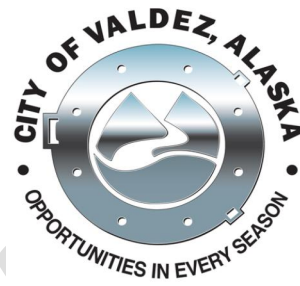


City of Valdez

212 Chenega Ave.
Valdez, AK 99686



Meeting Minutes - Draft

Monday, December 16, 2019

7:00 PM

Regular Meeting

Council Chambers

Ports and Harbor Commission

REGULAR AGENDA - 7:00 PM**I. CALL TO ORDER**

Chair Swanson called the meeting to order at 7:00 p.m. in Valdez City Council Chambers.

II. ROLL CALL

Present 4: Chair Mark Swanson
Commission Member Colleen Stephens
Commission Member Stu Hirsch
Commission Member Alan Steed

Excused 3: Commission Member Ryan Sontag Jr.
Commission Member Steve Cotter
Commission Member Tim Bouchard

Also Present 4: Port and Harbor Director Jeremy Talbott
Port Operations Manager Jenessa Ables
Harbormaster Sarah Von Bargaen
Office Manager Karisa Friend

III. PUBLIC BUSINESS FROM THE FLOOR

There was no public business from the floor.

IV. NEW BUSINESS**1. Approval of a Recommendation to City Council to Authorize a Lease with Valdez Motor Sports Club, Inc. for a 10-Acre Portion of USS 439 (Pipe yard)**

MOTION: Commission Member Steed moved, seconded by Commission Member Hirsch, to approve a recommendation to City Council to authorize a lease with the Valdez Motor Sports Club, Inc. for a 10-acre portion of USS 439 (Pipe yard) with the following conditions: 1. Staff recommends the new lease agreement contain a non-exclusive use clause allowing for similar compatible uses in the lease area and unrestricted access to other recreational users of the area. 2. Staff recommends that the new lease agreement contain a section expressly stating that the City has the right to use any portion of this 10-acre portion of USS 439 for Port Operations, or other City uses as necessary. 3. Staff recommends that the lease agreement prohibit the Motor Sports Club from enclosing or otherwise blocking off the lease area, moving any earth so as to create ramps, etc., or constructing or placing any structures on their lease site without written permission from the City. Any changes to the use permitted under this recommendation will require a lease amendment and approval by City Council. 4. Staff recommends that the lease can be terminated within 30-days written notice to the lessee, with or without cause. 5. Staff recommends that access to Port storage buildings and facilities remain unrestricted and the area unenclosed. 6. Per VMC 17.08.170, no subleasing or assignment of the lease shall be permitted. The motion carried by the following vote after the following discussion occurred.

Chair Swanson stated he had questions about the packet and the recommendations from Port and Harbor Staff, the first recommendation was a non-exclusive use clause allowing similar compatible uses in the area and unrestricted access to recreational users of the area. His question was would the new use permit be the same as old use permit, he did not see the current one, just the old one signed by the previous Mayor.

Nicole LeRoy, Planning Department, stated there will be a new lease agreement following the standard lease document and the Planning Department would insert any recommendations that the Commission would like to include. Ms. LeRoy did recommend the non-exclusive use statement remain. Chair Swanson asked what compatible uses would be. Mr. Talbott stated others will recreate with bikes and take photos in the summer.

Chair Swanson confirmed this will be approved with the recommendations from Staff. His second question was will the Valdez Snow Machine Club be responsible for all snow removal. Chair Swanson referred to a letter from the Public Works Director, they say they are not sure they can remove the snow but have done it in the past. Chair Swanson said it was confusing, would City be removing snow or not.

Commission Member Steed stated he read the statement the same was but in addition read that any request from the Valdez Snow Machine Club for any additional snow removal may need further review. Commission Member Steed stated it would seem the Public Works Department would continue to do what they have done. Chair Swanson stated the lease says clearly the City is not responsible for any snow removal.

Ken Lares, Valdez Snow Machine Club, said the statement goes with standard snow removal. Mr. Lares said there is an 'in kind' services request for the Mayors Cup. The request is to the City for services that included snow removal and it is standard and they do it every year. Chair Swanson confirmed that the old contract would be fine and if there is any additional help needed they would just be asked and they will say yes or no.

Chair Swanson asked if there were any additional questions or comments.

Chair Swanson asked about the previous terminology and 'land use permit' seems closer to what is being proposed and with the provisions the City retains the right to use the land as needed.

Kate Huber, Planning Department Director, stated land use permits on not specifically called out in Valdez Municipal Code which is why 'land use agreement' was selected.

There being no further discussion, Chair Swanson invited a vote on the motion.

VOTE ON THE MOTION:

Yays – 4: Chair Swanson, Commission Member Stephens, Commission Member Steed, Commission Member Hirsch

Excused – 3: Commission Member Sontag, Commission Member Cotter, Commission Member Bouchard

2. #20-06 - Naming Rates and Fees for Use of Facilities in the Valdez Harbors and Repealing Resolution No. 17-44 Naming Such Rates and Fees

MOTION: Commission Member Hirsch moved, seconded by Commission Member Stephens, to approve recommendation to City Council to name rates and fees for use of facilities in the Valdez Harbors and repeal Resolution No. 17-44 naming such rates and fees. The motion carried by the following vote after the following discussion occurred.

There being no discussion, Chair Swanson invited a vote on the motion.

VOTE ON THE MOTION:

Yays – 4: Chair Swanson, Commission Member Stephens, Commission Member Steed, Commission Member Hirsch

Excused – 3: Commission Member Sontag, Commission Member Cotter, Commission Member Bouchard

V. COMMISSION BUSINESS FROM THE FLOOR

Chair Swanson opened the floor for business from Commissioners.

Commission Member Steed, Hirsch, and Stephens stated no business.

Chair Swanson also stated he had no business.

VI. ADJOURNMENT

There being no further business, Chair Swanson adjourned the meeting at 7.10 p.m.