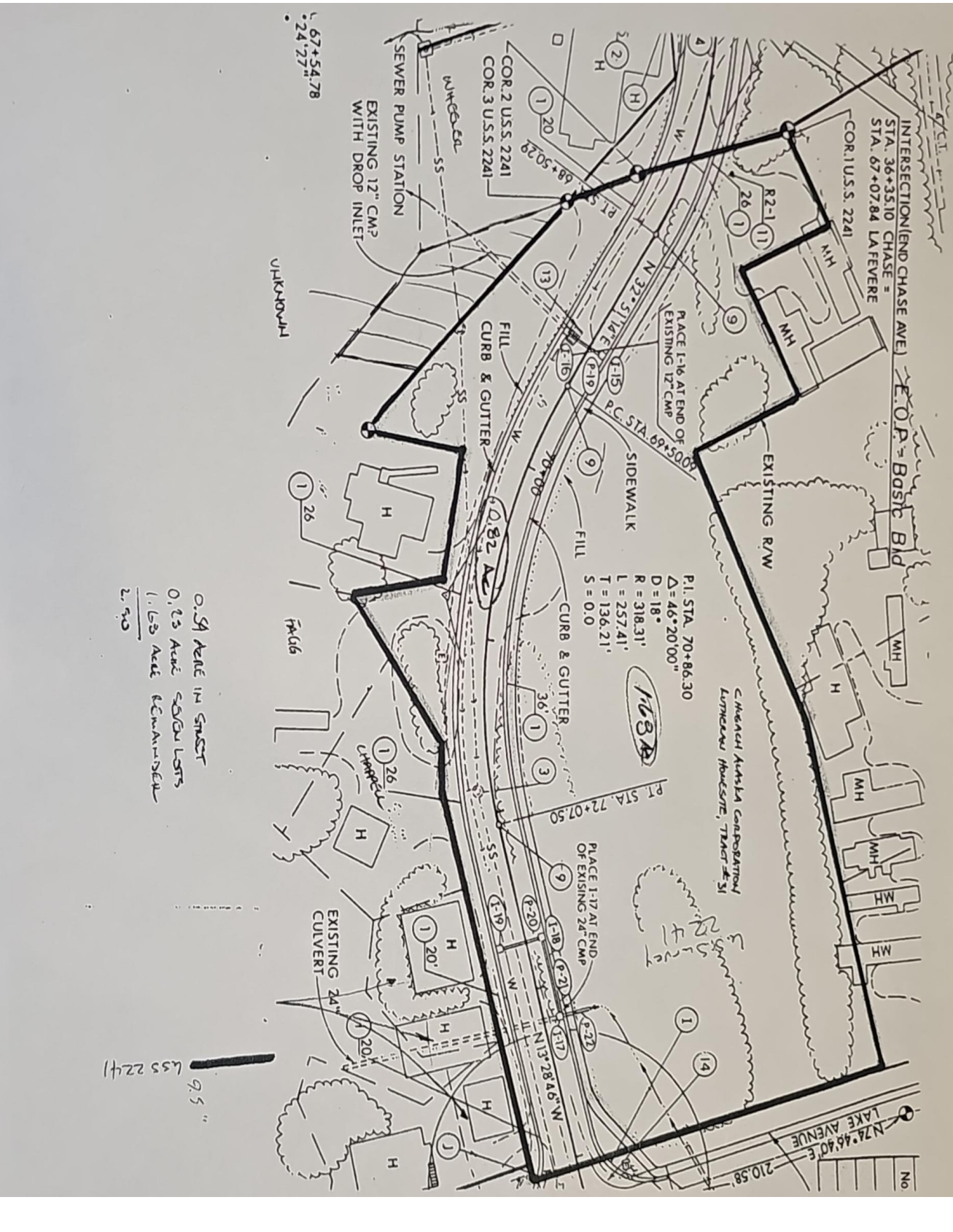




S







INTERSECTION/END CHASE AVE.
 STA. 36+35.10 CHASE =
 STA. 67+07.84 LAFEVERE

E.O.P. = Bost Bld

EXISTING R/W

C. MERRILL ARCHITECTS CORPORATION
 LYNNWOOD HOUSESITE, TRACT # 51

P.I. STA. 70+86.30
 $\Delta = 46^{\circ}20'00''$
 $D = 18'$
 $R = 318.31'$
 $L = 257.41'$
 $T = 136.21'$
 $S = 0.0'$

168A

P.I. STA. 72+07.50

PLACE 1-17 AT END
 OF EXISTING 24" CMP

SEWER PUMP STATION
 EXISTING 12" CMP
 WITH DROP INLET

67+54.78
 24+27.4

0.94 ACRES IN STREET
 0.23 ACRES SIDE LOTS
 1.15 ACRES RECURVED
 2.72 AC

9.5"
 155 224



AGENDA ITEM 21
City Council Meeting Date: 5/15/24
CITY COUNCIL COMMUNICATION FORM

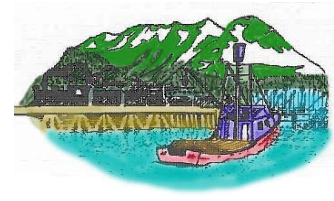
FROM: Susan Bourgeois, City Clerk
DATE: 4/26/24
ITEM: Concurrence of Mayor’s appointment(s) to Parks and Recreation Commission and possibly to PWSAC Board
NEXT STEP: Approval of Motion to concur

ORDINANCE RESOLUTION
 MOTION(S) INFORMATION

- I. REQUEST OR ISSUE:** The Parks and Recreation Commission has two vacancies and the City Representative to the PWSAC Board is vacant.
- II. RECOMMENDED ACTION:** City Council should concur with the appointment recommendations made by *Mayor Allison* and approve by voice vote.
- III. BACKGROUND INFORMATION:** The City Clerk has been advertising these commission/board vacancies since April 5. All applications received before the time for publication of the packet have been included herein. Any other applications received by the date of the meeting will be emailed to Council and brought to the meeting for consideration.
- IV. SUMMARY AND ALTERNATIVES:** City Council members may concur with the Mayor’s appointment(s) or take alternative action. Each seat may be voted upon separately or all in one slate of applicants.



City Board or Commission Membership Application



Personal Information	
Name:	Date:
Resident of Cordova? Yes No	How Long?
Name of Partner (optional):	
Employer:	Job Title:
Contact Information	
Residence Address:	
Mailing Address:	
Cell Phone:	Email Address:
May we include your contact information on our webpage/in published meeting packets: Yes No Yes, but not all	
If you answered "yes, but not all" above, please specify what we CAN include on webpage/in meeting packets:	
Affiliations	
Current membership in organizations:	
Past memberships in organizations:	
City Board(s) or Commission(s) in which you are interested:	
Why do you want to be involved with this Board or Commission?	
What experiences have you had, and/or what credentials do you possess, that would make your membership beneficial to the board or commission?	
Applications can be dropped off at City Hall or emailed to: cityclerk@cityofcordova.net	Board/Commission Application Revised: 10/2019

ERIN L. COLE

(920) 268-3086
PO Box 354
Cordova, AK 99574
erin.cole@usda.gov

Statement of Purpose

I am committed to conserving public land for the benefit of future generations and fostering appreciation for wild spaces. I enjoy new experiences, challenges, and sharing my passion for the natural world.

Education

Graduated B.S. December 2011, Magna Cum Laude
University of Wisconsin-Stevens Point, Stevens Point, WI
Major: **RESOURCE MANAGEMENT – ENVIRONMENTAL EDUCATION & INTERPRETATION**
Minor: **INTERNATIONAL RESOURCE MANAGEMENT**

Special Certifications

- First Aid/AED/CPR Certified
 - Wilderness First Responder (WFR)
 - Fixed-Wing Flight Manager – Special Use (Hazmat)
 - Wildland Fire Personnel Time Recorder (PTRC) and Equipment Time Recorder (EQTR) Trainee
 - Wildland Fire Red Card FFT2
 - Wildland Fire Chainsaw, B Sawyer
 - Crosscut Saw, B Sawyer
 - ATV/UTV and Snowmobile Training Certification
 - Small Boat Operator Trainee
 - Forest Protection Officer (FPO)
 - Contracting Officer Representative (COR) Level II
 - Government Purchase Card Holder
 - Collection Officer
 - Open Water Diver
-

Strengths

- Detail-oriented
- Interpersonal and leadership skills
- Proven organizational skills
- Proficient multitasking and time management capabilities
- Analytical and mathematical ability
- Intermediate ability in American Sign Language, French, and Spanish
- Experience with Adobe InDesign and Adobe Photoshop
- Typing speed: 74 words per minute
- International travel has provided direct opportunities in multicultural communication, adapting to local conditions, physical and mental endurance, and a positive attitude

Experience

Chugach National Forest, Alaska – Cordova Ranger District

February 2022-Present

RECREATION PLANNER. 40 h, 5 d/wk.

GS-0401-07/09

- Assist with planning new or expanded recreation sites, parking areas and trailhead facilities.
- Participate in the drafting of annual work plans to carry out recreation management decisions.
- Engage in project planning and completion including material purchasing, logistics, budget management, monitoring, and recording accomplishments.
- Plan, prioritize and implement annual developed recreation program of work including annual and deferred maintenance and improvement of recreation sites; oversee day-to-day maintenance.
- Fill the role of Interdisciplinary Team (IDT) Lead to facilitate the execution of NEPA requirements for the construction of new cabins under the Bipartisan Infrastructure Law (BIL) funding.
- Act as project manager for cabins and recreation sites renovation contracts.
- Perform annual developed recreation site condition surveys, building conditions surveys, and trail assessment condition surveys (TRACS).
- Oversee staffing and operation of visitor information site located in Valdez, Alaska.
- Supervise and lead seasonal temporary employees, interns, and youth crews; assign work; establish and communicate guidelines; review project quality and employee performance; address disciplinary needs; ensure compliance with safety procedures; and provide developmental opportunities to employees as appropriate.
- Accurately manage appropriated dollars and project budgets.
- Act as Contracting Officer Representative on six district-wide service contracts by submitting requisitions for funding, verifying and approving work, monitoring performance and cost, and regularly communicating with Contracting Officers and vendors.
- Contribute to the development of Great American Outdoors Act (GAOA) project proposals by compiling and clearly presenting maintenance needs, costs, maps and specifications of district trails and recreation sites; compiled material and supply estimates for successful projects.
- Update and verify maintenance tasks and costing data for GAOA recreation and trails projects in NRM Infra Projects Module; collaborated with forest and district staff to ensure accuracy.
- Work closely with a local organization to initiate, build and manage a Master Participating Agreement under the Expanded Partnership Authority to provide for the sale of educational and interpretive items at three venues over a five-year period.
- Plan and direct the maintenance, opening, closing, signing, and patrol of public use sites; responsible for administering multiple areas of a recreation program including operation and maintenance of developed and dispersed sites, trails, and interpretive services; implement both annual and long-term work plans and monitored for target accomplishment.
- Assist cabins program in annual and deferred maintenance of remote public use cabins.
- Support ecology program by thinning uplifted lands on a remote island to promote old growth forest structure and create habitat for species recovering from the 1989 Exxon Valdez Oil Spill.
- Act as Fixed-Wing Flight Manager for district programs.
- Safely maintain firearm carrier certification.
- Develop two new requirements contracts to provide district-wide transportation services.
- Develop and monitor agreements in the NRM Grants and Agreements database; work closely with partners to successfully implement six Participating or Challenge Cost Share Agreements.
- Serve as RLMH Program Staff Officer as needed during supervisor's absence.
- Participate in three-week intensive in-person regional Middle Leader Program.
- Fulfilled GS-0401-07 detail from March to July 2021 as Recreation Specialist to complete the duties of Recreation Planner prior to attaining the position as a time limited promotion.

Supervisor: Dave Zastrow

Please contact at 907-424-4754 and david.zastrow@usda.gov

Chugach National Forest, Alaska – Cordova Ranger District
DEVELOPED RECREATION PROGRAM COORDINATOR. 40 h, 5 d/wk.

February 2017-February 2022
 GS-0462-06/07/08

Management Roles:

- Administered the operation and maintenance of district recreation program including developed and dispersed sites, trailheads, interpretive elements, and culturally significant areas.
- Hired, supervised and lead seasonal temporary employees, interns, and youth crews.
- Oversaw staffing and operation of visitor information site located in Valdez, Alaska.
- Selected and supported individual interns by planning and assigning work, establishing and communicating guidelines and expectations, and conducting performance reviews; facilitate involvement with community and partners to foster public engagement.
- Coordinated and lead SCA high school crews, developing project work and schedules, facilitating volunteer and educational opportunities, and coordinating with agency partners.
- Developed numerous partnership agreements with local organizations each year and facilitated conversations between four partner organizations to identify opportunities for collaboration.
- Implemented and monitored up to six Participating or Challenge Cost Share Agreements annually.
- Acted as Contracting Officer Representative on four district-wide service contracts.
- Purchased and accurately reconciled expenses as Government Purchase Card holder.
- Acted as sole Collection Officer on the district, managing revenue from a remote campground.
- Provided specialist reports for NEPA Categorical Exclusions.
- Participated in three-week intensive in-person regional New Leader Program.
- Served as RLMH Program Staff Officer as needed during supervisor's absence.
- Fulfilled GS-0462-08 detail as Recreation/Lands/Minerals/Heritage (RLMH) Program Staff Officer from February to June 2019. Position was responsible for recreation operations and planning support on Cordova Ranger District. Core program work included agreement/contract monitoring, recreation data collection, public information and education program delivery, developed recreation site operations and maintenance, cabin, trail, and road maintenance.

Administrative Duties:

- Coordinated with interdisciplinary staff and district program areas.
- Collaborated with Facilities and Trails Coordinators as needed.
- Communicated regularly with various user groups, special use permittees, and contractors in response to specific inquiries, regulations, or local opportunities.
- Participated in the development of plans for recreation area maintenance, rehabilitation, reconstruction, and construction in accordance with program objectives and policies.
- Engaged in project planning and completion including material purchasing, logistics, budget management, monitoring, and recording accomplishments.
- Coordinated and conducted National Visitor Use Monitoring field surveys.
- Attended national INFRA database training and act as regional INFRA-Trails trainer.
- Recorded trails program accomplishments and surveys in INFRA database.
- Initiated and developed operation plans for major information site and remote campground.
- Created district recreational sign inventory and update signs to uniform standard.
- Composed articles and radio announcements for program area news and events.
- Monitored drinking water at a remote site and completed monthly and annual water tests.
- Updated Job Hazard Analyses and conducted tailgate safety sessions.
- Submitted flight requests and float plans through forest dispatch.
- Created crew, project, and season reports.
- Actively engaged in Interpretation and Conservation Education regional meeting.
- Supported national INFRA Trails Helpdesk Team, resolving NRM Remedy tickets and participating in weekly national Trails Technical Team meetings.

Field Work:

- Planned, prioritized and implemented annual developed recreation program of work.
- Performed annual recreation site, building, and trail condition surveys.
- Planned, designed, ordered, installed, maintained, and inventoried district signs.
- Collaborated with trail crew to safely open, maintain, and close a remote campground.
- Assisted in the opening and closing of seasonally staffed informational site in Valdez.
- Assisted district trail crew and cabins program with construction and maintenance tasks.
- Developed public programs including guided hikes, oral presentations, and information tables.
- Collaborated with partners to develop and lead work projects and educational programs.
- Coordinated district-wide patrol of popular seasonal fishing site.
- Acquired and maintained firearm carrier certification.

Supervisor: Dave Zastrow

Please contact at 907-424-4754 and david.zastrow@usda.gov

Green Mountain National Forest, Vermont
FORESTRY TECHNICIAN (RECREATION). 40 h, 5 d/wk.

January 2015-February 2017

GS-0462-05/06

Routine Duties:

- Successfully worked with numerous partner organizations.
- Oversaw daily tasks of seasonal employees and volunteer crews.
- Engaged in self-directed completion of district-wide operation and management.
- Patrolled day use areas, dispersed sites, forest roads and campgrounds.
- Performed winter patrol by ski, snowshoe and snowmobile.
- Maintained high standards of cleanliness at facilities, parking areas, and trailheads.
- Picked up trash, cleaned toilets, repaired interpretive kiosks, and brushed trails.
- Collected fees, enforced compliance, and acted as liaison to campground hosts.
- Resolved arising campground issues such as plumbing leaks and equipment breaks.
- Collected water samples for sanitation compliance and maintained well water system.
- Assisted in staffing during high fire hazard days and prescribed burns.
- Assessed and felled hazard trees in developed recreation sites.
- Successfully employed radio communication.
- Inspected contractors' work.
- Maintained vehicle.

Additional Roles:

- Acted as forest-wide interpretive sign designer, training others in Adobe InDesign.
- Designed and installed interpretive wilderness trailhead signs.
- Co-lead forest-wide Climate Change Task Force.
- Actively engaged as district member of Sustainability and Climate Change teams.
- Represented Forest Service on committee for becoming an Appalachian Trail Town.
- Responded nationally to fire assignment as FFT2, California Gasquet Complex.
- Volunteered on new employee hiring panel and briefing book team for Chief's Review of Region 9.
- Temporarily promoted to a GS-06 level to fulfill duties as needed.
- Participated in three-week Forest Service International Programs trip to the Democratic Republic of the Congo to lead trail construction project in Kahuzi-Biega National Park. Lead a crew of twenty local men and women, communicating primarily in French, to impart basic concepts of trail construction and complete approximately two kilometers of trail, including route layout. Engaged in daily planning, acquisition of materials, accounting, and logistics. Assessed additional trails and compiled recommendations for future work according to park priorities.

Supervisor: Carol Knight – retired.

Please contact Danna Strout or the district office at 802-362-2307

Conservation Corps Minnesota and Iowa, Minnesota
CREW MEMBER. 40 h, 4 d/wk.

May 2014-January 2015

- Restored and improved ecosystems, trails, and facilities of Superior National Forest in conjunction with USDA Forest Service Faces of Tomorrow initiative.
- Lived and worked closely with a crew to effectively complete environmental stewardship projects by performing rigorous outdoor work in all weather conditions.
- Trail work included: constructing erosion control ditches, hauling gravel to maintain trails, clearing trail corridor, redefining trail corridor after disruption by timber activity, brushing trails, felling hazard trees, and constructing 40 feet of rock steps.
- Aquatic invasive species work included: canoeing and portaging over 50 miles of wilderness waterway, identifying and removing rusty crayfish using steel cone traps, marking and locating traps using GPS, recording data, and determining rate of spread as part of a multi-year project.
- Timber stand improvement work included: preparing 60 acres of timber stands for sale through independently selecting and marking trees for harvest according to silvicultural prescription, marking and measuring cruise trees, and hazardous fuels reduction of six acres in uneven terrain.
- Fire activities included: three prescribed burns totaling 250 acres, two days of pile burning with USFS fire crews, engaging in briefings, creating control lines using hand tools and hose, performing ignition using drip torches and grenades, and mop-up.
- Used and maintained tools including chainsaw, silkie saw, loppers, shovel, rock bar, grip hoist, rock sling, combi, McCloed, pulaski, and diameter-tape.
- Initiated and achieved two extensions for term of employment in order to continue timber sale prep. Marked an additional 600 acres in snow and winter conditions, accounting for tree paint, recording accurate field data, assisting in plot cruises, and single tree cruising over 80 trees.
- Assisted in nation-wide research project by measuring and recording weight, width, and diameters of tree discs and branches using scales and calipers, properly sorting, labeling, and packaging tree materials to ship for continuation of research.

Supervisor: Ashly Fairchild

Please contact at 612-219-5127 and ashly.fairchild@gmail.com

Private Family, Wisconsin

September 2013-January 2014

LIVE-IN NANNY and HOUSEHOLD ASSISTANT. 50 h, 6 d/wk.

- Supervised three children ages three, six, and eight in all aspects of daily routine.
- Completed household and seasonal tasks including cleaning, organizing, preparing healthy meals, harvesting and storing garden produce, and animal care.

Supervisor: Sigrid Helland

Please contact at 608-963-2727 and snhelland@gmail.com

Department of Environmental Conservation, New York
ASSISTANT FOREST RANGER. 40 h, 5d/wk.

May 2013-September 2013

- Patrolled 171,000 acres of wilderness within the Adirondack Park.
- Acted as solo ranger under minimal supervision, backpacking two to four nights each week.
- Initiated project to provide detailed recommendations for trail improvement. Achieved project goals by way-pointing location of trail elements, ranking condition and priority work, compiling data, and outlining a plan of action. Employed GPS in the field for navigation and data recording.
- Searched for and reported un-permitted camps, caches, and boats.
- Independently stabilized serious upper-body injury of visitor in a wilderness setting.
- Assisted in search and rescue operation in conjunction with park dispatch and law enforcement.
- Participated in helicopter, airboat, and white-water raft training.

Supervisor: David Kallen

Please contact at 518-866-4509 and dakallen@gw.dec.state.ny.us

Watters Financial Group, Wisconsin

February 2013-May 2013

ADMINISTRATIVE ASSISTANT. 32 h, 4d/wk.

- Responded promptly and accurately to frequent calls and emails from companies and clients.
- Prepared, updated, and submitted investment application materials, outgoing mail, and faxes.
- Initiated meticulous organization of client, product, and company files.
- Excelled in a high paced, information rich environment by assessing and meeting needs before requested and continually exceeding work expectations in a new setting.

Supervisor: Gary Roth

Please contact at 920-968-4632 and gary@wattersfinancialgroup.com

Mendoza and Chubut Provinces, Argentina

October 2012-December 2012

WWOOFing. 30 h, 5d/wk.

- Connected with hosts in World-Wide Opportunities on Organic Farms (WWOOF) organization.
- Lived and worked with two families, exchanging labor and knowledge for ethnic experiences and cost of living, participating in local traditions and activities.
- Participated in biodynamic composting, planting, harvesting, construction, and animal care.

Supervisor: Laura Manzano

Please contact at lauritamanzanito@yahoo.com.ar

Priest Lake State Park, Idaho

May 2012-September 2012

REGISTRATION SEASONAL. 40 h, 5d/wk.

- Arrived early to de-winterize northern park unit by replacing underground water valves, installing lake docks and swim buoys, and replacing plumbing fixtures.
- Organized, cleaned and prepared office and shop workspaces for arrival of seasonal employees.
- Greeted, oriented, and registered visitors at entrance kiosk, selling a variety of passes.
- Opened, closed, and transferred shifts. Operated ORMS Activeware registration system.
- Trained co-worker upon arrival in computer system and opening and closing of shifts.
- Performed daily campground checks, enforced compliance, and used radio communication.
- Developed and distributed trail map and area hike brochures.
- Marked and cleared hazard trees.
- Gained experience in emergency storm and medical situations, aiding in evacuation, information relay, visitor support, initial contact, and 911 relay.

Supervisor: Erin McKindree

Please contact at 208-683-2425

Zion National Park, Utah

May 2011-August 2011

INTERPRETATION INTERN. 40 h, 5d/wk.

- Researched, developed and presented interpretive walks, talks, and tours on cultural and ecological topics. Programs included shuttle tour, guided hike, drop-in program, and formal talks. Participation ranged from five to twenty-five visitors.
- Responsible for safety of children and adults during hikes and busy roadside shuttle stops.
- Interacted with a heavy influx of visitors during peak season at principal visitor centers. Desk tasks included opening buildings, updating bulletins, providing area information, assisting visitors with trip planning, and working with junior rangers.
- Contributed to collateral duties in resource organization and budget compilation.

Supervisor: Holly Baker

Please contact at 620-223-0310

Notable Courses

Practicum – Environmental Education, Interpretation, Professional Development.

Performed program duties individually and collaboratively at environmental camp and nature center. Wrote and presented lesson plans for 2nd to 12th grade classes. Developed, promoted, and presented interpretive programs for the public.

Integrated Resource Management Seminar. Investigated resource issues and developed, presented, and defended management plan with an interdisciplinary team.

European Environmental Studies Seminar – Germany, Poland, Iceland. Traveled through Europe for five-week field study focusing on environmental issues and management strategies of each country. Participated in water and biotic monitoring.

Environmental Seminar – Costa Rica: Tropical Ecology. Traveled to Costa Rica for three-week field study of tropical ecology. Actively kept detailed field journal.

Environmental Seminar – Tanzania: International Resource Management. Traveled to Tanzania for three-week field study of resource management and ecological structure.

French – Intermediate Conversation. Developed knowledge of the culture and language of France. Traveled to France for two-week cultural study and family stay.

Spanish. Tested into third year Spanish upon return from Argentina.

Dendrology and Forest Protection. Identified and studied ecology and classification of upper Midwest species. Analyzed biotic and abiotic agents impacting tree health.

Ornithology. Studied avian taxonomy, morphology, life histories, ecology, and research methods. Identified world bird orders and local species.

Collaborative Projects: Mock management plan for private property, management plan for public land, watershed conservation and social marketing plans, city interpretive plan.

Involvement	Sustainability Team - USFS Climate Change Task Force - USFS Lake Superior Wilderness Conference in Duluth, Minnesota Luncheon with the Chief of the Forest Service in Superior National Forest National Association for Interpretation (NAI) Conference in St. Paul, Minnesota Student Chapter of Environmental Educators and Naturalists Association (EENA)
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Volunteer Activities	International Wolf Center Overnight Monitoring Big Brothers Big Sisters Program Feed My Starving Children Habitat for Humanity Highway Cleanups REGI (Raptor Education Group, Inc.) Restoration Project Wehr Nature Center Annual Program Wild Rose Fish Hatchery Annual Education Event Library Aide at Seymour Community School District Tutor at Seymour Community Elementary School
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Awards and Recognition

Middle Leader Program Certificate of Completion 2023
 Certificate of Merit for contract development 2022
 Regional Forester's Award for contract coordination 2021
 Spot Award for partner crew coordination 2019
 Exceeds Expectations in Performance Evaluation 2018 & 2019
 New Leader Program Certificate of Completion 2018
 USDA Certificate of Merit 2016 & 2017
 Magna Cum Laude (96th percentile) 2011
 Published paper, Spring 2011 in UWSP online Student Natural Resource Journals,
Perspectives on Global Protected Areas: People vs. Protection
 Outstanding Resource Management Student Award 2011
 Outstanding Scholastic Achievement 2010
 High school valedictorian and Wisconsin All-State Scholar 2007

References

<p>Dave Zastrow – current supervisor RLMH Program Manager, USFS Cordova, AK 99574 Work: (907) 424-4754 david.zastrow@usda.gov</p> <p>Bobby Scribner – current peer Trails Coordinator, USFS Cordova, AK 99574 Work: (907) 424-4764 robert.scribner@usda.gov</p> <p>Anita Smyke – current direct report Recreation Technician, USFS Cordova, AK 99574 Cell: (907) 419-5801</p>	<p>Jennifer Wright – previous peer Recreation Specialist, USFS Washington Office Enterprise Program jennifer.wright@usda.gov</p> <p>Danna Strout – previous peer Recreation Specialist, USFS Manchester Center, VT 05255 Work: (802) 362-2307 ext. 7237 danna.strout@usda.gov</p> <p>Holly Knox – previous peer Recreation Program Manager, USFS Rutland, VT 05701 Work: (802) 747 6724 holly.knox@usda.gov</p>
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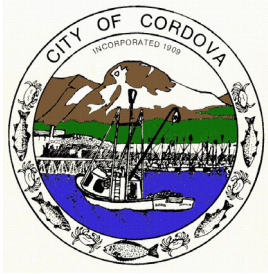


City Board or Commission Membership Application



Personal Information	
Name: Jim Fritsch	Date: May 9, 2024
Resident of Cordova? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	How Long? 25 years
Name of Partner (optional):	
Employer: Orca Adventure Lodge / Points North	Job Title: Guide/Captain
Contact Information	
Residence Address: 401 Fourth Street, Cordova AK 99574	
Mailing Address: PO Box 2291, Cordova AK 99574	
Cell Phone: 907-429-5535	Email Address: akguide@gmail.com
May we include your contact information on our webpage/in published meeting packets: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes, but not all	
If you answered "yes, but not all" above, please specify what we CAN include on webpage/in meeting packets:	
Affiliations	
Current membership in organizations: Sheridan Alpine Association. Member and Board member	
Past memberships in organizations:	
City Board(s) or Commission(s) in which you are interested: Parks and Recreation	
Why do you want to be involved with this Board or Commission? I believe Parks and Rec is a huge asset to our community. It supports health of all ages and enhances the beauty of our community. I would be honored to be part of its heartbeat.	
What experiences have you had, and/or what credentials do you possess, that would make your membership beneficial to the board or commission? I have been a member at Bidarki for as long as Ive lived here. I have also been a staff member. I have 2 kids at the JR/High School.	
Applications can be dropped off at City Hall or emailed to: cityclerk@cityofcordova.net	
Board/Commission Application Revised: 09/2019	

Jim Fritsch
Jim Fritsch (May 9, 2024 15:41 AKDT)



AGENDA ITEM 22
City Council Meeting Date: 5/15/24
CITY COUNCIL COMMUNICATION FORM

FROM: Samantha Greenwood, City Manager

DATE: 5/8/24

ITEM: Eyak Lake Weir

ORDINANCE
 MOTION

RESOLUTION
 INFORMATION

I. REQUEST OR ISSUE: Council action is needed to direct the City Manager to work with the State of Alaska toward a solution for ownership of the Eyak Lake Weir, which may include the City taking ownership. I will keep the Council informed of progress and bring agreements before them as necessary.

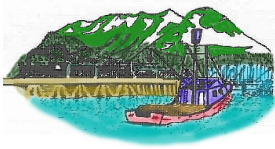
II. RECOMMENDED ACTION / NEXT STEP: Council suggested a motion “to direct the City Manager to negotiate with the State of Alaska toward a solution for the Eyak Lake Weir ownership, which may include the City taking ownership.”

III. FISCAL IMPACTS: If the City takes ownership, liability insurance will be required for the weir. The weir is not considered a dam by the State, and the Hydrology study indicates that if the weir were to fail, the reason of water would not create a flooding issue. If ownership went to the City, we would want a maintenance agreement with the State for the weir. Legal fees will be incurred for review.

IV. BACKGROUND INFORMATION: The weir is failing and needs to be replaced. Funding has been secured, and the work could begin as early as January 2025. However, without an official owner, environmental permits are not moving forward and grant funds for construction can not be accessed. I have met with Joe Kemp, ADOT Northern Region Director, and we believe that we can move the ownership issue forward in a timely manner to ensure that grant funding is not lost.

V. LEGAL ISSUES: I have talked with legal, and there are no glaring legal issues if the City takes ownership. The lawyers will review the agreement, which includes the City.

VI. SUMMARY AND ALTERNATIVES: The weir needs to be replaced. It is important to the City, including fish habitat, backup water source, recreation, and lake level management. It’s in the best interest of the City to be involved in this discussion to keep it moving forward so that funding is not lost.



City Council of the City of Cordova, Alaska
Pending Agenda
May 15, 2024 Regular Council Meeting

A. Future agenda items - topics put on PA with no specific date for inclusion on an agenda initially put on or revisited

- | | |
|--|-----------|
| 1) Public Safety Resources - discussion | 1/20/2021 |
| 2) Ordinance change (Title 4) to ensure Council has a role in CBA approval process | 9/6/2023 |
| 3) Council discussion about incentives for investment in Cordova | 11/3/2021 |
| 4) Revenues (head tax, mv fees, airline landing tax, etal) - explore alternate revenues in '24 | 12/6/2023 |
| 5) Res to legislature supporting adoption of stricter punishment for drug sales that cause overdose deaths | 6/15/2022 |
| 6) Facility condition assessments part 2 work session (did P&R on 4-19-23) - Oct '23 | 9/6/2023 |
| 7) City Code re: procurement, Manager spending limit trigger in a code provision | 4/19/2023 |
| 8) Discuss/create a policy for established timeframes for review of City ongoing contracts | 9/6/2023 |
| 9) Explore methods to capture tourism dollars by requiring arriving RVs to use paid facilities | 9/6/2023 |
| 10) Strategic planning work session (goal setting), to include Permanent Fund and other priorities | 2/21/2024 |
| 11) Bonding for City streets - explore for when asphalt plants will be in town during other projects | 4/3/2024 |

B. Resolutions, Ordinances, other items that have been referred to staff date referred

- | | |
|---|------------|
| 1) Disposal of PWSSC Bldg - referred until more of a plan for north harbor so the term of RFP would be known | 1/19/2022 |
| 2) Res 12-18-36 re E-911, will be back when a plan has been made | 12/19/2018 |

C. Upcoming Meetings, agenda items and/or events: with specific dates

- 1) Capital Priorities List, Resolution 01-24-01, is in each packet - if 2 council members want to revisit the resolution they should mention that at Pending Agenda and it can be included in the next packet for action
- 2) Staff quarterly reports will be in the following packets:

7/17/2024	10/16/2024	1/15/2025	4/16/2025
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- 3) Joint City Council and School Board Meetings - twice per year, May & October
 before Council mtg in **May** 6pm @ CHS before Sch Bd mtg **Oct. or Nov. 2024**
- 4) Clerk's evaluation - each year in **Feb** (before Council changeover after Mar election) - next **Feb '25**
- 5) Manager's evaluation - each year in **Jan** - next one **Jan '25**
- 6) In **May** each year City will provide public outreach regarding beginning of bear season photo by Wendy Ranney
- 7) Code rewrite Titles 5 & 7 - Work Sessions with City attorneys ongoing **1Q '24**
- 8) Each year in **June** Council will approve by Resolution, the School's budget and City's contribution
- 9) In person attendance requirements for Council members - staff direction action item **5/15/24** meeting



8/3/2022

D. Council adds items to Pending Agenda in this way:

item for action	tasking which staff: Manager/Clerk?	proposed date
1) ...		
2) ...		
3) ...		

Mayor Allison 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.



City Council of the City of Cordova, Alaska
Pending Agenda
May 15, 2024 Regular Council Meeting

E. Membership of existing advisory committees of Council formed by resolution:

- 1) Fisheries Advisory Committee:**

<p>re-auth res 01-20-04 approved Jan 15, 2020</p> <p>auth res 04-03-45 approved Apr 16, 2003</p>	<p>1-John Williams (fisheries educ/Mar Adv Prgm)</p> <p>3-vacant (processor rep)</p> <p>5-Chelsea Haisman (fish union/CDFU)</p>	<p>2-Jeremy Botz (ADF&G)</p> <p>4-Jim Holley (marine transportation/AML)</p> <p>6-Tommy Sheridan (aquaculture)</p>
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- 2) Cordova Trails Committee:**

<p>re-auth res 11-18-29 app 11/7/18</p> <p>auth res 11-09-65 app 12/2/09</p>	<p>1-Elizabeth Senear</p> <p>3-Dave Zastrow</p> <p>5-Stormy Haught</p>	<p>2-Toni Godes</p> <p>4-Ryan Schuetze</p> <p>6-Michelle Hahn</p>
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- 3) Fisheries Development Committee:**

<p>authorizing resolution 12-16-43</p> <p>reauthotrization via Res 11-19-51</p> <p>approved 11/20/2019</p>	<p>1-Warren Chappell</p> <p>4-Gus Linville</p> <p>7- Ron Blake</p>	<p>2-Andy Craig</p> <p>5-vacant</p> <p>8- John Whissel</p>
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F. City of Cordova appointed reps to various non-City Boards/Councils/Committees:

- 1) Prince William Sound Regional Citizens Advisory Council**

David Janka	appointed March 2024	2 year term until May 2026
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- 2) Prince William Sound Aquaculture Corporation Board of Directors**

vacant	re-appointed October 2021	3 year term until Sept 2024
	re-appointed October 2018	
	appointed February 2017-filled a vacancy	

- 3) Alaska Mariculture Alliance**

Sean den Adel	appointed March 2024	no specific term
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**CITY OF CORDOVA, ALASKA
RESOLUTION 01-24-01**

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

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

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

Port and Harbor

North Harbor Efficiency and Safety

Stabilize Breakwater Ave through sheet piling to create usable uplands for industrial, commercial, Harbor and associated uses.

Improve pedestrian safety by creating a sidewalk and boardwalk system to navigate between the north and south harbors.

Provide additional cranes, laydown areas, and in-harbor fuel services.

Waste Oil/Maintenance Building

Shipyard Expansion

Harbor Basin Expansion

Water Upgrades

Improve water delivery during peak water usage.

Booster station at Murchison tank to improve water delivery during peak flow.

Permanent siphon at Crater Lake to improve water delivery during peak flow.

Upgrade Pipe Infrastructure.

Upgrade pump stations and equipment.

Feasibility Study services and Fire Protection (hydrants) to Outlying Areas

Water distribution upgrades

Sewer Upgrades

Replacement/upgrade of Wastewater plant and Scada.

Replacement/Upgrades of Lift Stations.

Replacement of Force main in Odiak Slough.

Upgrade Pipe Infrastructure.

Streets Infrastructure and Equipment

6th and 7th Streets Upgrades

Chase Avenue Upgrades

Replace/Upgrade pedestrian walkways (4th and Adams) (Council Street), and (2nd Street to Main)

Wheeled Loader

Road Grader

Backhoe

Water Services and Fire Protection (hydrants) to Outlying Areas – Feasibility Study

Public Safety

E-911 Implementation

Acquire and integrate new hardware to fully utilize the new E-911 addressing.

Replace Failing RMS

Replace Dispatch Console

Replace Radio Structure on Ski Hill

Engineering and Preliminary Design of Public Safety Building

Prep Site

Recreational Safety and Development

- Pool Infrastructure
 - Door and Siding Replacements and CMU Joint Repairs
 - Pool Cover Replacement
 - Pool Roof Replacement
 - Ventilations Remodel/Replacement
 - Electrical Distribution System Replacement
 - ADA Compliance and Parking Area re-grade.

- Bidarki Recreation Center
 - Structural Repair
 - Code and Ada Compliance
 - Facility Improvements

- Eyak Lake Skater’s Cabin
 - Demolish and replace.

- Playground Renovations
 - Replacement of swing set at Noel Pallas Children’s Memorial Playground

- Parks Restrooms/Buildings/Structures
 - Ballfield/Cordova Municipal Park Restroom/Concession Stand – Code and ADA Compliance
 - Fleming Spit Restroom Replacement
 - Odiak Pond Boardwalk and Gazebo – Code and ADA Compliance
 - Odiak Camper Park Restrooms/Facility Improvements – Code and ADA Compliance.
 - Parks Maintenance Shop Facility Improvements – Code Compliance

- Ski Hill Improvements

Land Development

- Housing
- Cold Storage
- Harbor Basin Expansion

and;

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

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

PASSED AND APPROVED THIS 17th DAY OF JANUARY 2024



[Handwritten signature of David Allison]

David Allison, Mayor

ATTEST:







[Handwritten signature of Susan Bourgeois]

Susan Bourgeois, CMC, City Clerk

most recently approved capital improvements list

May 2024

CALENDAR MONTH	MAY
CALENDAR YEAR	2024
1ST DAY OF WEEK	SUNDAY

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	30	1	2	3	4
			<div style="border: 1px solid black; padding: 2px;"> canceled for event @ cdv ctrr 7:00 Council reg mtg CCAB </div>			
5	6	7	8	9	10	11
			<div style="border: 1px solid black; padding: 2px;"> 6:00 Harbor Cms CCAB 7:00 Sch Bd HSL </div>		<div style="border: 1px solid black; padding: 2px; transform: rotate(-15deg);"> CORDOVA SOUTH HARBOR COMMISSIONING CELEBRATION May 17, 2024 at 5 pm </div>	
12	13	14	15	16	17	18
			<div style="border: 1px solid black; padding: 2px;"> 6:30 P&Z CCAB </div>	<div style="border: 1px solid black; padding: 2px;"> 7:00 Council reg mtg CCAB </div>	 opening day 5/18	
19	20	21	22	23	24	25
		<div style="border: 1px solid black; padding: 2px;"> 5:30 CTC Board Meeting CCER </div>				
26	27	28	29	30	31	1
<div style="border: 1px solid black; padding: 2px; transform: rotate(-15deg);"> HURTIGRUTEN EXPEDITIONS </div>	 <div style="border: 1px solid black; padding: 2px;"> City Hall Closed Memorial Day Holiday 5/27 </div>	<div style="border: 1px solid black; padding: 2px;"> 6:00 P&R CCM </div>	<div style="border: 1px solid black; padding: 2px;"> 6:00 CEC Board Mtg CCER </div>	<div style="border: 1px solid black; padding: 2px;"> 6:00 Hosp Svc Bd HCR </div>		

Roald Amundsen
 in Cdv 5/27
 2-10pm

Notes

Legend:
 CCAB-Community Rms A&B
 CCM-Mayor's Conf Rm
 HSL-High School Library
 CCA-Community Rm A

CCB-Community Rm B
 CCM-Mayor's Conf Rm
 CCER-Education Room









LN-Library Fireplace Nook
 CRG-Copper River Gallery
 HCR-CCMC Conference Room

Cncl - 1st & 3rd Wed
 P&Z - 2nd Tues
 SchBd, Hrb Cms - 2nd Wed
 CTC - 3rd Tues

P&R - last Tues
 CEC - 4th Wed
 Hosp Svcs Bd - last Thurs

June 2024

CALENDAR MONTH	JUNE
CALENDAR YEAR	2024
1ST DAY OF WEEK	SUNDAY

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	31	1
						
2	3	4	5	6	7	
						 
			7:00 Council reg mtg CCAB			
9	10	11	12	13	14	15
			6:00 Harbor Cms CCAB 7:00 Sch Bd HSL			
		6:30 P&Z CCAB				
16	17	18	19	20	21	22
			 City Hall Closed Juneteenth Holiday 6/19			
		5:30 CTC Board Meeting CCER	7:00 Council reg mtg CCAB	Road Amundsen in Cdv 6/20 2-10pm		
23	24	25	26	27	28	29
		6:00 P&R CCM	6:00 CEC Board Mtg CCER	6:00 Hosp Svc Bd HCR		
30	1		Notes Legend: CCAB-Community Rms A&B HSL-High School Library CCA-Community Rm A	CCB-Community Rm B CCM-Mayor's Conf Rm CCER-Education Room	LN-Library Fireplace Nook CRG-Copper River Gallery HCR-CCMC Conference Room	Cncl - 1st & 3rd Wed P&Z - 2nd Tues SchBd, Hrb Cms - 2nd Wed CTC - 3rd Tues
						P&R - last Tues CEC - 4th Wed Hosp Svcs Bd - last Thurs

City of Cordova, Alaska Elected Officials & Appointed Members of City Boards and Commissions

Mayor and City Council - Elected

seat/length of term	email	Date Elected	Term Expires
Mayor: 3 years	David Allison Mayor@cityofcordova.net	March 1, 2022	March-25
Council members:			
Seat A: 3 years	Tom Bailer CouncilSeatA@cityofcordova.net	March 1, 2022 March 5, 2019	March-25
Seat B: 3 years	Cathy Sherman CouncilSeatB@cityofcordova.net	March 7, 2023 March 3, 2020	March-26
Seat C: 3 years	Kasey Kinsman CouncilSeatC@cityofcordova.net	March 7, 2023	March-26
Seat D: 3 years	Wendy Ranney CouncilSeatD@cityofcordova.net	March 5, 2024 July 5, 2023	March-27
Seat E: 3 years	David Zastrow CouncilSeatE@cityofcordova.net	March 5, 2024	March-27
Seat F: 3 years	Kristin Carpenter CouncilSeatF@cityofcordova.net	March 1, 2022	March-25
Seat G: 3 years	Ken Jones CouncilSeatG@cityofcordova.net	March 1, 2022	March-25

elected by cncl

Cordova School District School Board of Education - Elected

length of term		Date Elected	Term Expires
3 years	Barb Jewell, president bjewell@cordovasd.org	Mar 1, 2022, Mar 5, 2019, Mar 1, 2016, Mar 5, 2013	March-25
3 years	Henk Kruithof hkruithof@cordovasd.org	March 5, 2024 March 2, 2021	March-27
3 years	Terri Stavig tstavig@cordovasd.org	March 1, 2022	March-25
3 years	Peter Hoepfner phoepfner@cordovasd.org	Mar 5, 2024, Mar 2, 2021, Mar 6, 2018, Mar 3, 2015, Mar 6, 2012, Mar 3, 2009, Mar 7, 2006	March-27
3 years	David Glasen	March 7, 2023	March-26

seat up for re-election in Mar '25	vacant
board/commission chair	
seat up for re-appt in Nov '24	

(updated 04-03-24)

City of Cordova, Alaska Elected Officials & Appointed Members of City Boards and Commissions

Hospital Services - Board of Directors - Elected

length of term		Date Elected	Term Expires
3 years	Diane Ujioka CCMCBoardSeatC@cdvcmc.com	March 5, 2024 December 19, 2023	March-27
		elected by board	
3 years	Ann Linville CCMCBoardSeatA@cdvcmc.com	March 1, 2022	March-25
3 years	vacant CCMCBoardSeatB@cdvcmc.com	March 7, 2023 March 24, 2022	March-25
		elected by board	
3 years	Liz Senear CCMCBoardSeatD@cdvcmc.com	March 5, 2024 March 2, 2021	March-27
3 years	Kelsey Appleton Hayden, Chair CCMCBoardSeatE@cdvcmc.com	March 7, 2023 March 3, 2020	March-26

Library Board - Appointed

length of term		Date Appointed	Term Expires
3 years	Mary Anne Bishop, Chair	Nov '06, '10, '13, '16, '19, Dec '22	November-25
3 years	Debra Adams	Dec '21	November-24
3 years	Sherman Powell	June '18, Feb '20, Jan '23	November-25
3 years	Mark Donachy	Dec '23	November-26
3 years	Krysta Williams	Feb '18, Dec '20, Dec '23	November-26

Planning Commission - Appointed

length of term		Date Appointed	Term Expires
3 years	Kris Ranney	Dec '22	November-25
3 years	Mark Hall, Vice Chair	Nov '19, Dec '22	November-25
3 years	Sarah Trumblee	Dec '20, Dec '23	November-26
3 years	Tania Harrison, Chair	Mar '22	November-24
3 years	Gail Foode	Dec '23	November-26
3 years	Chris Bolin	Sep '17, Nov '18 Dec '21	November-24
3 years	Sean Den Adel	Dec '23	November-26

seat up for re-election in Mar '25

vacant

board/commission chair

City of Cordova, Alaska Elected Officials & Appointed Members of City Boards and Commissions

Harbor Commission - Appointed

length of term		Date Appointed	Term Expires
3 years	Ryan Schuetze	Dec '23	November-26
3 years	Andy Craig, Chair	Nov '16, '19 & Dec '22	November-25
3 years	Garrett Collins	Dec '23	November-26
3 years	Ken Jones	Feb '13, Nov '16, Nov '19, Dec '22	November-25
3 years	Christa Hoover	Dec '21	November-24
3 years	Hein Kruithof	Dec '23	November-26
3 years	Tommy Sheridan	Sept '22	November-24

Parks and Recreation Commission - Appointed

length of term		Date Appointed	Term Expires
3 years	<i>vacant</i>		November-24
3 years	Henk Kruithof	Nov '19, Dec '22	November-25
3 years	Aaron Hansen, Chair	Dec '21	November-24
3 years	Kara Rodrigues	Dec '23	November-26
3 years	Marvin VanDenBroek	Feb '14, Nov '16, Nov '19, Dec '22	November-25
3 years	Jason Ellingson	Mar '23	November-25
3 years	<i>vacant</i>		November-26

Historic Preservation Commission - Appointed

length of term		Date Appointed		Term Expires
3 years	Kris Ranney, PC member	Mar '23	appt'd by PC	November-25
3 years	Heather Hall, professional member	Aug '16, Feb '20, Mar '23		November-25
3 years	Sylvia Lange, NVE member	Nov '22, Nov '19	appt'd by NVE	November-25
3 years	Christy Mog, professional member	Dec '23		November-26
3 years	Ashley Bivin, historical society member	Dec '23		November-24
3 years	Nancy Bird, professional member	Nov '17, Nov '18		November-24
3 years	Jim Casement, public member	Dec '21		
		Dec '23		November-26

seat up for re-election in Mar '24	<i>vacant</i>
board/commission chair	
seat up for re-appt in Nov '24	

(updated 04-03-24)