

City of Valdez

*212 Chenega Ave.
Valdez, AK 99686*



DRAFT- Meeting Minutes

Tuesday, July 15, 2025

7:00 PM

Regular Meeting

Council Chambers

City Council

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

Mayor Fleming called the meeting to order at 7:02 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: 5 - Mayor Dennis Fleming
Council Member Austin Love
Council Member Jimmy Devens
Council Member Joseph Lally
Council Member Joy Witte

Absent: 2 - Council Member Dom Lumba
Council Member Olivia Foster

Also Present: City Manager Nathan Duval
City Clerk Sheri Pierce
Deputy City Clerk Elise Sorum-Birk

IV. APPROVAL OF MINUTES

1. Approval of Minutes for Regular Council Meeting of March 5, 2024

The regular meeting minutes of March 5, 2024, were approved by consent.

V. PUBLIC APPEARANCES

1. Public Appearance: Valdez Adventure Alliance

Valdez Adventure Alliance Executive Director Lanette Oliver provided an update on the organization's activities related to the Worthington Glacier and the Shoup Bay trail.

VI. PUBLIC BUSINESS FROM THE FLOOR

Faith Revel, Valdez Museum, thanked the City Council and City of Valdez for all the support during her 14-year tenure as the educator at the museum and expressed gratitude for her years in Valdez.

VII. CONSENT AGENDA

- 1. Proclamation: Coast Guard Day**
- 2. Proclamation: Recognizing July 2025 as National Parks and Recreation Month**
- 3. Appointment to Beautification Commission - Applicant: Kathy Nielsen**

MOTION: Lally moved, seconded by Devens, to approve the consent agenda.

VOTE ON MOTION:

Yays: 5 - Fleming, Love, Devens, Lally and Witte

Absent: 2 - Foster and Lumba

MOTION CARRIED.

VII. NEW BUSINESS

- 1. Accept Resignation from City Council Member Dom Lumba**

MOTION: Love moved, seconded by Lally, to accept the resignation of Council Member Lumba.

City Clerk Sheri Pierce outlined ways in which Council had filled vacant seats previously. Council gave direction to the Clerk to solicit letters of interest from the public in order to fill the vacancy.

VOTE ON MOTION:

Yays: 5 - Fleming, Love, Devens, Lally and Witte

Absent: 2 - Foster and Lumba

MOTION CARRIED.

- 2. Discussion Item: Department Operations Reports**

City Manager Duval and Finance Director Jordan Nelson reviewed the department operations report included in the packet and received feedback on which departments

City Council wished to hear more from during the annual budget process.

Council Member Foster joined the meeting remotely at 7:28 p.m.

Departments and topics identified for further review were:

- Community Development – Additional details on budget request for the comprehensive plan refresh, mobile home replacement code and platting grant program.
- Economic Development – Budget requests, overall department trajectory and implementation of the economic strategic plan.
- Harbor – Revenue and budgeting strategies.
- HR – Cost drivers related to personnel shifts, cost increases of benefits and employee recruitment and retention metrics.
- Law Enforcement – Nuisance abatement and code enforcement efforts and update on efficacy of snow removal fines.
- Port – Direction and scope of waterfront master plan revision.
- Utility Fund – Operating subsidy and rates.
- Streets and Shop – Budget request for additional mechanic, snow removal and overview of equipment.

Council Member Love voiced appreciation of the new strategy but noted that additional details related to operations and performance would be beneficial for decision making. He suggested that the percentage of the budget spent in the third quarter by department and service level metrics be included.

Mayor Fleming asked for additional information related to the use of overtime hours.

City Manager Duval encouraged Council Members to reach out with specific questions related to the departmental budget process and thanked Council for the feedback.

3. Approval of Memorandum of Understanding with Valdez Avalanche Center

MOTION: Lally moved, seconded by Love to approve the Memorandum of Understanding with the Valdez Avalanche Center.

Council Member Love inquired whether the agreement already existed or was new. City Manager Duval noted that it was intended to formalize processes that had been informally carried out prior.

Love asked about if parameters could be put in place through the agreement requiring the Valdez Avalanche Center (VAC) to collect certain types of weather data.

Duval explained that the agreement was more specific to facility maintenance consideration and suggested that a better understanding of Council's expectations and additional conversation with VAC would be needed if more detailed requirements were to be outlined.

Duval further noted that the VAC might request funding to offset the cost of collecting weather data through the Community Service Organization process and additional parameters could be placed on data collection by the City Council during that review process. Finance Director Jordan Nelson added detail.

Love suggested a discussion with VAC prior to adopting the MOU to ensure that the needs of both organizations were addressed proactively.

Council Member Lally asked about the level of information provided by the VAC historically and costs associated with requesting additional information or data collection.

MOTION TO POSTPONE: Love moved, seconded by Lally, to postpone consideration of the Memorandum of Understanding with the Valdez Avalanche Center to the next regular meeting.

Council Member Love noted an additional desire to discuss location of data collection and the need to have useful weather information for the city.

City Clerk Sheri Pierce asked about the scope of the MOU and City Manager Duval noted that, as drafted, it was specific to the facility and not the operations.

Duval touched on other local weather data collection efforts and noted that the existing facility had been inherited from the National Weather Service. He asked for and received clarification from Love as to what information was being sought related to postponement of the MOU.

City Clerk Pierce asked if Council Member Love's intent was to broaden the MOU to include operational requirements and sought confirmation that the original goal of the agreement was related to facility upkeep. Finance Director Nelson confirmed that the scope of the agreement was initially limited to facility considerations but could be broadened if Council desired.

VOTE ON MOTION TO POSTPONE:

Yays: 5 - Fleming, Love, Foster, Lally and Witte

Nays: 1 - Devens

Vacant: 1

MOTION CARRIED.

4. Approval to Purchase 2025 Ford F550 Mini Rear Load Truck in the Amount of \$181,459.10

MOTION: Lally moved, seconded by Love, to approve the purchase of 2025 Ford F550 Mini Rearload Truck an amount of \$181,459.10.

VOTE ON MOTION:

Yays: 6 - Fleming, Love, Devens, Foster, Lally and Witte

Vacant: 1

MOTION CARRIED

IX. ORDINANCES**1. #25-07- Amending Chapter 2.24 of the Valdez Municipal Code Titled Code of Ethics. Second Reading. Adoption.**

MOTION: Devens moved, seconded by Witte, to approve Ordinance 25-07 in second reading for adoption.

VOTE ON MOTION:

Yays: 6 - Fleming, Love, Devens, Foster, Lally and Witte

Vacant: 1

MOTION CARRIED.

2. #25-08 - Repealing Chapter 10.20 of the Valdez Municipal Code Titled Recreational Vehicle Parks and Tent Campgrounds and Enacting Chapter 12.14 of the Valdez Municipal Code Entitled Recreational Vehicles and Tent Camping. Second Reading. Adoption.

MOTION: Lally moved, seconded by Love, to approve Ordinance 25-08 in second reading for adoption.

Magdalena McCay, Valdez resident, shared concerns about the overall increase of overnight camping in undesignated areas.

VOTE ON MOTION:

Yays: 6 - Fleming, Love, Devens, Foster, Lally and Witte

Vacant: 1

MOTION CARRIED.

3. #25-09 - Amending Chapter 3.30 Titled Oil and Gas Exploration, Production, Pipeline Transportation and Spill Prevention and Response Property Tax. Second Reading. Adoption.

Gavel passed to Mayor Pro Tem Love

MOTION: Devens moved, seconded by Witte, to approve Ordinance 25-09 in second reading for adoption.

VOTE ON MOTION:

Yays: 5 - Love, Devens, Foster, Lally and Witte

Abstained: 1 - Fleming

Vacant: 1

MOTION CARRIED.

4. #25-10 - Authorizing an Amendment to the Zoning Map to Effect a Change to Lot 2, Tract 3, USS 3538, Plat 2003-7 to Neighborhood Mixed Use. First Reading. Public Hearing.

MOTION: Love moved, seconded by Lally, to approve Ordinance 25-10 in first reading for public hearing.

Council Member Devens asked about why the property was not already classified as neighborhood mixed use. Community Development Director Huber noted that she was not familiar with the history of why the lot had initially been zoned as commercial, noting that there were a variety of zoning types in the area. City Manager Duval highlighted that properties had not been required to change zoning types when the code update took place. Devens suggested that the Community Development Department reach out to the owners of the other commercial property in the same area.

Council Member Witte asked about the plan for snow storage moving forward and Community Development Director Huber detailed the future subdivision process and confirmed that a future conversation was needed on the topic.

Council Member Love wished the property owners luck and complimented the

alignment of the proposal with the comprehensive plan.

VOTE ON MOTION

Yays: 6 - Fleming, Love, Devens, Foster, Lally and Witte

Vacant: 1

MOTION CARRIED.

X. RESOLUTIONS

1. #25-31 - Releasing Public Access Interest in a 60-Foot-Wide Easement That Extends North/South Along the Entire Western Side of Lot 5A Sleepy Hollow Addition No.4

MOTION: Love moved, seconded by Witte, to approve Resolution 25-31.

VOTE ON MOTION:

Yays: 6 - Fleming, Love, Devens, Foster, Lally and Witte

Vacant: 1

MOTION CARRIED.

2. #25-32 - Authorizing the Submission of a 2025 Rasmuson Foundation Tier One Grant Application for the Multi-Phase Wayfinding Project

MOTION: Lally moved, seconded by Witte, to approve Resolution 25-32.

Council Member Love asked about the concept of disposable murals and received clarification that the goal was to create art pieces that would have a natural life span and not be replaced.

VOTE ON MOTION:

Yays: 6 - Fleming, Love, Devens, Foster, Lally and Witte

Vacant: 1

MOTION CARRIED.

3. #25-33 - Opposing Proposed Changes to the Definition of Local Contributions Under Title 4 Chapter 9 of Alaska Administrative Code

MOTION: Devens moved, seconded by Witte, to approve Resolution 25-33.

City Manager Duval provided context on the proposed change in the Alaska Department of Education and Early Development regulations to the definition of “local contributions”

and explained the direct financial impact to local schools and in-kind services that would be considered as contributions if the change were adopted.

Council Member Love asked about the public comment process and timeline for the state school board.

Valdez City Schools Superintendent Jason Weber provided additional details about the state school board's consideration process and the far-reaching negative impacts that the regulatory change would have on the school district and community partnerships.

Mayor Fleming noted that, while there wasn't a legal remedy, there was a need for ongoing city engagement on the topic as the proposal progressed.

City Manager Duval highlighted the need for future legislative efforts.

VOTE ON MOTION:

Yays: 6 - Fleming, Love, Devens, Foster, Lally and Witte

Vacant: 1

MOTION CARRIED.

XI. REPORTS

1. Auction Report: 2011 Bobcat S100 Skid Steer

2. 2025 Valdez Visitor Report & 2025 Valdez Business Climate Survey

Council Member Love noted appreciation for the report being completed.

3. Community Service Organization Committee Report

Pros and cons of target funding levels for organizations remaining at 75% of Valdez program cost versus reducing the target to 50% were discussed and consensus was reached for reducing the target to 50% noting that case-by-case exceptions could be considered. The City Council also consented to have the Community Service Organization Committee weigh in on city sponsored events in the future.

4. Verbal Report: Monthly Projects Update

Acting Capital Facilities Director Scott Benda provided an update on the progress of ongoing city capital projects and fielded questions from council members.

XII. CITY MANAGER / CITY CLERK / CITY ATTORNEY / MAYOR REPORTS**1. City Manager Report**

City Manager Nate Duval added to his written report by thanking Faith Revel for her service at the Museum and complimenting Parks, Recreation and Cultural Services staff on their work. Duval detailed a conversation with the college and noted that the construction program was looking for a home to renovate. He also touched on the outcomes of the Director's Retreat and highlighted a plan to streamline processes. Duval thanked property owners who were going through planning and zoning processes for their patience and reported concerns about a bear in the Alpine Woods neighborhood.

Council Member Love asked for and received an update on Ravn operations and the Essential Air Service order from the U.S. Department of Transportation.

2. City Clerk Report

City Clerk Sheri Pierce encouraged members of the public to apply for the two vacancies on the Beautification Commission. Pierce also noted that the planned state and federal summer policy maker visit would not take place in 2025 due to scheduling conflicts and the legislature's August special session.

3. City Attorney Report

City Attorney Jake Staser provided Council with legal updates on:

- The Valdez Marine Terminal Contingency Plan renewal.
- VMC 3.30 appeals in the Superior Court and before the Board of Equalization.
- Implications of the Supreme Court ruling in *City of Valdez vs. Regulatory Commission of Alaska* and efforts related to accessing Hilcorp's financial information.
- Ongoing cases on escaped property issues.
- A wrongful termination suit filed by a former city employee.

4. City Mayor Report

Mayor Fleming commented on the successful Fourth of July festivities and thanked city staff for their efforts, specifically noting the hard work of the Parks, Recreation and Cultural Services staff.

XII. COUNCIL BUSINESS FROM THE FLOOR

Several council members complimented the efforts of city staff in organizing the Fourth of July celebration and acknowledged Faith Revel's many years of service to the museum and the community as an educator.

Council Member Love complimented the organizers of the Fireweed 200 and thanked them for working with the city on permits.

Council Member Lally thanked Community Development Director Huber and the consultants from Agnew Beck for the Housing Needs Assessment presentation.

Council Member Witte encouraged the public to submit letters of interest to fill the City Council vacancy.

XIV. ADJOURNMENT

Mayor Fleming adjourned the meeting at 9:15 p.m.