

# City of Valdez

212 Chenega Ave.  
Valdez, AK 99686



## Meeting Minutes - Final

**Tuesday, February 4, 2020**

**7:00 PM**

**Regular Meeting**

**Council Chambers**

**City Council**

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

Mayor O'Neil called the meeting to order at 7:00 p.m. in Valdez City Council Chambers.

**II. PLEDGE OF ALLEGIANCE**

City Council led the Pledge of Allegiance to the American flag.

**III. ROLL CALL**

Present: 6 - Mayor Jeremy O'Neil  
Council Member Ron Ruff  
Council Member Christopher Moulton  
Council Member Darren Reese  
Council Member Dennis Fleming  
Council Member Alan Sorum

Excused: 1 - Council Member Sharon Scheidt

Also Present: 6 - City Manager Mark Detter  
Assistant City Manager Nathan Duval  
Assistant City Manager Roxanne Murphy  
City Clerk Sheri Pierce  
Deputy City Clerk Allie Ferko  
City Attorney Jake Staser

**IV. APPROVAL OF MINUTES****1. City Council Regular Meeting Minutes of January 21, 2020**

The City Council regular meeting minutes of January 21, 2020 were approved as presented.

**V. PUBLIC APPEARANCES****1. Public Appearance: Sharon Anderson - Executive Director, Valdez Convention & Visitors Bureau**

Ms. Patty Relay, VCVB board president, introduced Ms. Sharon Anderson, the new VCVB executive director.

Ms. Anderson and her staff provided brief remarks regarding recent VCVB activities, provided a demonstration of the new VCVB website, and explained VCVB marketing outreach efforts on behalf of their members and the community.

**VI. PUBLIC BUSINESS FROM THE FLOOR**

Ms. Lanette Oliver, Valdez Adventure Alliance executive director provided a brief presentation regarding the upcoming VAA Valdez Ice Climbing Festival.

**VII. CONSENT AGENDA**

1. **Approval of 2020 Community Purpose Property Tax Exemption Program Applications**
2. **Proclamation: Teen Dating Violence Awareness and Prevention Month**
3. **Approval To Go Into Executive Session RE:1) Alyeska's C-Plan Amendment; and 2) Hilcorp Acquisition of BP**

MOTION: Council Member Moulton moved, seconded by Council Member Fleming to approve the Consent Agenda. The motion carried by the following vote.

**VOTE ON THE MOTION:**

Yays: 6 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Reese, Council Member Fleming and Council Member Sorum

Excused: 1 - Council Member Scheidt

Ms. Rowena Palomar, Advocates for Victims of Violence executive director, provided brief remarks regarding Teen Dating Violence Awareness Month events and activities. Ms. Palomar also announced the opening of the 2020 Snowtown Ice Classic, an AVV fundraiser in partnership with the City Parks, Recreation and Cultural Services Department. Citizens purchase tickets and guess when the tower will fall through the ice into Ruth Pond.

**VIII. NEW BUSINESS**

1. **Approval of a Professional Services Agreement with DOWL, Inc., for Lowe River Maintenance and Dike Improvements in the Amount of \$440,730**

MOTION: Council Member Sorum moved, seconded by Council Member Ruff to approve professional services agreement with DOWL, Inc. for Lowe River maintenance and dike improvements in the amount of \$440,730. The motion carried by the following vote after the following discussion occurred.

Council Member Moulton stated this project is a short-term, focused solution. A long-term plan also needs to be established to address other factors, including reviewing building codes for flood-prone areas and determining how the City plans to manage subdivisions adjacent to local rivers.

Council Member Reese added his appreciation of Mr. Detter's commitment to close oversight of the project.

Mr. Richard Watson, Valdez resident, voiced his recommendation to deal with the river systems and complete gravel extraction operations during the winter

when the water level is low.

**VOTE ON THE MOTION:**

Yays: 6 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Reese, Council Member Fleming and Council Member Sorum

Excused: 1 - Council Member Scheidt

**2. Approval of 2020 Legislative Priorities**

MOTION: Council Member Moulton moved, seconded by Council Member Fleming to approve 2020 Legislative Priorities. The motion carried by the following vote after the following discussion occurred.

Mayor O'Neil stated several council members and city staff members would be traveling to Juneau the second week in February to meet with state personnel and legislators.

**VOTE ON THE MOTION:**

Yays: 6 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Reese, Council Member Fleming and Council Member Sorum

Excused: 1 - Council Member Scheidt

**3. Discussion Item: Comprehensive Plan Revision Proposal from Corvus Design**

Mr. Detter explained during the February 18, 2020 Council meeting, staff plans to present a professional services agreement with Corvus Design for the comprehensive plan revision project. The City Comprehensive Plan Advisory Committee was heavily involved in the proposal review process, with a focus on selection of an Alaska-based firm. Mr. Detter stated Corvus Design conducted the recent City waterfront master plan and believes they can complete the comprehensive plan project in one year.

Ms. Kate Huber, city planning director, explained the City received three proposals for the comprehensive plan project. Factors for selection of Corvus Design include the credentials of their project team, the fact they are based in the state of Alaska, their long record of planning work throughout the state, their past participation in other City planning projects, and the ability to utilize existing community data. The project emphasis is to create a working document which can be actively used to guide future planning and zoning efforts, municipal code revisions, and other city projects.

Mr. Chris Mertl, representative from Corvus Design, thanked the Council for consideration of his firm for the project. He explained there were many successes with the city waterfront master planning process. His firm is fully

aware of the challenges with the past attempt at the comprehensive plan revision. He stated his firm knows and understands the Valdez community and feels confident they can move forward to make the project successful. He outlined the team members which would comprise the comprehensive plan project team. He stated his team was excited to see community resiliency and climate change included as requested components of the plan.

Mr. Mertl explained his team is aware of the community's current public meeting fatigue. He stated they plan to make special efforts to improve their public outreach and involvement plan for the project, focusing more on reaching out directly to the community instead of holding open house type events. He stated his firm is committed to completing the project in one year.

Council Member Sorum stated he previously served as on the City Ports & Harbors Commission and had a very positive experience with Corvus Design during the waterfront master planning process.

Mr. Detter stated Ms. Huber would be the lead project manager for the comprehensive plan, with himself and Ms. Murphy also heavily involved.

Mayor O'Neil thanked Mr. Mertl for attending the meeting in person, as it demonstrated an understanding of the Valdez community.

## **IX. ORDINANCES**

### **1. #20-01 - Amending Title 8, Chapter 8.08, Titled Garbage Collection and Disposal. First Reading. Public Hearing.**

MOTION: Council Member Ruff moved, seconded by Council Member Reese to approve Ordinance #20-01. First Reading, Public Hearing. The motion carried by the following vote after the following discussion occurred.

Council Member Moulton stated he supported a required deposit for the garbage can instead of just a fine schedule. He stated he hoped dumpsters would remain available for community use.

Police Chief Bart Hinkle explained the proposal outlined in April 2019 addressed the use of dumpster pods. The overall number of dumpsters spread throughout the community would be reduced. Community-use dumpsters instead would be centralized into pods in multiple locations for safety, ease of use, and maintenance.

Council Member Reese asked if households could have more than one of the new garbage cans, how they would be managed, and how fines would be applied. Chief Hinkle explained fines would be issued if garbage cans are stolen or damaged. He explained there are two main goals with the garbage collection program – operational efficiencies for the city public works department and reduction of negative interactions with wildlife. In the near future, a list of residents would be developed who are interested in receiving curbside garbage

collection. Those residents would receive one free can. Additional cans could be obtained for a deposit or fee. The cans remain City property, are embossed with the City logo, are tracked by serial number, and will be RFID tagged to reflect assignment to a specific residential property address.

Council Member Moulton asked how much the cans cost the City. Chief Hinkle stated staff plan to bring forth an agenda item for approval at the February 18, 2020 Council meeting to purchase 680 of the new garbage cans. Council Member Moulton stated he would prefer if the fine to replace the garbage can far exceeded the actual cost of the City. Chief Hinkle explained the City is limited to a maximum fine of \$500. Mr. Staser explained he is working with staff to develop an agreement form between the resident and the City for the garbage cans. The agreement will include specific requirements for the use of the cans.

Council Member Reese asked if the garbage can program would be city-wide at the beginning or if it would be implemented in stages in specific areas. Chief Hinkle explained, before the program begins there would be a public information campaign, explaining the program and how to sign-up to receive one of the new cans. When can distribution begins, priority will be given to those properties who currently use curbside trash collection.

Mr. Erick Garcia, city solid waste manager, stated his team collected data over multiple weeks regarding how many households currently participate in curbside trash collection. 500 households is a generous participation estimate. He stated there are approximately 1,500 residences who are eligible for curbside service.

Chief Hinkle explained other eligible properties who do not currently use curbside trash collection could also sign-up for a can on a first come, first served basis with a waiting list. He added, once the mandatory program goes into effect, no properties within City limits would be able to continue using their own, non-City issued garbage cans for curbside pick-up. However, if a residence does not have a City issued garbage can, they could certainly continue using City dumpsters.

Council Member Sorum stated he personally switched to using a dumpster when curbside service was reduced to once per week. Chief Hinkle stated, with the operational efficiencies and reduced costs associated with the new program, frequency of curbside collection could be revisited in the future.

Council Member Moulton asked how the curbside collection frequency would be decided. Mr. Garcia explained the goal is to begin advertising and accepting can contracts in April 2020. Cans would then be distributed summer 2020. Once his team completes a full summer of curbside service with the new system, they could better determine impacts to collection frequency.

Council Member Reese asked if curbside collection using the new cans would be required just during bear season. Mr. Garcia explained the new cans would be required year-round. The new cans are heavier and will stay locked if knocked over during a wind event. They will also prevent other wildlife, such as birds, from getting into the cans and spreading trash.

Mayor O'Neil stated he also supported the shift to an automated driver-only garbage truck system to protect employees from injury and the city from workers' compensation claims. He stated the city does not currently charge for curbside pick-up or dumpster use. He explained the new garbage collection program is

just another benefit to living in Valdez.

Council Member Moulton asked for the timeline for implementation of dumpster pods. Mr. Garcia stated the transition to dumpster pods would likely occur towards the end of summer 2020. Pods (groups of dumpsters) would be located in four select locations in town and one additional location within each subdivision. Local businesses would keep their rental dumpsters, with no change to rental costs.

**VOTE ON THE MOTION:**

Yays: 6 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Reese, Council Member Fleming and Council Member Sorum

Excused: 1 - Council Member Scheidt

**X. RESOLUTIONS**

**1. #20-08 - Authorizing the City Clerk to Dispose of Certain City Records**

MOTION: Council Member Reese moved, seconded by Council Member Moulton to approve Resolution #20-08. The motion carried by the following vote after the following discussion occurred.

Council Member Moulton asked for details on the plan to fully transition to electronic records with availability for online records search capabilities. Ms. Pierce explained the Clerk's Office has begun the process of digitizing records into the Zasio Electronic Records Management System. Once publically releasable records are captured in Zasio, they will be fully searchable through a public web interface embedded in the City website.

Ms. Pierce explained the city records manager will work with each department to inventory and scan/digitize public records managed by that department. The project will begin with the Capital Facilities and Planning Departments, as they hold the records most frequently requested by the public. The Planning Department budgeted for temporary staff in 2020 to help with the digitization effort due to the volume of records maintained by their department. Ms. Pierce stated the goal is to have the records digitization portion of the project completed by the end of 2020.

Ms. Pierce added, once the digitization portion is complete, the next goal is to work with the City GIS technician to create a GIS-based electronic map of all parcels in Valdez. Citizens could then click on a specific parcel and pull up all the records related to that parcel, including property tax history and building permits.

Council Member Moulton stated if Ms. Pierce needs additional human resources to complete the project, she should let the Council know.

Council Member Reese asked for information about how the Clerk's Office disposes of records. Ms. Shelley McMillen, city records manager, explained any confidential records or documents containing sensitive personal or financial information are shred. All other records are publically releasable and taken to the

Baler Facility for disposal. Electronic records are deleted from the city network.

**VOTE ON THE MOTION:**

Yays: 6 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Reese, Council Member Fleming and Council Member Sorum

Excused: 1 - Council Member Scheidt

**2. #20-09 - Authorizing Implementation of the Citywide Pay Plan Adjustment**

MOTION: Council Member Moulton moved, seconded by Council Member Reese to approve Resolution #20-09. The motion carried by the following vote after the following discussion occurred.

Mr. Detter explained the pay plan revision process has now spanned several years. The Foraker Group began the pay study in 2018. In early 2019, City Council had questions about the comparison data and further research was done. A brief pause in the process occurred due to transitions to a new city manager and human resources director. Council held a work session in December 2019 where Mr. Detter committed to providing a pay plan adjustment implementation plan. A committee consisting of Mr. Detter, Ms. Murphy, Ms. Pierce, Mr. Brian Carlson (city finance director), Ms. Rhea Cragun (city human resources director), and Ms. Mollie Good (chair of the employee relations committee) reviewed the data and provided suggestions for implementations. Under the current implementation proposal, the city executive team are not included.

Ms. Cragun explained the committee's methodology behind their recommendations. Approximately 60 employees will be impacted by the proposed pay plan adjustment. Within the employee pay scale, Step F was identified as the median. Employee positions identified as under market were moved up or down ranges within the payscale, at the Step equitable to their longevity with the City. The overall pay plan adjustment equates to approximately \$404,000, which includes both wages and benefits costs. The change represents around 2.4% of the overall payroll budget.

Council Member Fleming asked if the market study data used by the committee was the same data presented by the Foraker Group. Several council members stated they had asked Foraker to remove data related to Alyeska Pipeline and major municipalities. Ms. Cragun explained the committee focused primarily on the data provided by the Alaska Municipal League salary survey. Mr. Detter stated he and Ms. Cragun were provided with historical salary data that included Alyeska Pipeline and major municipalities. He stated while he understands finding the exact comparable benchmarks are difficult to determine, he felt it was fair and justifiable to include that data, as the City is often in direct competition with those entities for recruitment and retention of skilled employees.

Council Member Moulton expressed some reservations with how the City competes with local businesses for talent. He stated it is important for the City to be competitive, but that could also make it difficult for other local employers to attract and retain employees. He expressed appreciation that the current proposal is targeted and not an overall increase for all employees.



Mr. Detter stated the proposal is not perfect, but it is a fair and good place to start. Identified areas of concerns, like compression and equity for certain long-term employees, will be addressed by management on a case-by-case basis moving forward.

Council Member Sorum stated he participated in the City's pay classification study 15 years or so ago. He said it is not a pleasant process and he applauded the current staff for their work towards this proposal. He explained, unlike past pay studies, he has not heard major complaints from City staff.

Council Member Sorum stated it is important to support the City's employees, especially since Valdez is a home rule municipality who opted out of the Alaska Public Employment Relations Act. City employees do not have the ability to periodically renegotiate their salaries and working conditions like other public employees.

Council Member Reese expressed concerns with compression within job categories, particularly in building maintenance, public safety, and public works. He appreciates the work involved in the study, but feels a few adjustments need to be made. Mr. Detter stated he will work with the department directors to address those types of concerns on a case-by-case basis. Mr. Detter stated he would like to finalize the implementation plan as proposed and then have the flexibility as city manager to handle those unique cases as part of future budget processes.

Council Member Fleming thanked staff for their hard work on the pay study process. He expressed concerns with what was used for the comparison data, specifically cost of living adjustments (COLA). Mr. Detter stated most municipalities across the country provide some sort of cost of living adjustment. Mr. Brian Carlson, city finance director, explained the City currently uses the Anchorage regional CPI, a federally generated number, to determine annual COLA. He stated the 2020 COLA equates to approximately \$238,000.

Mr. Detter stated staff made the best effort they could with the information they were given. He stated the process was done openly and honestly, without people pushing their own agendas. He explained there are additional identified issues related to the City payscale, including the merit increase schedule, which he intends to look into further in the future and tie it into the budget process.

Mayor O'Neil stressed the importance of an engaging, safe, and satisfying workplace culture in recruitment and retention of staff. He stated he would be interested in learning more about employee views on the City's workplace culture.

Council Member Moulton stressed the importance of finding cost savings in other places in the City budget to ensure the budget remains balanced.

Mr. Detter stated future similar projects need to be shepherded through the process in a more timely fashion. Projects which take place in spurts over several years do not allow everyone to stay current and fresh.

Mr. Carlson reiterated to Council the costs associated with the pay plan implementation is not a marginal increase or request for additional appropriations. Instead it is capturing approximately a third of the annual carry

forward of wages under budget due to position vacancies.

**VOTE ON THE MOTION:**

Yays: 4 - Mayor O'Neil, Council Member Moulton, Council Member Fleming and Council Member Sorum

Nays: 2 - Council Member Ruff and Council Member Reese

Excused: 1 - Council Member Scheidt

**3. #20-10 - Amending the 2020 Budget by Appropriating \$600,000 from Undesignated Flood Maintenance Funds to Lowe River Dike Maintenance and Improvements**

MOTION: Council Member Sorum moved, seconded by Council Member Ruff to approve Resolution #20-10. The motion carried by the following vote.

**VOTE ON THE MOTION:**

Yays: 6 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Reese, Council Member Fleming and Council Member Sorum

Excused: 1 - Council Member Scheidt

**4. #20-11 - Adopting the City of Valdez Comprehensive Waterfront Master Plan**

MOTION: Council Member Sorum moved, seconded by Council Member Reese to approve Resolution #20-11. The motion carried by the following vote after the following discussion occurred.

Council Member Fleming asked what would happen once the plan is adopted. Mr. Jeremy Talbott, city ports & harbors director, explained the plan provides a prioritized blueprint for how the city should consider managing and developing the waterfront over the next twenty-five years. Council Member Fleming asked if the expectation is that everything in the plan be accomplished in the next twenty-five years. Mr. Talbott explained the plan gives priorities and designated locations for projects, but not everything will or should be developed.

Council Member Sorum stated a substantial amount of the projects included in past waterfront master plans were accomplished. The master plan helps designate vetted locations for certain projects and provides justification when applying for grant funding.

Mr. Chris Mertl, representative from Corvus Design, explained master plans are not always formally adopted. However, formal Council adoption helps with grant funding requests. He added the master plan document should be reviewed and updated at least every five years. Council Member Fleming asked who updates the master plan in five years. Mr. Mertl stated the five-year update could be done internally with the help of the Ports & Harbors Commission. At the ten-year mark there should be a more robust review process involving significant community involvement. Mr. Talbott added five-year review of the plan has been placed on the calendar for his staff.

Mr. Mark Swanson, City Ports & Harbors Commission chair, explained the five-year review would definitely be championed by the commission. Mr. Swanson provided remarks in support of adoption of the waterfront master plan. He stated the plan provides a good balance between economic development and recreational use of some of the most valuable property in the community. Formal adoption also helps keep the City competitive for grants.

Mayor O'Neil thanked the efforts of the project team involved in creation of the master plan.

**VOTE ON THE MOTION:**

Yays: 6 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Reese, Council Member Fleming and Council Member Sorum

Excused: 1 - Council Member Scheidt

**XI. REPORTS**

- 1. Report on the Sale of City of Valdez Owned Land to Rydor Enterprises LLC.**
- 2. Report: Valdez Housing Economic Impacts and Gap Analysis Study**
- 3. Valdez Police Department 2019 Annual Report**

Council Member Fleming thanked the men and women of the Valdez Police Department for all of their hard work in service to the community.

- 4. Sand Point DPS and Valdez Dispatch RoIP Demonstration Project**

Council Member Reese asked for an update on the project. Chief Hinkle said the project is a partnership between the City and Sand Point DPS to allow VPD to dispatch for Sand Point. All of the capital outlay and work to secure grants and other funding is covered by Sand Point DPS. Chief Hinkle stated Sand Point is a community of approximately 200 people. Sand Point DPS has an annual call volume equitable to one to two months of VPD calls.

- 5. 2019 Aerial Photography Project Report**

Council requested the aerial photos displayed in Council Chambers be replaced with the updated aerial imagery.

**XII. CITY MANAGER / CITY CLERK / CITY ATTORNEY / MAYOR REPORTS**

- 1. City Manager Report**

Mr. Detter reviewed his upcoming activities, including the upcoming legislative trips to Juneau and Washington, D.C.

Council Member Fleming asked when Council would receive an update on the city emergency management program. Mr. Detter stated the goal is to present the draft city emergency operations plan (EOP) to Council in a work session in April, along with a recommendation regarding the emergency manager position.

The draft EOP would be provided to the Valdez Local Emergency Planning Committee for comments prior to the April work session.

## **2. City Clerk Report**

Ms. Pierce announced information about the upcoming May 5, 2020 regular municipal election, city boards and commissions vacancies, and logistics for Council's legislative trips to Juneau and Washington, D.C.

Ms. Pierce announced the 2020 All-America City Scholarship Program. Council Members Reese, Ruff, and Sorum volunteered to serve on the scholarship selection committee.

## **3. City Attorney Report**

Mr. Staser provided updates on projects and cases his firm is working on behalf of the City, including the Barton case appeal, the Pacific Pile & Marine case, AKLNG FERC DEIS, and municipal code revisions.

Mr. Staser saved the rest of his comments for executive session. He reminded Council that Mr. Robin Brena would provide a legal strategy presentation for them in executive session on February 18<sup>th</sup>.

## **4. City Mayor Report**

Mayor O'Neil provided a verbal update on his recent activities, including meeting with representatives from Hilcorp and testifying in front of RCA regarding the Hilcorp acquisition of BP's assets in Alaska. He expressed his confidence in Corvus Design and the City Planning Department taking over the comprehensive plan revision process.

## **XIII. COUNCIL BUSINESS FROM THE FLOOR**

Council had no business from the floor.

## **XIV. EXECUTIVE SESSION**

City Council transitioned into executive session at 9:25 p.m.

## **XV. RETURN FROM EXECUTIVE SESSION**

City Council transitioned out of executive session at 10:04 p.m.

## **XVI. ADJOURNMENT**

There being no further business, Mayor O'Neil adjourned the meeting at 10:05 p.m.