



City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Meeting Agenda - Final

City Council

Tuesday, September 21, 2021

7:00 PM

Civic Center Conference Room

Regular Meeting

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPROVAL OF MINUTES

1. [City Council Special Meeting Minutes of September 14, 2021](#)
2. [City Council Regular Meeting Minutes of September 7, 2021](#)
3. [City Council Regular Meeting Minutes of August 17, 2021](#)

V. PUBLIC BUSINESS FROM THE FLOOR

VI. CONSENT AGENDA

1. [Approval to Go Into Executive Session Regarding Escaped Property](#)

VII. NEW BUSINESS

1. [Approval of Professional Services Agreement with Architects Alaska, Inc. for the Valdez Hospital Campus Master Plan Update in the Amount of \\$250,000](#)
2. [Approval of Amendments to City Council Policies and Procedures \(Regarding Citizen Advisory Groups\)](#)

VIII. ORDINANCES

1. [#21-09 - Establishing the City Beautification Commission. Second Reading. Adoption.](#)
2. [#21-10 - Amending Title 2, Chapter 2.60 of the Valdez Municipal Code, Titled Economic Diversification Commission First Reading. Public Hearing.](#)

IX. RESOLUTIONS

1. [#21-38 - Supporting Adoption of the Alaska Redistricting Board Proposed House District 36 Boundaries as Depicted in the Draft Composite Redistricting Plan Version 1 and 2 Maps Published on September 9, 2021 \(Item Postponed from the City Council Special Meeting on September 14, 2021\)](#)
2. [#21-39 - Supporting the Municipality of Anchorage Letter to the U.S. Secretary of Transportation Requesting Federal Funding for Critical Infrastructure Work for the Port of Alaska](#)

X. CITY MANAGER / CITY CLERK / CITY ATTORNEY / MAYOR REPORTS

1. City Manager Report

1. [City Manager's Report 9-21-21](#)

2. City Clerk Report

3. City Attorney Report

4. City Mayor Report

XI. COUNCIL BUSINESS FROM THE FLOOR

XII. EXECUTIVE SESSION

XIII. RETURN FROM EXECUTIVE SESSION

XIV. ADJOURNMENT

XV. APPENDIX

1. [Council Calendars and Resource Links](#)
2. [Upcoming Boards & Commissions Vacancies](#)



City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Legislation Text

File #: 21-0454, **Version:** 1

ITEM TITLE:

City Council Special Meeting Minutes of September 14, 2021

SUBMITTED BY: Allie Ferko, MMC, Deputy City Clerk

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

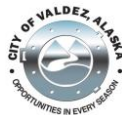
Receive and file

SUMMARY STATEMENT:

City Council special meeting minutes of September 14, 2021 attached for review.

City of Valdez

*212 Chenega Ave.
Valdez, AK 99686*



Meeting Minutes - Draft

Tuesday, September 14, 2021

7:30 PM

Special Meeting

Civic Center Conference Room

City Council

SPECIAL AGENDA - 7:30 PM**I. CALL TO ORDER**

Mayor Scheidt called the meeting to order at 7:30 p.m. in Valdez Civic Center Conference Room.

II. ROLL CALL

Present: 5 - Mayor Sharon Scheidt
Council Member Todd Wegner
Council Member Susan Love
Council Member Dawson Moore
Council Member Jimmy Devens

Excused: 2 - Council Member Dennis Fleming
Mayor Pro Tem Alan Sorum

Also Present: 5 - City Manager Mark Detter
City Clerk Sheri Pierce (*by teleconference*)
Deputy City Clerk Allie Ferko
Records Manager Shelley McMillen
City Attorney Jake Staser (*by teleconference*)

III. CONSENT AGENDA**1. Approval to Go Into Executive Session Regarding Legal Strategy for Redistricting Decisions**

MOTION: Council Member Love moved, seconded by Council Member Moore to approve the Consent Agenda.

VOTE ON THE MOTION:

Yays: 5 - Mayor Scheidt, Council Member Wegner, Council Member Love,
Council Member Moore and Council Member Devens

Excused: 2 - Council Member Fleming and Mayor Pro Tem Sorum

IV. EXECUTIVE SESSION

City Council transitioned into executive session at 7:34 p.m.

V. RETURN FROM EXECUTIVE SESSION

City Council transitioned out of executive session at 8:14 p.m.

VI. RESOLUTIONS**1. #21-38 - Supporting Adoption of the Alaska Redistricting Board Proposed House District 36 Boundaries as Depicted in the Draft Composite Redistricting Plan Version 1 and 2 Maps Published on September 9, 2021**

MAIN MOTION: Council Member Love moved, seconded by Council Member Wegner to approve Resolution #21-28.

Mayor Scheidt explained, following discussions in executive session, Council expressed interest in postponing approval of this resolution until after the deadline for third-party recommended map submission to the Alaska Redistricting Board. This would allow time to review and consider potential alternative mapping solutions not included in the composite redistricting plan versions 1 and 2.

MOTION TO POSTPONE: Council Member Devens moved, seconded by Council Member Moore, to postpone Resolution #21-38 to the next regular City Council meeting on September 21, 2021.

Council Member Devens stated he felt it was in the best interest of the City to wait to review third-party mapping recommendations prior to approving a resolution in support of a specific mapping option.

VOTE ON THE MOTION TO POSTPONE:

Yays: 5 - Mayor Scheidt, Council Member Wegner, Council Member Love,
Council Member Moore and Council Member Devens

Excused: 2 - Council Member Fleming and Mayor Pro Tem Sorum

VII. ADJOURNMENT

There being no further business, Mayor Scheidt adjourned the meeting at 8:17 p.m.



City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Legislation Text

File #: 21-0455, **Version:** 1

ITEM TITLE:

City Council Regular Meeting Minutes of September 7, 2021

SUBMITTED BY: Allie Ferko, MMC, Deputy City Clerk

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

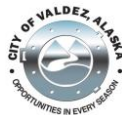
Receive and file

SUMMARY STATEMENT:

City Council regular meeting minutes of September 7, 2021 attached for review.

City of Valdez

212 Chenega Ave.
Valdez, AK 99686



Meeting Minutes - Draft

Tuesday, September 7, 2021

7:00 PM

Regular Meeting

Civic Center Conference Room

City Council

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

Mayor Scheidt called the meeting to order at 7:00 p.m. in the Valdez Civic Center Conference Room.

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

Present: 6 - Mayor Sharon Scheidt
Council Member Todd Wegner
Council Member Susan Love
Council Member Dawson Moore
Council Member Jimmy Devens
Council Member Dennis Fleming

Excused: 1 - Mayor Pro Tem Alan Sorum

Also Present: 4 - City Manager Mark Detter
Deputy City Clerk Allie Ferko
Records Manager Shelley McMillen
City Attorney Jake Staser (*by teleconference*)

IV. APPROVAL OF MINUTES

1. City Council Regular Meeting Minutes of August 3, 2021

The City Council regular meeting minutes of August 3, 2021 were approved as presented.

V. PUBLIC BUSINESS FROM THE FLOOR

No members of the public appeared to provide testimony on a non-agenda item.

VI. CONSENT AGENDA

1. **Approval to Go Into Executive Session Regarding Escaped Property and the B.P./Hilcorp Acquisition**

2. **Proclamation: National Suicide Prevention Month**

MOTION: Council Member Fleming moved, seconded by Council Member Love to approve the Consent Agenda.

VOTE ON THE MOTION:

Yays: 6 - Mayor Scheidt, Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens and Council Member Fleming

Excused: 1 - Mayor Pro Tem Sorum

MOTION CARRIED.

Mayor Scheidt read the proclamation into record

VII. NEW BUSINESS

1. ~~**Discussion Item: COVID-19 Presentation by Dr. Anne Zink, Chief Medical Officer for the State of Alaska, and Dr. Angela Alfaro, Valdez Physician**~~

This agenda item was administratively moved to later on the agenda and occurred after the City Clerk Report to accommodate Dr. Zink's availability.

VIII. ORDINANCES

1. **#21-09 - Establishing the City Beautification Commission. First Reading. Public Hearing.**

MOTION: Council Member Love moved, seconded by Council Member Fleming, to approve Ordinance #21-09. First Reading. Public Hearing.

Ms. Patricia Relay, Beautification Task Force member, reviewed how the beautification program had benefited the community since its onset. She explained how shifting from a task force to a commission would allow the group to continue doing good work for the community.

VOTE ON THE MOTION:

Yays: 6 - Mayor Scheidt, Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens and Council Member Fleming

Excused: 1 - Mayor Pro Tem Sorum

MOTION CARRIED.

IX. RESOLUTIONS

1. **#21-36 - Amending the 2021 City Budget by Transferring \$534,154 from Capital Projects Contingencies and Major Maintenance Reserve Contingencies to Nuisance Abatement Reserve and Rescinding Resolution #21-33**

MOTION: Council Member Love moved, seconded by Council Member Moore, to approve Resolution #21-36.

VOTE ON THE MOTION:

Yays: 6 - Mayor Scheidt, Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens and Council Member Fleming

Excused: 1 - Mayor Pro Tem Sorum

MOTION CARRIED.

2. **#21-37 - Authorizing Submission of a Sport Fish Restoration Act, Recreational Boating and Access Matching Grant**

MOTION: Council Member Devens moved, seconded by Council Member Wegner, to approve Resolution #21-37.

VOTE ON THE MOTION:

Yays: 6 - Mayor Scheidt, Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens and Council Member Fleming

Excused: 1 - Mayor Pro Tem Sorum

MOTION CARRIED.

X. REPORTS

1. **Monthly Treasury Report: July, 2021**
2. **Procurement/Expenditure Report**
3. **Travel Voucher Program Update Report**

XI. CITY MANAGER / CITY CLERK / CITY ATTORNEY / MAYOR REPORTS

1. **City Manager Report**

Mr. Detter requested cancellation of the work session addressing roll-out of the city mission statement. He explained he wanted to coordinate further with staff on the topic and felt most of the other work could be done internally. Council Member Moore agreed the work session seemed premature. Mayor Scheidt directed staff to move forward.

Mr. Detter addressed the current child care crisis. He stated Stepping Stones Learning Center had reopened with additional staff. He explained their upcoming budget request would reflect their pursuit of ramping up operations and recruitment of additional staff.

He updated Council on the efforts of the 0-3 with Families Alliance to develop an assessment study regarding childcare. He explained Providence Valdez Medical Center (PVMC) wanted to look at multiple options on how to perform an assessment study, expanding on the study done in Kodiak. PVMC was also looking at options to address the community's childcare concerns in the Hospital Expansion Master Plan. He reminded Council that City Parks and Recreation Director Nick Farline was a member of the Alliance's facility subcommittee. The city's indoor recreation center feasibility study report does include an option for incorporating child care facility space which could be leased out to a provider. Mr. Detter stated both the Hospital Expansion Master Plan and the Recreation Facility Feasibility Study were more long term projects than short term solutions.

Council Member Fleming requested further information on the upcoming increased budget request from Stepping Stones Learning Center. Mr. Detter stated their request would be substantially more than in the past, with the goal of offering child care stability through additional staffing and expansion. Council Member Fleming asked for justification on Council supporting two different child care facility options: Stepping Stones and the Hospital Master Plan. Mr. Detter stated the need for redundancy in child care was apparent and ideally the community would not be dependent on one provider. He explained the feasibility study would explore if an additional provider would be sustainable within the community. Council Member Fleming stated as soon as a private industry came in to provide competition to the current provider, his support for providing City funding would end. He asked if anything immediate was being done by Stepping Stones to seek assistance from organizations outside the City. Mr. Detter was willing to explore the question in discussions with representatives from the Center.

Council Member Love shared her support of the current direction.

Council Member Wegner asked if daycare had been in the top three community priorities of the most recent PVMC Health Needs Assessment. Mr. Detter stated he was unsure of the topic's rank in the assessment, but it was clearly identified as a top priority in the City's Comprehensive Plan. Council Member Wegner shared his desire to see projects such as the Recreation Center stand alone on their own merit, with child care space being supplemental and not the driving force behind approval.

Mayor Scheidt shared her gratitude for those working in the 0-3 with Families Alliance and felt assessing needs was the correct place to start. She acknowledged Stepping Stones' efforts to revitalize their services in the wake of recent hardships and praised their fortitude.

Council Member Devens requested Council Member Fleming elaborate on his desire to discontinue funding if another child care center opened. Council Member Fleming explained other businesses would struggle to compete with City funded businesses.

Council Member Moore asked if child care staff training had been discussed further. Mr. Detter stated Prince William Sound College had been involved in dialog with Stepping Stones and PVMC in regards to staff training options. He stated there needed to be a sustainable level of need established prior to development of a program. If multiple providers needed training, it may influence how the college considered addressing the situation.

Mr. Detter expressed the need for a future work session on the topic once feasibility processes had been completed.

2. City Clerk Report

Ms. Ferko stated, in case members of Council were approached, there was a brief issue with the livestream which was resolved prior to Dr. Zink's presentation. She stated the Clerk's Office is working through the deliverables which came out of the Council work session on boards and commissions. She informed Council of upcoming vacancies on boards and commissions and reviewed upcoming work sessions.

Mayor Scheidt asked where Council was in the process with department reports. Ms. Ferko stated only the Parks, Recreation and Cultural Services Department and the Planning Department reports were left.

She provided a reminder City Clerk Sheri Pierce was out of the office, but connected to City email.

City Council took a brief recess at 7:53 p.m.

Mayor Scheidt called the meeting to order at 8:02 p.m.

Discussion Item: COVID-19 Presentation by Dr. Anne Zink, Chief Medical Officer for the State of Alaska, and Dr. Angela Alfaro, Valdez Physician

(Administratively moved from New Business to after the City Clerk Report to accommodate the availability of Dr. Zink)

Dr. Zink provided a presentation to Council on current statewide case counts and vaccination efforts. She answered questions from Council and members of the public.

3. City Attorney Report

Mr. Staser outlined projects and provided updates on cases his firm is working on behalf of the City, including the Alaska Trappers Association, Pacific Pile & Marine, and redistricting.

Mr. Staser provide a brief update on the recent activities of the Alaska Redistricting Board. Council Member Wegner, Council Member Moore, and Mayor Scheidt expressed interest in exploring different mapping options for redistricting.

Mayor Scheidt asked if there was an option to provide formal input to the Alaska Redistricting Board. Mr. Staser confirmed there was an opportunity to submit third party maps by September 15th for consideration by the Board.

Mr. Detter stated he had recently participated in a Prince William Sound Economic Development District meeting. Those participating had expressed the desire to be in a district with all Prince William Sound, including Valdez.

Mayor Scheidt requested Mr. Staser move forward with developing a map to submit to the Board by September 15th. Mr. Staser expressed his preference to have further input and approval from Council prior to submitting a map. Ms. Ferko worked with Council to schedule a special meeting at 7:00 p.m. on September 14th to review map options prior to submission.

4. City Mayor Report

XII. COUNCIL BUSINESS FROM THE FLOOR

Council Member Fleming stated he would need to recuse himself from Executive Session due to a conflict of interest.

Council Member Moore and Council Member Devens shared their gratitude for Dr. Zink and Dr. Alfaro making time to meet with Council.

Council Member Wegner shared his appreciation for the proclamation and encouraged the community to show acts of kindness to one another.

XIII. EXECUTIVE SESSION

The City Council transitioned into executive session at 9:17 p.m.

XIV. RETURN FROM EXECUTIVE SESSION

The City Council transitioned out of executive session at 9:45 p.m.

XV. ADJOURNMENT

There being no further business, Mayor Scheidt adjourned the meeting at 9:45 p.m.



City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Legislation Text

File #: 21-0456, **Version:** 1

ITEM TITLE:

City Council Regular Meeting Minutes of August 17, 2021

SUBMITTED BY: Allie Ferko, MMC, Deputy City Clerk

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

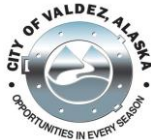
Receive and file

SUMMARY STATEMENT:

City Council regular meeting minutes of August 17, 2021 attached for review.

City of Valdez

212 Chenega Ave.
Valdez, AK 99686



Meeting Minutes - Final

Tuesday, August 17, 2021

7:00 PM

Regular Meeting

Civic Center Conference Room

City Council

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

Mayor Pro Tempore Sorum called the meeting to order at 7:00 p.m. in the Civic Center Conference Room.

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

Present: 6 - Council Member Todd Wegner
Council Member Susan Love
Council Member Dawson Moore
Council Member Jimmy Devens
Council Member Dennis Fleming
Mayor Pro Tem Alan Sorum

Excused: 1 - Mayor Sharon Scheidt

Also Present: 5 - City Manager Mark Detter
Assistant City Manager Nathan Duval
Deputy City Clerk Allie Ferko
Records Manager Shelley McMillen
City Attorney Jake Staser

IV. PUBLIC APPEARANCES**1. Public Appearance-Stratton Edwards, Capitol Hill Consulting Group**

Mr. Edwards outlined the recent federal bipartisan infrastructure bill, highlighting funding for ports and rural ferries. The bill also includes a human infrastructure package, with items such as child care, education, and housing.

Mr. Edwards provided a verbal review of his presentation included in the agenda packet, which outlines Council priorities his company was working on behalf of the City.

Mr. Edwards reminded Council the local U.S. Post Office postmaster would be retiring at the end of August. Capitol Hill Consulting Group was taking steps to make sure City leadership was kept informed during the process of hiring the new Postmaster. Mr. Detter thanked Senator Sullivan and his office for their aid in ensuring the local postal service was staffed adequately to meet community needs. Mayor Pro Tem Sorum thanked the community members who had taken time to reach out directly to the federal delegation on this topic.

Mr. Edwards outlined his firm's plan to improve reporting and feedback process for City Council, including quarterly summaries of work on federal issues completed on the City's behalf.

V. PUBLIC BUSINESS FROM THE FLOOR

No members of the public appeared to provide testimony on a non-agenda item.

VI. CONSENT AGENDA

1. **Appointments to City Library Board (Sharry Miller & Wendy Langseth - Full Terms)**
2. **Approval To Go Into Executive Session Re: Alaska Trappers Association and B.P./Hilcorp Transaction Appeal.**

MOTION: Council Member Devens moved, seconded by Council Member Moore to approve the Consent Agenda.

VOTE ON THE MOTION:

Yays: 6 - Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

Excused: 1 - Mayor Scheidt

MOTION CARRIED.

VII. NEW BUSINESS

1. **Approval of Amendment #1 to Exclusive Stevedoring Services Permit for Valdez Container Terminal Dock and Marshalling Yard**

MOTION: Council Member Fleming moved, seconded by Council Member Devens, to approve Amendment #1 to Exclusive Stevedoring Services Permit for Valdez Container Terminal Dock and Marshalling Yard.

VOTE ON THE MOTION:

Yays: 6 - Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

Excused: 1 - Mayor Scheidt

MOTION CARRIED.

2. **Approval of Contract with Central Environmental, Inc. for the Pipeline Club and Landsharks Strip Mall Demolition in the Amount of \$586,493.00**

MOTION: Council Member Fleming moved, seconded by Council Member Devens, to approve contract with Central Environmental, Inc. for the Pipeline Club and Landsharks Strip Mall demolition in the amount of \$ \$586,493.

Mr. Pat Day, Valdez resident, stated he owned a number of properties in the downtown commercial district and had helped build the Pipeline Club building. He expressed concern over a policy of tearing down old buildings when there

was historical value to those buildings. He stated he had been to City Hall three times over the summer to discuss his concerns. He had been told someone would call him and no one appeared to have followed up. He asked if there had been any thought put into rehabilitation of the buildings, or if an open discussion had been had with other building owners and commercial businesses interested in using the buildings. He expressed concern economically over the lack of buildings people can rent inexpensively.

Mr. Detter reminded Council of the work session held in the spring where Council urged City staff to move forward with demolition of the buildings due to safety concerns. He explained staff had been approached by the owners of the Valdez Food Cache, who recently purchased the land adjacent to the Landsharks property. He explained the owners were interested in purchasing the Landsharks property as well to build a new building.

Mr. Day requested, if the City was going to negotiate with people in regards to sale of these properties, it should be a public process so other interested parties can negotiate or bid as well. He stated the City would not make enough money off the sale of the properties to make up the cost of the demolition of the buildings.

Mr. Detter stated the buildings were unsafe and had been foreclosed upon. By demolishing the buildings and then selling the land, the City was trying to do what was best for the future use of the properties. Council Member Devens added, when the topic was first discussed he had been interested in the renovation of the Landsharks property for the same reasons Mr. Day had cited. He stated, however, the Pipeline Club property had been deemed unsafe and would need to be torn down. He explained his concerns over demolition of the Landsharks building had been alleviated due to local interest in purchasing the property. He stated he felt the land would not remain vacant for long after it was sold.

VOTE ON THE MOTION:

Yays: 6 - Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

Excused: 1 - Mayor Scheidt

MOTION CARRIED.

3. Approval of the 2020 Financial Audit

MOTION: Council Member Devens moved, seconded by Council Member Fleming, to approve the 2020 City Financial Audit.

Mr. Detter reminded Council the audit included an audit of the monies received through the federal CARES Act.

Auditor Gavin Schultze with Altman Rodgers provided a brief overview of the audit approach, procedures, and results. Finance Director Brian Carlson explained the process once the audit was approved by Council.

Council Member Fleming complimented the Finance Department on superior performance as indicated by audit results.

VOTE ON THE MOTION:

Yays: 6 - Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

Excused: 1 - Mayor Scheidt

MOTION CARRIED.

4. Approval to Purchase a Caterpillar 160AWD Motor Grader from NC Machinery Including Tire Chains and a Radio in the Amount of \$346,567

MOTION: Council Member Fleming moved, seconded by Council Member Devens, to approve the purchase of a Caterpillar 160AWD motor grader from NC Machinery including tire chains and a radio in the amount of \$346,567.

Council Member Fleming asked if there was benefit to rebuilding the old machine in addition to purchase of the new machine. Public Works Director Rob Comstock explained the new machine was a huge upgrade to the old machine and the benefits of purchasing the new machine outweighed other options.

Council Member Devens stated he appreciated the funding for the new machine was sourced from savings on previously deferred replacements. He stated he was impressed by the CAT rebuild program as well.

VOTE ON THE MOTION:

Yays: 6 - Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

Excused: 1 - Mayor Scheidt

MOTION CARRIED.

5. Approval of Professional Services Agreement with Alaska CAMA Company for Provision of Mass-Appraisal Software and Related Services in the Amount of \$126,141

MOTION: Council Member Fleming moved, seconded by Council Member Wegner, to approve professional services agreement with Alaska CAMA Company for provision of mass-appraisal software and related services in the amount of \$126,141.

Council Member Love asked if property tax information will be accessible online to the public after the implementation of the software. Mr. Carlson explained it would eventually be available online, however that feature was not part of the preliminary stages of the project.

Council Member Fleming asked when initial implementation would begin. Mr. Carlson hoped to have the software ready for his staff and the city's contract assessor to use before the 2022 assessment process began.

Council Member Devens appreciated the streamlining of municipal services and the use of an Alaskan-based company. He asked how the proposal price compared to the market average. Mr. Carlson explained the proposal was significantly less, but a quarter, as compared to the next highest bidder. He stated the company met the needs of the project even at the low price point.

VOTE ON THE MOTION:

Yays: 6 - Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

Excused: 1 - Mayor Scheidt

MOTION CARRIED.

VIII. RESOLUTIONS

1. #21-33 - Amending the 2021 Budget by Transferring \$534,154 from Capital Projects and Major Maintenance Reserve to Nuisance Abatement Reserve

MOTION: Council Member Fleming moved, seconded by Council Member Moore, to approve Resolution #21-33.

VOTE ON THE MOTION:

Yays: 6 - Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

Excused: 1 - Mayor Scheidt

MOTION CARRIED.

2. #21-34 - Establishing Council Priorities for the 2022 City Operating Budget

MAIN MOTION: Council Member Devens moved, seconded by Council Member Moore, to approve Resolution #21-34 as amended.

Council Members Devens and Wegner stated they thought Council preference for the permanent fund was not to spend the monies in the 2022 budget unless necessary.

Council Members Love and Moore stated they remembered the Council

conversation had included using the fund as a last source for major maintenance projects.

Mr. Detter provided a reminder that staff would have to seek Council approval prior to the funds being used.

MOTION TO AMEND: Council Member Devens moved, seconded by Council Member Wegner, to amend Resolution #21-34 by amending the last sentence of the Attachment A section titled "Permanent Fund" by striking the word "will" and replacing it with the word "may", and adding the phrase "at Council discretion" to the end of the sentence.

Mr. Joe Prax, Valdez resident, urged Council to make an amendment not to spend the fund at all.

VOTE ON THE MOTION TO AMEND:

Yays: 6 - Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

Excused: 1 - Mayor Scheidt

MOTION CARRIED.

Mr. Prax stated the City was beginning to spend more than it brings in, drawing parallels to the State's budgeting issues. He stated some minor belt tightening now would benefit the City in the long term.

VOTE ON THE MAIN MOTION AS AMENDED:

Yays: 6 - Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

Excused: 1 - Mayor Scheidt

MOTION CARRIED.

3. #21-35 - Amending the 2021 City Budget by Transferring \$42,095 from General Fund/Finance Department to Technology Reserve to Fund Mass Appraisal Software Contract

MOTION: Council Member Devens moved, seconded by Council Member Fleming, to approve Resolution #21-35.

VOTE ON THE MOTION:

Yays: 6 - Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

Excused: 1 - Mayor Scheidt

MOTION CARRIED.

IX. REPORTS

- 1. Procurement Report - Professional Services Agreement with Callan and Associates for Permanent Fund Investment Services**
- 2. Quarterly Financial Summary Reports: June 30, 2021**

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

Mr. Detter outlined current city projects, including the Cottonwood Drive paving project, West Hanagita paving project, Ptarmigan Place paving project, Council Chambers, Mineral Creek Bridge repairs, High School and Elementary School water line repairs, and the school generator project. Council Member Wegner thanked Mr. Duval for working with the schools on the generator project scheduling.

Mr. Detter continued his update on projects, including design updates, bid solicitation for the new well, the H-K small boat harbor grant application, bidding for the Robe River fire water booster pump replacement, Architects of Alaska and the hospital master plan update, and child care facility.

Council Member Wegner asked when more information would be brought forward on the hospital master plan update. Mr. Detter and Mr. Duval explained they were planning for the second meeting in September.

Council Member Fleming asked if the child care facility discussion as part of the hospital master plan was the only additional child care option currently in the works. Mr. Detter reminded Council the Parks & Recreation Master Plan also included a Recreation Facility with child care space identified as a priority.

Mr. Detter explained the Zero to Three with Families Alliance headed by Ms. Olivia Foster would like to meet with Council in a work session. Timing of that work session would be once the Alliance was farther along with their assessment study on local child care needs, as well as work by their subcommittees.

Mr. Detter provided an update on housing projects, including senior housing, and the St. Patrick Subdivision.

Mr. Detter provided an update on his attendance at the recent Providence Health Advisory Council meeting.

He provided a brief update on local COVID-19 case trends expressed his concern over the Delta Variant induced surge in case numbers. He stated he would be meeting with members of the local medical community and key city staff to discuss topics including public communication needs and spending

proposals related to the COVID-19 response. He stated a number of people had reached out to him asking about the need for another mask mandate and emergency order. He requested guidance from Council in regards to another mask mandate.

Council Member Wegner expressed his interest in providing educational materials to the community and allowing people to make their own decisions. He did not feel comfortable moving backwards and mandating masks again.

Council Member Fleming agreed with Council Member Wegner, stating he was in favor on not mandating masks at this point. He supported local businesses requiring masks if they wanted to do so and receiving the support of local law enforcement to trespass individuals who did not comply.

Council Member Devens expressed his concerns. He stated the last 30 days had been the worst locally regarding case numbers. He stated he felt the original emergency order and mandate had been put into place during a time with less cases and reestablishing both should at least be considered under the circumstances.

Council Member Love shared her concern over the local vaccination rate. She stated she was prepared to discuss another mask mandate, but had reservations over making the mandate more punitive versus educational.

Council Member Moore shared frustration regarding the local vaccination rate. He was in favor of the City taking stronger action on masking in city facilities and providing a strongly worded statement encouraging masking in the broader community. However, he did not feel a mandate would be appropriate at this time.

Mayor Pro Temp Sorum expressed interest in setting a good example for the community in regards to masking.

Mr. Detter explained the current exhaustion level within the medical community. He stated the testing trailers would remain in place at both the Alfa Doc Clinic and the Valdez Medical Clinic. The City would continue to provide support to the local medical community.

Ms. Ferko provided a reminder of Valdez Municipal Code provisions for mandates, including the necessity of a formal disaster declaration prior to issuing a mandate.

2. City Clerk Report

Ms. Ferko reviewed the upcoming Council calendar, including upcoming work sessions. She reminded Council City Clerk Sheri Pierce was out on vacation through August 27th. She updated Council on a tsunami preparedness brochure

and letter mailed to all post office box holders by the city emergency management team.

3. City Attorney Report

Mr. Staser outlined projects and provided updates on cases his firm is working on behalf of the City, including the census, redistricting, escaped property, and Pacific Pile & Marine. Comments on BP Hilcorp and Alaska Trappers were reserved for executive session.

4. City Mayor Report

Mayor Pro Tem Sorum asked for an update on the Coast Guard City sign. Ms. Ferko explained she reached out to all of the other Alaskan Coast Guard Cities to determine best practice for signage across the state. She explained staff are looking at a design combining elements from the Cordova and Kodiak signs. She stated she is working with Mr. Talbott and Mr. Duval to finalize design and determine cost estimates and location. She explained once all of those items were identified, they would return to Council to request authorization to fund the project out of Council's contingency budget.

XI. COUNCIL BUSINESS FROM THE FLOOR

Council Member Wegner shared his appreciation for Council's willingness to respectfully listen to and consider opposing opinions and points of view.

Council Member Fleming thanked those involved in reviving the working relationship with the City's federal lobbyist.

Council Member Love encouraged members of the community to reach out to the Council and express their concerns. She also took a moment to recognize impacts of the recent tragic loss of three young men in the community. She stated many members of the community were sitting with very heavy hearts and she offered her condolences and thoughts to those impacted by loss.

Council Member Moore expressed his increased appreciation for the hard work of the City Ports and Harbors Department, under the leadership of department director Jeremy Talbott.

XII. EXECUTIVE SESSION

City Council transitioned into executive session at 9:37 p.m.

XIII. RETURN FROM EXECUTIVE SESSION

City Council transitioned out of executive session at 10:08 p.m.

XIV. ADJOURNMENT

There being no further business, Mayor Pro Tempore Sorum adjourned the meeting at 10:08 p.m.



Legislation Text

File #: 21-0457, **Version:** 1

ITEM TITLE:

Approval to Go Into Executive Session Regarding Escaped Property

SUBMITTED BY: Jake Staser, City Attorney

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Approve going into executive session regarding Escaped Property

SUMMARY STATEMENT:

Alaska Statute AS 44.62.310 provides an exception to the Alaska Open Meetings law (AS 44.62.310) which allows the City Council to meet in executive session for the purpose of discussion related to:

1. Matters which involve litigation and where matters of which the immediate knowledge would clearly have an adverse effect upon the finances of the City.
2. Matters which by law, municipal charter, or ordinance are required to be confidential.

Any formal action related to the discussion requiring a motion and vote of the governing body must be done in open session.



Legislation Text

File #: 21-0458, **Version:** 1

ITEM TITLE:

Approval of Professional Services Agreement with Architects Alaska, Inc. for the Valdez Hospital Campus Master Plan Update in the Amount of \$250,000

SUBMITTED BY: Nathan Duval, Assistant City Manager/ Capital Facilities Director

FISCAL NOTES:

Expenditure Required: \$250,000

Unencumbered Balance: \$250,000

Funding Source: 315-0310-58000-9198

RECOMMENDATION:

Approve Professional Services Agreement with Architects Alaska, Inc. for the Valdez Hospital Campus Master Plan Update in the amount of \$250,000

SUMMARY STATEMENT:

Working with the Providence Valdez Hospital leadership team, the community Providence Health Advisory Council, the Hospital Expansion Task Force and City Administration, Capital Facilities developed a request for qualifications (RFQ) to update the current hospital master plan. The current plan from 2011-2012 was based on the community needs at the time and is due for an update. Council approved funding for the project with the 2021 projects appropriation.

The RFQ was posted on March 19th and proposals were due April 19, 2021. Two proposals were received and evaluated. Based on proposals received and written responses to follow-up questions Architects Alaska, Inc and subconsultant ZGF were selected for the masterplan update.

The attached agreement and proposal outline the scope of services to be performed as well as a timeline of deliverables. The design team will work with Providence leadership as well as the Health Advisory Council to evaluate the feasibility of the following major added services and/or facilities:

- a. Outpatient Services, Rehabilitation /PT, and Specialty Clinics
- b. Providence Valdez Counseling Center
- c. Primary Care
- d. Long Term Care
- e. Childhood Development
- f. Residential Substance Abuse
- g. Transient Housing

h. Indoor walking oval - (Site colocation only, financial feasibility to be conducted with Parks and Rec recreation center feasibility study.)



**City of Valdez
Agreement for Professional Services**

THIS AGREEMENT between the CITY OF VALDEZ, ALASKA, (“City”) and Architects Alaska, Inc. (“Consultant”) is effective on the ____ day of _____, 20__.

All work under this agreement shall be referred to by the following:

**Project: Valdez Hospital Master Plan Update
Project No: 21-350-9198
Contract No.: 1519
Cost Code: 315-0310-58000-9198**

Consultant’s project manager under this agreement is Mark Kneedler.

Consultant’s project manager may not be changed without the written consent of the City.

City’s project manager is Nathan Duval.

ARTICLE 1. Scope of Work

1.1 The scope of work to be performed hereunder is more completely described in Appendix A which is incorporated herein by reference.

ARTICLE 2. Compensation

2.1 Compensation shall be paid in accordance with the Basis of Compensation Schedule attached hereto as Appendix B and incorporated herein by reference in an amount not to exceed \$250,000.

ARTICLE 3. Period of Performance

3.1 The Consultant agrees to commence work under this agreement only as authorized by and in accordance with written notice to proceed and to complete the work in accordance with the Scope of Work (Appendix A).

3.2 The period of performance under this agreement shall end and Consultant shall have completed all work under this agreement within 360 days of the written Notice to Proceed. Work shall proceed in accordance with the schedule set forth in Appendix A.



ARTICLE 4. Subconsultants

4.1 The Consultant shall be responsible for the performance of all services required under this agreement.

ARTICLE 5. Insurance

5.1 In accordance with the provision contained in the General Conditions (Appendix C), the following minimum limits of insurance coverage are required:

<u>Type of Insurance</u>	<u>Limits of Liability</u>	
	<u>Each Occurrence</u>	<u>Aggregate</u>
Workers' Compensation	Statutory	Statutory
Employers' General	\$ 100,000	\$ 300,000
Commercial General Liability*	\$1,000,000	\$2,000,000
Comprehensive Automobile Liability	\$ 100,000	\$ 300,000
Professional Liability*	\$1,000,000	\$2,000,000

*(including Broad Form Property Damage Coverage and Completed Operations Coverage)

ARTICLE 6. Appendices

6.1 The following appendices are attached to this agreement and incorporated herein:

<u>Appendix</u>	<u>Title</u>
A	Scope of Work
B	Basis of Compensation
C	General Conditions

Agreement for Professional Services
Project: Valdez Hospital Master Plan Update
Project No: 21-350-9198
Contract No.: 1519
Cost Code: 315-0310-58000-9198



IN WITNESS WHEREOF, the parties to this presence have executed this CONTRACT in two (2) counterparts, each of which shall be deemed an original, in the year and day first mentioned above.

ARCHITECTS ALASKA, Inc.

Authorized Signature

Printed name

Date: _____

Title: _____

FEDERAL ID #: _____

Mailing Address

City, State, Zip Code

Signature of Company Secretary or Attest

Date: _____

**CITY OF VALDEZ, ALASKA
APPROVED:**

Sharon Sheidt, Mayor

Date: _____

ATTEST:

Sheri L. Pierce, MMC, City Clerk

Date: _____

Mark Detter, City Manager

Date: _____

RECOMMENDED:

Nathan Duval, Capital Facilities Director

Date: _____

APPROVED AS TO FORM:

Brena, Bell & Walker, P.C.

Jon S. Wakeland

Date: _____



Appendix A Scope of Work

BASIC SERVICES

Provide all professional services necessary to provide the City of Valdez:

The scope of work is more specifically described in the attached proposal dated August 30, 2021 which is incorporated herein by reference.

Appendix B Basis of Compensation

On completion of work and submission of invoices, the City shall pay to consultant the compensation as follows:

Payment shall be made based on the proposed fee and shall not exceed \$250,000 per the proposal attached to Appendix A of this Agreement, without prior authorization by the City as required in Section V of the General Conditions (Appendix C).



Appendix C General Conditions

I. Definitions:

Basic Services: The identified work elements set forth in this Agreement for which the Consultant will receive prime compensation.

Change: An addition to, or reduction of, or other revision in the scope, complexity, character, or duration of the services or other provisions of this Agreement.

City's Project Manager: City's representative in charge of the project(s) and the consultant's primary point of contact for notice(s) to proceed, invoices, correspondence and interface with the City.

Consultant's Project Manager: The Consultant's representative in charge of the project(s) who is directly responsible and engaged in performing the required services.

Extra Services: Any services or actions required of the Consultant above and beyond provisions of this Agreement.

Funding Agency(s): The agency(s) of the federal, state or municipal government which furnishes funds for the Consultant's compensation under this Agreement.

Optional Services: Identifiable and/or indeterminate work elements set forth in this Agreement, which are separate and distinct from those covered by the prime compensation, which the City has the option to authorize.

Prime Compensation: The dollar amount paid to the Consultant for basic services set forth in this Agreement. Prime compensation does not include payment for any optional or extra services.

Scope of Work: Basic and optional services required of the Consultant by provisions of this Agreement.

Subconsultant: Any person, firm, corporation, joint venture, partnership or other entity engaged through or by Consultant.



II. Information and Services from Others:

Provisions of information, data, budget, standards, and other materials by the City does not warrant their accuracy or quality nor provide approval of omissions or oversights or of any non-compliance with applicable regulation.

The City may, at its election, or in response to a request from the Consultant, furnish information or services from other Consultants. If, in the Consultant's opinion, such information or services are inadequate, the Consultant must notify the City of the specific service or material deemed inadequate and the extent of the inadequacy prior to use in the performance of this Agreement. Unless so notified by the Consultant, the City may assume the information or services provided are adequate.

III. Indemnification

To the fullest extent permitted by law, the Consultant shall indemnify, defend, and hold harmless the City from and against any claim of, or damages, losses, expenses and liability (including but not limited to fees and charges of engineers, architects, attorneys, and other professionals, and court, mediation and/or arbitration costs) for negligent acts, errors, and omissions of the Consultant, Subconsultant, persons or organizations directly or indirectly employed or engaged by Consultant or Subconsultant under this Agreement. The Consultant is not required to indemnify, defend, or hold harmless the City for a claim of, or liability for the independent negligent acts, errors, and omissions of the City. If there is a claim of, or liability for a joint negligent act, error, or omission of the Consultant and the City, the indemnification, defense, and hold harmless obligation of this provision shall be apportioned on a comparative fault basis. In this provision, "Consultant" and "City" include the employees, agents, and contractors who are directly responsible, respectively, to each. In this provision, "independent negligent acts, errors, and omissions" means negligence other than in the City's selection, administration, monitoring, or controlling of the Consultant, or in approving or accepting the Consultant's work.

IV. Insurance:

All of the insurance coverages listed in Article 5 shall be purchased by the Consultant. The City shall be made an additional insured on the Consultants Commercial General Liability policy in connection with the activities related to this contract. The Consultant shall purchase and maintain the Article 5 insurance coverages with limits not less than those specified for the duration of the Agreement. The professional liability insurance shall be maintained in force for one year following the date of final payment for the work performed herein. The amount of the contract may be renegotiated if the insurance premiums for the following year are raised over those in force when the contract was let. Should the professional liability insurance become unavailable during the one year period following the date of final payment, the insurance coverage may be renegotiated between the owner and the Consultant.



Insurance coverage shall provide for negligent acts, errors or omissions which the Consultant, employees of the Consultant or Subconsultant may make which produce loss or liability to the Owner and for the protection against loss which results from reliance on the Consultant's products, reports or a combination thereof. Failure to comply with the provision for maintaining the insurance in effect for one year following the date of final payment may be cause for the Owner to refrain from dealing with the Consultant in the future.

V. Payments:

The City shall pay to the Consultant the amount of any changes in the cost of insurance that are attributable to the Scope of Work created by change orders.

Payments shall be made in accordance with Appendix B. Consultant shall submit progress invoices to City in duplicate showing the itemized services performed during the invoice period and the charges therefore.

All progress invoices shall be prepared as a percentage of the work is completed except contracts performed on "time and expenses" basis which invoiced amounts shall not exceed the actual charges to the invoice date.

Under no circumstances will City pay for charges in excess of any lump-sum or not-to-exceed contract amount incurred prior to written authorization by City for an increase in the contract amount. Written request for an increase in the contract amount shall be given to City with sufficient notice to allow City to issue formal approval prior to the incurring of excess charges without delay to the work.

On "time and expenses" contract amounts, compensation for work included in the Scope of Work shall be for direct labor costs and the actual cost of reimbursable expenses. Direct labor costs shall be as shown on the current Standard Labor Rates for the Consultant, a copy of which is attached as Appendix D, times a factor of n/a, for services rendered by principals and employees of the firm. Reimbursable expenses mean the actual expenses incurred directly or indirectly in connection with the Project for: transportation and subsistence incidental thereto; obtaining bids or proposals from contractor(s); furnishing and maintaining field office facilities; toll telephone calls and telegrams; reproduction of reports, drawings, specifications, and similar project-related items and, if authorized in advance by City, overtime work requiring higher than regular rates. Reimbursable expenses shall also include the amount billed to Consultant by Subconsultant employed by consultant for such Subconsultants' services and reimbursable expenses times a factor of 1.05.

The sum of payments shall not exceed the allowable compensation stated in this Agreement. In the event items on an invoice are disputed, payment on those items will be withheld until the dispute is resolved.



The Consultant shall submit a final invoice and required documentation for services authorized by each Notice to Proceed within Ninety (90) days after final acceptance by the City. The City will not be held liable for payment of invoices submitted after this time unless prior written approval has been given.

VI. Changes:

Changes in the Scope of Work or of services may only be made by written amendment signed by both City and Consultant.

If at any time the City through its authorized representatives, either orally or in writing, requests or issues instructions for extra services or otherwise directs actions which conflict with any provisions of this Agreement, the Consultant shall, within ten (10) days of receipt and prior to pursuing such instructions, notify the City in writing, and to the extent possible, describe the scope and estimated cost of any extra services. Unless so notified by the Consultant, the City may assume such instructions have not changed any provisions of this Agreement nor require additional compensation. No additional payments shall be made to the Consultant without such notice.

VII. Audits and Records:

The Consultant shall maintain records of all performances, communications, documents, and correspondence pertinent to this Agreement, and the City or its authorized representatives shall have the right to examine such records and accounting procedures and practices.

The materials described in the Article shall be made available at the business office of the Consultant, at all reasonable times, for inspection, audit or reproduction by City or any funding agency, for a minimum of three years from the date (a) of final payment under this Agreement (b) final payment upon claims or disputes, and for such longer period, if any, as may be required by applicable statute or other provisions of this Agreement.

VIII. Inspections:

The City, or any funding agency, has the right to inspect, in the manner and at reasonable times it considers appropriate during the period of this Agreement, all facilities, materials and activities of the Consultant in the performance of this Agreement.

IX. Termination or Suspension:

This Agreement may be terminated by either party upon ten (10) day's written notice if the other party fails substantially to perform in accordance with its terms through no fault of the party initiating the termination (default termination). If the City terminates this



Agreement, the City will pay the Consultant a sum equal to the percentage of work completed that can be substantiated by the Consultant and the City. If the City becomes aware of any fault or defect in the work of the Consultant or nonconformance with this Agreement, the City will give prompt written notice thereof to the consultant. Should the Consultant's services remain in nonconformance with this Agreement, the percentage of total compensation attributable to the nonconforming work may be withheld.

The City at any time may terminate (convenience termination) or suspend this Agreement for its own needs or convenience. In the event of a convenience termination or suspension for more than three months, the Consultant will be compensated for authorized services and authorized expenditures performed to the date of receipt of written notice of termination plus reasonable termination expenses. NO fee or other compensation for the uncompleted portion of the services will be paid, except for already incurred indirect costs which the Consultant can establish and which would have been compensated for over the life of this Agreement, but because of the convenience termination would have to be absorbed by the Consultant without further compensation.

If state or federal funds support this Agreement, settlement in the event of default or convenience termination must be approved by the City and any appropriate state or federal agency.

X. Officials Not to Benefit:

No member of or delegate to Congress, United States Commissioner or other officials of federal, state or local government shall be admitted to any share or part of this Agreement or any benefit to arise therefrom. The Consultant warrants that it has not employed or retained any organization or person, other than a bona fide employee working for the Consultant, to solicit or secure this Agreement and that it has not paid or agreed to pay any consideration contingent upon or resulting from this Agreement.

XI. Independent Consultant:

Except in those instances specifically provided for herein, the Consultant and any of its agents and employees shall act in an independent capacity and not as agents of the City in the performance of the Agreement.

XII. Ownership of Work Products:

Work products produced under this Agreement, except items which have preexisting copyrights, are the property of the City. Payments to the Consultant for services hereunder includes full compensation for all work products, field notes, interim work, reports, and other materials produced by the Consultant and its Subconsultants pertaining to this Agreement. Any re-use the City might make of these work products shall be at the City's own



risk and the Consultant shall not incur any liability for the City's re-use of the work products on any project for which they were not intended.

XIII. Subconsultants, Successors and Assigns:

The City must concur in the selection of all Subconsultants for professional services to be engaged in performance of this Agreement.

As soon as practicable after the award of the contract, the Consultant shall furnish to the City in writing the names of the proposed Subconsultants for each of the principal portions of the work. The City shall promptly notify the Consultant if it has reasonable objection to any of the proposed Subconsultants. Failure of the City to give prompt notification shall constitute notice of no reasonable objection. The Consultant shall not contract with any Subconsultant to whom the City has made reasonable objection.

If this Agreement includes named firms or individuals, then such firms or individuals shall be employed for the designated services, unless the Agreement is changed by amendment.

The Consultant shall not assign, sublet or transfer any interest in this Agreement without the prior written consent of the City.

The Consultant binds itself, its partners, its Subconsultants, assigns and legal representatives to this Agreement and to the successors, assigns and legal representatives of the City with respect to all covenants of this Agreement.

The Consultant shall include provisions appropriate to effectuate the purposes of this Appendix C in all subcontracts executed to perform services under this Agreement in which subcontract amount exceeds \$40,000.

XIV. Claims and Disputes:

If the Consultant becomes aware, or reasonably should have become aware of any act or occurrence which may form the basis of a claim, the consultant shall immediately inform the City's Project Manager. If the matter cannot be resolved within seven (7) days, the Consultant shall within the next fourteen (14) days submit written notice of the facts which may form the basis of the claim.

In addition, all claims by the Consultant for additional compensation or an extension of the time for performance of any dispute regarding a question of fact or interpretation of this Agreement shall be presented in writing by the Consultant to the City's Project Manager within the next sixty (60) days unless the Project Manager agrees in writing to an extension of time for good cause shown. Good cause shown includes time for the Consultant



to prepare the claim, and the City's Project Manager will grant an extension of not more than sixty (60) days for preparation of the claim. The Consultant agrees that unless these written notices are provided, the Consultant shall not be entitled to additional time or compensation for such act, event or condition. The Consultant shall in any case continue diligent performance under this Agreement. The Consultant shall in any case continue to expeditiously accomplish disputed services pending future resolution of the Consultant's claim unless notified by the City to stop work on the disputed matter.

In presenting any claim, the Consultant shall specifically include, to the extent then possible, the following:

- The provisions of this Agreement that apply to the claim and under which it is made.
- The specific relief requested including any additional compensation claimed and the basis upon which it was calculated and/or the additional time requested and the basis upon which it was calculated.
- The claim will be acknowledged in writing by the City's Project Manager. If the claim is not disposed of within sixty (60) days of acknowledgement, provided additional time is not granted in writing by the City's Contract Officer, the claim will be decided by the City's Contract Officer. The Contract Officer reserves the right to make a written request to the Consultant at any time for additional information that the Consultant may possess to support the claims(s). The Consultant agrees to provide the City such additional information within thirty (30) days of receipt for such a request. The City's Contract Officer will allow a reasonable time extension for good cause if presented in writing prior to the expiration of the thirty (30) days. Failure to furnish such additional information constitutes a waiver of claim.
- The Consultant will be furnished a written, signed copy of the Contract Officer's decision within ninety (90) days of receipt of all necessary information from the Contractor upon which to base the decision. The Contract Officer's decision is final and conclusive unless, within thirty (30) days of receipt of the decision, the Consultant delivers a notice of appeal to the City Manager. The notice of appeal shall include specific exceptions to the City's decision including specific provision of this Agreement which the Consultant intends to rely upon on appeal. General assertions that the City's decision is contrary to law or to fact are not sufficient.



- The decision of the City Manager will be rendered within 120 days of notice of appeal and the decision constitutes the exhaustion of contractual and administrative remedies.

All of the insurance coverages listed in Article 5 shall be purchased by the Consultant. The City shall be made an additional insured on the Consultants Commercial General Liability policy in connection with the activities related to this contract. The Consultant shall purchase and maintain the Article 5 insurance coverages with limits not less than those specified for the duration of the Agreement. The professional liability insurance shall be maintained in force for one year following the date of final payment for the work performed herein. The amount of the contract may be renegotiated if the insurance premiums for the following year are raised over those in force when the contract was let. Should the professional liability insurance become unavailable during the one year period following the date of final payment, the insurance coverage may be renegotiated between the owner and the Consultant. Insurance coverage shall provide for negligent acts, errors or omissions which the Consultant, employees of the Consultant or Subconsultant may make which produce loss or liability to the Owner and for the protection against loss which results from reliance on the Consultant's products, reports or a combination thereof. Failure to comply with the provision for maintaining the insurance in effect for one year following the date of final payment may be cause for the Owner to refrain from dealing with the Consultant in the future.

XV. Extent of Agreement:

This Agreement, including appendices, represents the entire and integrated Agreement between the City and the Consultant and supersedes all prior negotiations, representations or agreements, either written or oral.

Nothing contained herein may be deemed to create any contractual relationship between the City and any Subconsultants or material suppliers; nor may anything contained herein be deemed to give any third party a claim or right of action against the City or the Consultant that does not otherwise exist without regard to this Agreement.

This Agreement may be changed only by written amendment executed by both the City and the Consultant.

All communications that affect this Agreement must be made or confirmed in writing.

The Consultant receiving final payment will execute a release, if required, relinquishing in full all claims against the City arising out of or by reason of the services and work products furnished under this Agreement.

Agreement for Professional Services
Project: Valdez Hospital Master Plan Update
Project No: 21-350-9198
Contract No.: 1519
Cost Code: 315-0310-58000-9198



The Consultant shall pay all federal, state and local taxes incurred by the Consultant and shall require payment of such taxes by any Subconsultant or any other persons in the performance of this Agreement.

XVI. Governing Laws:

This Agreement is governed by the laws of the State of Alaska and such federal and local laws and ordinances as are applicable to work performed. Any litigation arising out of the terms of this Agreement shall be brought in the Third Judicial District, Superior or District Court at Valdez.

XVII. Minimum Wages:

Minimum wages as determined by the Department of Labor shall be paid to all persons performing work on this Contract.

Agreement for Professional Services
Project: Valdez Hospital Master Plan Update
Project No: 21-350-9198
Contract No.: 1519
Cost Code: 315-0310-58000-9198



City of Valdez
Contract Release Page 1 of 2

The undersigned, _____ for itself, its owners, partners, successors in interest, assigns trustees, administrators, subcontractors, suppliers, and laborers do hereby release and forever discharge the CITY OF VALDEZ, ALASKA a municipal corporation, as set forth herein related to or arising out of the following described contract ("Contract"):

Project: Valdez Hospital Master Plan Update
Project Number: 21-350-9198 / Contract Number: 1519

The undersigned hereby acknowledges receipt of the amount of \$ _____ as full and final payment in consideration for all services, materials and labors rendered in connection with the Contract.

The undersigned hereby waives and releases any right or claim of lien, any state or federal statutory bond right, any private bond right, any claim for payment under the Contract, and any rights under any similar ordinance, rule, or statute related to claim or payment rights for itself, its owners, directors, officers, its successors in interest, assigns, agents, attorneys, trustees, administrators, subcontractors, suppliers, and laborers.

The undersigned certifies that no amounts payable under the Contract have been assigned to anyone.

The undersigned agrees that this Release is not executed as a result of financial disadvantage. No promise or inducement has been offered or made except as set forth in the above Contract. Accordingly, the undersigned voluntarily waives any and all rights to void this Release or any of its provisions, due to economic or business distress and/or compulsion. The undersigned represents that it is familiar with and has had the opportunity for its attorneys to explain the meaning of decisions of the Alaska Supreme Court applicable to this Release including, but not limited to, *Petroleum Sales, Ltd. v. Mapco of Alaska, Inc.*, 687 P.2d 923 (Alaska 1984); *Totem Marine T. & B. v. Alyeska Pipeline, et. al.*, 584 P.2d 15 (Alaska 1978); and *Witt v. Watkins*, 579 P.2d 1065 (Alaska 1978).

The undersigned hereby declares that the terms of this Release have been completely read and are fully understood, and said terms are voluntarily accepted for the purpose of making a full and final release of any and all payment claims, disputed or otherwise, arising under or by virtue of the Contract. The undersigned represents and warrants that it has the full and complete legal authority to enter into this Release, that the individuals executing this Release have the legal authority to do so, and that this Release shall be binding and enforceable upon it and its representatives, successors, and assigns, in accordance with its terms upon execution. The signature of the undersigned is an acknowledgement that the person signing has the authority to bind the party to this Release.

SCOPE OF WORK / PROCESS (revised Aug. 30, 2021)

1. Site & Facility Evaluation		AAI + ZGF + DOWL + AMC
<ul style="list-style-type: none"> ▶ Gather existing documentation on facility building & site including current drawings and reports ▶ Develop Base Site Plan utilizing COV Data ▶ Site visit with knowledgeable maintenance personnel to escort & discuss current systems ▶ On-site tour of existing Service Departments and site to determine potential areas of growth 	<ul style="list-style-type: none"> ▶ Understanding of facility limitations on size, type, condition and system capacities 	Deliverables <ul style="list-style-type: none"> ▶ Report of findings and recommendations
2. Program Evaluation		AAI + ZGF
<ul style="list-style-type: none"> ▶ Validate 6 new primary service programs and impact on existing program and space ▶ Conduct 2-3 interviews with Steering Committee to validate deficiencies and projected future needs 	<ul style="list-style-type: none"> ▶ Report of deficiencies and potential growth needs 	Deliverables
3. Financial Assessment		AGNEW::BECK + DZA + ESTIMATIONS
<ul style="list-style-type: none"> ▶ Prioritize the identified opportunities and uses for the site by understanding the City's and Medical Center's goals ▶ Core Team meetings to identify and discuss goals that will be used as criteria to prioritize opportunities. Present order of magnitude options for level of analysis for each of the proposed uses to identify 3-4 programs that require more complete financial analysis, and others where a more cursory review will suffice. Prioritizing will also take into account findings from the Community Health Needs Assessment and the recent Comprehensive Planning process to identify uses with strong community interest and support. The goal of this meeting is to identify a sub-set of proposed uses where a full financial analysis will be completed. 		
Deliverables <ul style="list-style-type: none"> ▶ Preliminary feasibility analysis of 6 primary service programs ▶ In-depth financial analysis of 3-4 service programs 		
4. Facility Master Plan		AAI+ZGF+AMC +DOWL
<ul style="list-style-type: none"> ▶ Planning process and options considered ▶ Facility and site plans Block Diagrams of preferred option ▶ Implementation schedule and phasing ▶ Project cost estimates ▶ Next steps description 		
Deliverables <ul style="list-style-type: none"> ▶ Final Report compiled documentation including overall Master Plan Diagrams and Financial Feasibility Report, Operations Report and Facility Conditions Report. 		

FEE PROPOSAL

We anticipate any required CON to be produced by Providence, with some assistance from the design team.

FEE - SERVICES OF WORK

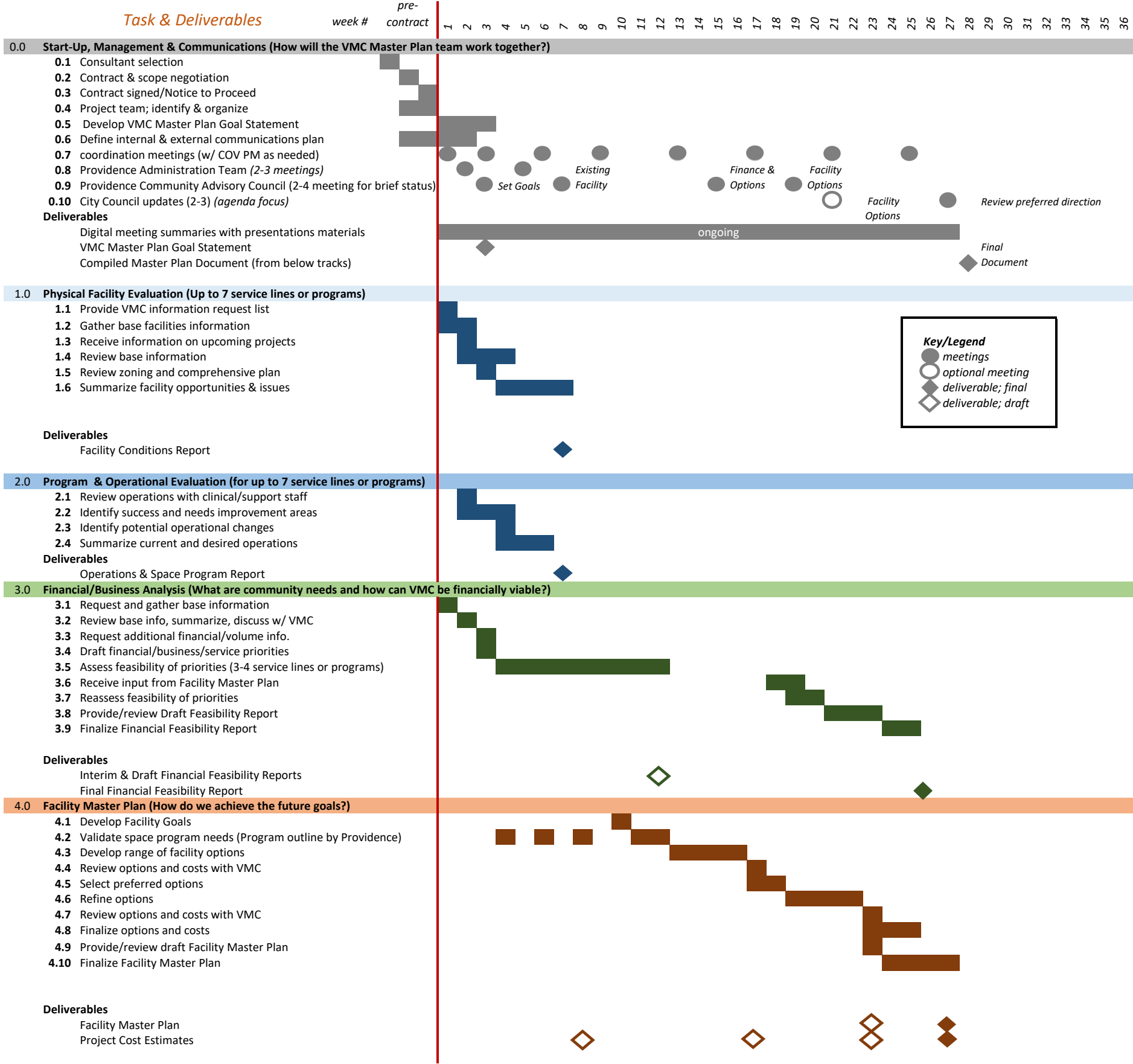
Track 1- Site & Facility Evaluation:	\$ 52,000
Track 2 – Program Evaluation:	\$ 44,000
Track 3 – Financial Assessment:	\$ 73,000
Track 4 – Facility Master Plan:	<u>\$ 71,000</u>
Total Labor:	\$240,000
Expenses:	<u>\$ 10,000</u>
Total Lump Sum Fee:	\$250,000

ASSUMPTIONS:

- ▶ On site observation of existing facility and site as required by design team
- ▶ Use of video conferencing for interview and program validation, task force meetings when appropriate
- ▶ Any required CON will be prepared by Providence (or others) with assistance from the design team of supporting plans and financial data.
- ▶ Contract to be based on Stipulated Lump-sum Fee including reimbursed cost, such as travel expenses

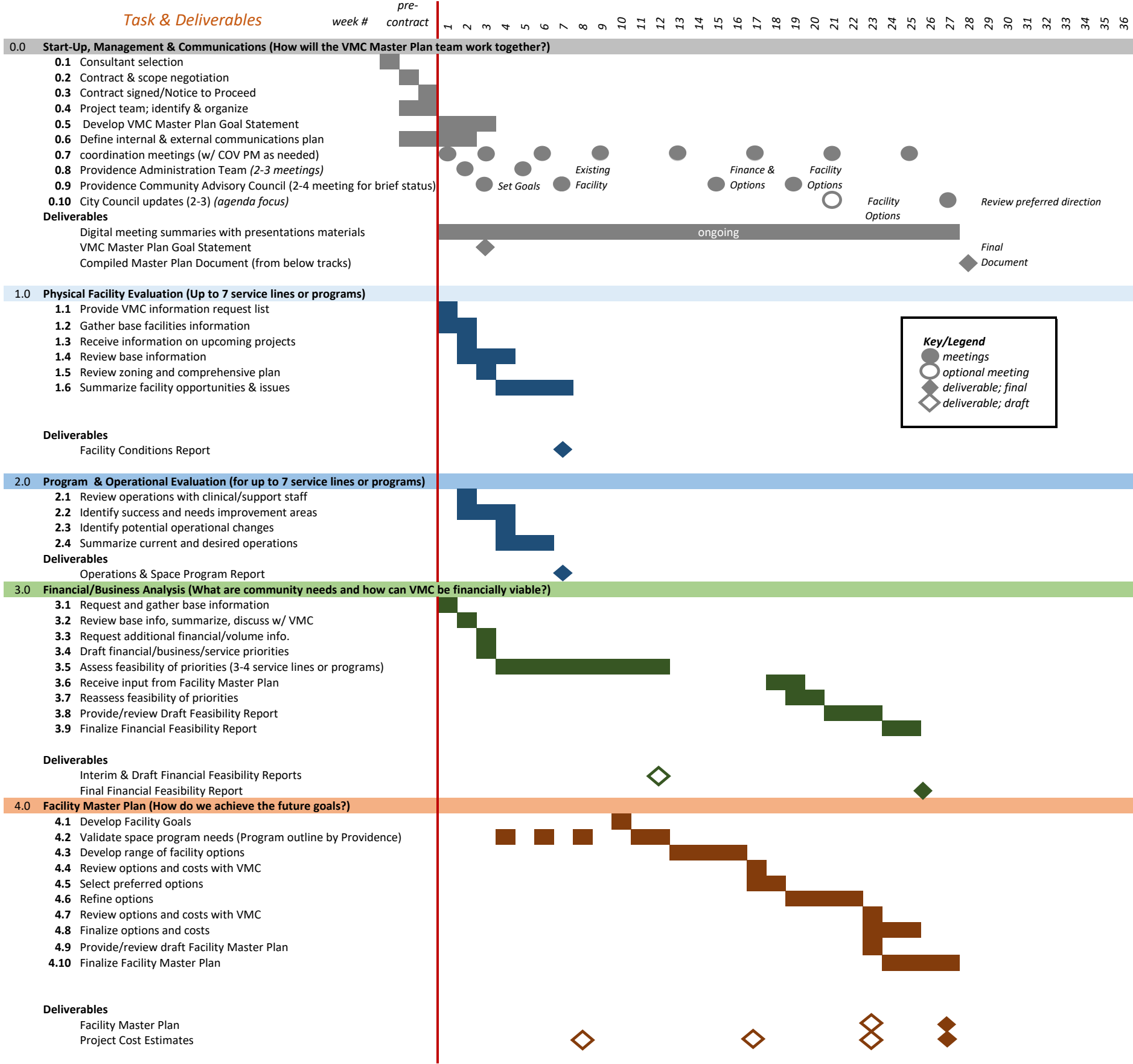
VMC - Master Plan Work Plan and Schedule

13-Sep-21



VMC - Master Plan Work Plan and Schedule

13-Sep-21





Legislation Text

File #: 21-0459, **Version:** 1

ITEM TITLE:

Approval of Amendments to City Council Policies and Procedures (Regarding Citizen Advisory Groups)

SUBMITTED BY: Allie Ferko, MMC, Deputy City Clerk

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Approval of amendment to City Council Policies and Procedures

SUMMARY STATEMENT:

City Council Policies and Procedures are adopted pursuant to City Charter Section 3.6(i) and may be amended as directed by Council.

During the City Council's July 2021 strategic planning retreat, streamlining the city citizen advisory group program was discussed.

During a follow-on Council work session on August 31, 2021, Council discussed their desire to formalize the process for establishment of *temporary* citizen advisory groups ("task forces") by Council resolution. Council also expressed a desire to adhere more closely to the citizen advisory group attendance policy to help with recruitment/retention and ensure maximum, engaged participation by those appointed to serve.

Council directed staff to bring forth a revision to the City Council Policies and Procedures documenting these changes.

Synopsis of changes included in this draft revision:

- XIII.C.3 - Corrected the name Economic ***Development*** Commission to the correct name of Economic ***Diversification*** Commission.
- XIII.C.7 & 8 - Addition of the Permanent Fund Investment Committee and soon to be formed Beautification Commission, which were missing from the list of established and standing

advisory groups.

- XIII.D. - Added considerations for assignment of work to citizen advisory groups, basic criteria for creation of a temporary task force, required content of the Council resolution establishing a task force, and guidelines for management and process for conducting task force business.
- XIII.E.2 - Provided an allowance for the VMHA Board to follow attendance policies as established in their By-Laws approved by VHMA Corporation (City Council), as the VMHA board is managed slightly differently than other city citizen advisory groups.
- XIII.E.3 - Added “boards” and task forces to the attendance section, as they were boards were inadvertently omitted during the previous version.
- XIII.E.18 - Added ability of the citizen advisory boards to formally vote and authorize an extended absence of one of its members. This is the current process codified in Planning & Zoning Commission policy, which staff feels is appropriate to allow for all city citizen advisory groups.

Staff feels this adjustment appropriately:

- Holds members accountable for engaged participation and attendance, while providing recognition that members are volunteers with lives outside of city service which may warrant absences from time to time;
- Provides a clear avenue to accommodate a legitimate request for an extended absence, due to causes such as a short term family emergency or health issue, without forcing the resignation of the member;
- Creates ownership on the part of the citizen advisory group to work together and ensure a quorum can still be met during the extended absence of the member; and
- Provides a formal process (and accompanying member education) on the process for removal of a member due to lack of attendance at three consecutive regular meetings without advance authorization.
- XIII.E.18 - Added process for documenting member resignations from citizen advisory groups. This is already standard internal staff practice, but it is appropriate to include in this section for transparency and clarity.

Following approval of these amendments, and in conjunction with Council direction in during the above mentioned work sessions, the following actions will occur:

- The Clerk's Office will educate established and standing citizen advisory groups on the changes to the attendance section, how it may impact them directly, and why those changes are to the benefit of the group and community.
- Impacts to existing citizen advisory groups which were not established by Council resolution:
 - Beautification Task Force: Second reading of ordinance shifting Beautification Task

Force into the Beautification Commission occurs on this agenda.

- Flood Mitigation Task Force: Council expressed support of near term continuation of the work of this task force until flood mitigation efforts shift from emergency response into regular maintenance/project management. Council members currently serving on this task force will shift into an ad-hoc, non-voting role. Scope of task force will include permitting, project for flood protection, and maintenance plans. Administration will bring forth a resolution formally establishing the task force and outlining its parameters in the next couple of months.
- Hospital Expansion Task Force: Now that an architect has been selected for the Hospital Campus Master Plan, this task force will sunset and its work will shift to the Providence Valdez Medical Center Community Advisory Council.

VALDEZ CITY COUNCIL
POLICIES AND PROCEDURES
Amended March 20, 2020
Draft for Consideration on September 21, 2021

I. **AUTHORITY**

- A. Charter: The Charter of the City of Valdez provides that the Council may determine its own rules of procedure for meetings. The following set of rules shall be in effect upon their adoption by the Council and until such time as they are amended or new rules adopted in the manner provided by these rules.

II. **GENERAL GUIDELINES**

- A. New Council Seated:
1. At the first regular meeting following the annual City election, the mayor and City Council members are sworn in by the City clerk.
 2. The mayor then conducts the election of mayor pro tempore from among the Council members. The mayor pro tempore shall serve for one year. A majority vote of not less than four of the members elects the mayor pro tempore. The mayor pro tempore serves at the pleasure of the Council.
- B. Meetings to be Public: All meetings of the Council except those qualified as Executive Session shall be open to the public. The journal of proceedings (minutes) shall be open to public inspection.
- C. Quorum: A majority (4) of the members of the Council shall constitute a quorum and be necessary for the transaction of business. A quorum must be present for the duration of the meeting. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.
- D. Notice of Meetings: **At least** 24-hours written notice shall be given designating the time and purpose of a special meeting. In the event the mayor declares in writing that a state of emergency exists, at least six (6) hours written notice shall be given designating the time and purpose of a special meeting.

- E. Journal of Proceedings: An account of all proceedings of the Council shall be kept by the City Clerk and shall be entered in a book constituting the official record of the Council.
- F. Discussion: Action items on the agenda require a motion prior to discussion. Discussion of any subject is permitted only with reference to a pending motion. When necessary, a motion can be prefaced by a few words of explanation or a member can first request information which may assist him in wording an appropriate motion. After a motion has been made and seconded, but prior to Council vote, members of the public may speak to the subject.

In debating a motion on the floor, Council members must confine themselves to the matter before the City Council. Council members should not question the motives of another Council member, city staff or members of the public. However, the nature or consequences of a measure may be condemned in strong terms. It should not be an individual Council member, but the measure that is the subject of debate.

If a particular Council member's remarks are objected to by another Council member as being improper, that Council member cannot proceed with the alleged improper comments without the permission of the City council expressed by a vote of a majority of Council members at that meeting, upon which question there shall be no debate.

- G. 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.
- H. Attendance:
 - 1. Any Council member(s) not able to attend a particular meeting must notify the Mayor or City Clerk as far in advance as possible.
 - 2. Attendance by means of telephone or other electronic media is permitted where (a) physical attendance poses a risk to health or human safety as determined by the mayor; (b) during work sessions; or (c) by permission of the city council for purposes of executive session.

3. A Council member who is participating telephonically under this section may participate in and vote at the meeting by telephone or other electronic means under the following circumstances:
 - a. The Council may meet if a quorum of members are physically and/or telephonically present for the duration of the meeting;
 - b. Reasonable technical capabilities are available at the meeting location to allow the member to participate, to include being able to hear and engage in discussion and being audible to all persons participating in the meeting;
 - c. The member participating telephonically has the ability to obtain the meeting agenda and other pertinent documents to be discussed and/or acted upon;
 - d. A member who is voting will have a voice vote;
 - e. The public must be able to participate by telephone or other electronic means and must be provided the information required to engage in such participation when notice of the meeting is provided.
 4. Telephonic or electronic participation under this section shall include any means through which a member may participate remotely, to include being able to hear and engage in discussion, and being audible to all persons participating in the meeting. Online platforms for web-based connection approved by the IT Director or his/her designee are permissible means of participation so long as the criteria for participation set forth in Section 3 are met.
 5. Administrative staff as required should be available for all Council meetings.
 6. 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.
- I. 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).

- J. 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).

- K. 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.

- L. 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.

- M. 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:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
5. Public Appearances
6. Public Business from the Floor
7. Referrals/Reports from Commissions
8. Consent Agenda**
9. Unfinished Business (An item having been before council at a previous meeting.)
10. New Business
11. Ordinances
12. Resolutions
13. Reports
14. City Manager/City Clerk/City Attorney/Mayor Reports
15. Council Business from the Floor
16. Council Travel
17. Executive Session (If needed)
18. Adjournment

B. Agenda Items: Items may be placed on the agenda by the city manager, city clerk, or at the request of the mayor, or any two members of the city council. Requests that items be placed on the agenda for action by the council shall under no circumstances violate the public notice requirement as set forth in Section 3.6 (c) of the City Charter.

C. Public Appearances: Public appearances shall be scheduled and placed on the agenda by the city clerk or the city manager. The speaker and topic of the presentation shall be identified on the agenda. Public appearances and presentations shall be limited to not more than 15 minutes. Presentations exceeding 15 minutes may be scheduled as a work session at the discretion of the city manager, the mayor, or two members of the city council.

D. Discussion Items: No action shall be taken on any item described on the agenda as a "discussion item" until a subsequent regular or special meeting. If prompt action is required on a matter due to

timing of the issue involved, it shall be listed as an action item on the agenda.

- E. Consent Agenda: Items on the consent agenda are acted upon by one motion with no discussion. Consent Agenda items are to be those with no Council conflicts of interest and routine matters of business.

The Mayor or any council member may ask that an item listed on the Consent Agenda be moved to New Business for the purpose of discussion and vote.

The general public should be given the opportunity to speak to any item on the Consent Agenda. If a member of the public poses a question about any item on the Consent Agenda, that item must be moved to New Business for discussion.

IV. **TYPES OF MEETINGS:**

- A. Regular Meetings: The Council shall meet in the Council Chambers for regular meetings. The regular Council meetings are to commence at 7:00 p.m. on the first and third Tuesday of each month unless the Tuesday falls on a legal holiday in which case the meeting will be held the following Wednesday. All regular meetings of the City Council shall adjourn not later than twelve midnight, unless an affirmative vote of at least four members is taken to continue past midnight.
- B. Special Meetings: Special meetings of Council shall be called by the City Clerk upon request of the Mayor or two Council members. The request shall be documented by the City Clerk. The call for the special meeting shall specify the day, the hour and the location of the special meeting and shall list the subject or subjects to be considered. Only such business may be transacted at a special meeting as may be listed in the call for said meeting. Before a special meeting of Council is called, the City Clerk shall contact each Council member to verify attendance to determine if there will be a quorum.
- C. Work Sessions: The Council may meet in informal work sessions (open to the public) at the call of the Mayor or any two members of Council. A quorum must be present for the duration of the meeting. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.

Only such business may be discussed at a work session as may be listed in the call for said work session. No action may be taken in a work session.

D. Executive Sessions:

1. Conduct of executive sessions shall be in accordance with the City of Valdez Charter and State law.
2. Items to be discussed in executive session shall be given prior public notice and properly identified on the published and posted agenda.
3. Matters that may be discussed in executive session:
 - a. matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the city;
 - b. subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
 - c. matters which by law, municipal charter, or ordinance are required to be confidential;
 - d. matters involving consideration of government records that by law are not subject to public disclosure;
 - e. some attorney-client communications
4. To take action on an item discussed during executive session, the item must be placed on the agenda both under the business portion of the agenda for action and the executive session portion for discussion. When the item is reached on the business portion of the agenda, a motion to modify the agenda to defer action on the item until after the executive session would be in order.
5. The City Council determines who may attend an executive session, including attendance by telephone.

V. **CHAIRMAN AND DUTIES:**

- A. Chairman: The Mayor shall preside as Chair at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tempore shall preside. In the absence of the Mayor and Mayor Pro Tempore, the City Council member present with the greatest cumulative length of service on the council shall preside.
- B. Voting: The City Clerk shall report the vote (Clerk, "ayes, nays, absent, ___ abstaining;") and the result of the action "motion carries/fails."
- C. Limitation on Chairman: Prior to making a motion, the presiding officer must relinquish the gavel to another Council member who will preside over the discussion and determination of the motion.

VI. **LEGISLATION:**

- A. Ordinances - Laws of the City:
 1. Introduction - Two public readings are required. A waiting period may be required for some ordinances.
 2. Method of Introduction: For Purpose of Public Hearing The ordinance is read in full, or, if sufficient copies are available to the public, it may be read by title only.
 3. Action at first reading may be to:
 - Amend as appropriate, or
 - Approve at first reading and advance to second reading
 4. Action at second reading may be to:
 - Amend as appropriate, or
 - Approve at second reading and adopt
 5. Amendment: If a substantial change is made, then additional readings are required until two consecutive readings are accepted without substantial change.

6. Emergency Ordinances - May be passed at first reading for adoption with six positive votes; are limited to matters which may be acted upon.
7. Codification - Most ordinances adopted either supplement or amend existing ordinances which are in the City code of Laws, and such supplements and changes are periodically printed for insertion into the code book. Some special purpose ordinances are not codified.

VII. **RESOLUTIONS - AN EXPRESSION OR OPINION OF COUNCIL:**

- A. Introduction: One public reading and motion to adopt or approve.
- B. Method of Introduction: Read in full or by title only as with ordinances.
- C. Purposes: An act of temporary character (budgets, user fees, policies, etc.)

VIII. **PROCLAMATION**: Official announcement or endorsement of a special event or person issued by the Mayor.

IX. **FINANCES:**

- A. Budget:
 1. The budget is to be available for review by Council by November 15 of each year.
 2. A public hearing is required by Council not less than one week before adoption.
 3. The budget is to be adopted by resolution and money appropriated no later than December 20. There are provisions for adoption should Council fail to act as required.
 4. May be amended in a manner provided by the code.
 5. The Council will conduct a mid-year review of the budget and amend if necessary.

B. Audit:

1. Annual audit shall be made by an independent certified public accountant employed by Council.
2. Completed report is due to Council within 180 days following the close of the fiscal year under examination.

X. TAXES:

- A. Property Assessment: Annually at January 1.
- B. Assessment Appeals: Council acts as a Board of Equalization in establishing assessment roll property values.
- C. Tax Calendar: Council sets tax calendar by resolution to set various due dates for tax assessment and collection.
- D. Tax Rates: Council sets tax rate by resolution after tax roll is certified, subsequent to meeting of the Board of Equalization.

XI. TRAVEL

- A. City Council and Administrative Officers
 1. Purpose. To establish regulations and procedures for official travel, the approval of payment for per diem, and the reimbursement for travel related expenses.
 2. Policy. It is the policy of the City of Valdez that City Council and Administrative Officers (City Clerk and City Manager) travel for official business outside the Valdez area shall be conducted in the most direct and cost effective way to accomplish its purpose.

The Deputy City Clerk, as a non-exempt employee, shall adhere to the travel policy as established in the City of Valdez personnel regulations. The City Clerk shall act as City Manager for the purpose of authorizing and approving travel by the Deputy City Clerk.

B. Travel for the Purpose of Training

The City Council and the City Clerk are encouraged to take advantage of training opportunities that will prepare them for advancement or expand their skills, but may only pay for expenses such as registration, travel or per diem.

Travel by Administrative Officers during normal work days/hours shall be compensable at the normal rate of pay.

The City will not compensate City Council members or the City Clerk for any inessential costs. For example, if a training session ends on a Wednesday and the employee does not return to work until the following Monday, the City Council or City Clerk will not be compensated for time (other than necessary travel time) or the extra costs incurred on Thursday and Friday.

City Council and Administrative Officers travel is authorized for official City purposes when one or more of the following criteria are met:

1. Travel is required to achieve operational and service objectives of the City.
2. Travel is required to support State or Federal efforts, which are beneficial to the City.
3. Travel is mandated by the State or Federal government.
4. Travel is for specific training, which is required for City Council members or the City Clerk to perform City functions, such as training on technological advances or for required certifications.
5. Travel is for specific training which will result in a significant cost savings or cost avoidance for the City.
6. Travel is required to attend a national or state board, committee meeting, or conference as a City representative and the exchange of information or participation will result in a benefit to the City.

C. Definitions

1. Travel Report. Travel documentation outlining travel details and expenses.
2. Travel Authorization Form. Standardized city form itemizing expenses required for internal processing of travel claims.
3. Traveler. City Council members, including, Administrative Officers, authorized to travel on official business outside the Valdez area.

D. Responsibilities.

Travelers shall:

1. Assure that all official travel is conducted in a timely, cost-effective, and most beneficial manner for the City. Consideration of a maximum of 1 pre and/or post travel day may be allowed, depending on length of time of travel.
2. Incur only those expenses, which are necessary and reasonable to accomplish the approved purpose of the trip.
3. Maintain records and receipts for travel related expenses as may be required for payment or reimbursement.
4. Ensure that all official business expenses incurred or submitted for reimbursement are in compliance with this policy/procedure.
5. Upon completion of official travel, submit a Travel Authorization Form, including all required receipts, to the Deputy City Clerk within five (5) working days, who will submit the travel authorization form and receipts to the Finance Department.
6. Submit in writing justification for any deviation from this policy/ procedure.
7. The City Clerk's Office will provide a quarterly travel report to the City Council of all travel reports filed since the last reporting period. The report shall be provided at least 30 days following the end of the quarter.

E. City Council and Administrative Officers Travel Expenses and Per Diem:

Purpose. To establish regulations and procedures for the payment and/or reimbursement of authorized expenses.

Policy. It is the policy of the City of Valdez to authorize the City Council and Administrative Officers to use their City P-Card or request payment in advance for certain actual expenses incurred while on official City business outside the Valdez area, provided the travel meets the criteria established in Section B, 1 thru 9.

1. Air Travel Costs. The City will pay the cost of air transportation directly related to travel for official business. The most economical and direct route available shall be utilized.
2. Private Vehicle Costs. The City will only pay a traveler for use of privately owned vehicles at the rate-per-mile currently being allowed by the Internal Revenue Service, not to exceed the cost of coach airfare and rental car. If two or more Council members travel in the same vehicle, only the owner of the vehicle may claim reimbursement for mileage. The City shall notify the Council and Administrative Officers of any rate changes by the IRS.

Mileage will be reimbursed based upon the following standard mileage/distance schedule:

Anchorage - 310 mi.
Fairbanks - 363 mi.
Wasilla - 254 mi.
Palmer - 249 mi.
Homer - 531 mi.
Girdwood - 382 mi.
Soldotna - 469 mi.
Seward - 433 mi.
Kenai - 456 mi.

3. City Vehicle. The City will pay the cost of fuel and other trip related vehicle-operating costs. No reimbursement for mileage will be allowed.

4. Lodging Costs. The City will pay lodging costs (room and taxes Government rates and tax exemptions shall be requested and used whenever possible. Use of Non Commercial, privately owned rental units must be pre-approved to be considered for reimbursement. Itemized hotel receipts are required for payment or reimbursement.
5. Per Diem. The City will pay up to \$70.00 per day for meals and incidental expenses incurred during official travel away from the Valdez area. If travel status is for at least three hours between the hours of the following time periods, the rate indicated shall be paid:

Midnight - 8:00am: \$20.00

8:00am - 4:00pm: \$20.00

4:00pm - Midnight: \$30.00

Actual meal expenses for a per diem period greater than the per diem rate may be claimed in lieu of per diem, if fully documented with detailed receipts.

6. City Sponsored meals and Entertainment. Charges for city sponsored meals and entertainment are authorized in addition to per diem. The traveler sponsoring the event shall provide receipts and report expenses with their travel authorization form.
7. Registration Fees. The City may make advance payment and/or reimbursement for educational/training fees. Fees for spouse activities are the responsibility of the traveler and will not be paid by the City.
8. Ground Transportation. The City will pay for auto rentals and auto rental fuel only for the days and mileage necessary to conduct official City business. Private vehicle use in the conduct of City business will be reimbursed at the rate-per-mile allowed by the Internal Revenue Service.
9. Other Expenses. The City will pay or reimburse actual amounts paid for taxis, airport limousine services, telephone calls, laundry, self or valet parking, in-room movies, toiletries, etc. Paid itemized receipts for actual expenses will be required for any expense equaling \$10 or more.

F. Travel Advance. The City may, upon request by the traveler, make travel advances, up to one hundred (100%) of verified per diem and travel expenses contained within a travel authorization form. Travel advances may be requested only when travel plans have been finalized and expenses verified and documented.

G. Unforeseen Travel Interruptions. Travel expenses that result from incidents, outside of the traveler's control, (such as airline cancellations, road closures, etc.), that prevent a traveler from returning as scheduled, shall be paid or eligible for reimbursement by the City.

XII. **MISCELLANEOUS PROVISIONS:**

A. Amendment of Council Rules of Procedure:

1. Modifications and changes to City Council procedures may be as directed by Council.
2. Amendments resulting from city charter or code changes shall be deemed incorporated in the council procedures as required.

XIII. **CITIZEN ADVISORY GROUPS:**

A. Commissions, Boards and Committees:

Certain advisory groups are established by statute or ordinance. The members of advisory groups established by statute or ordinance shall be appointed by the City Council.

~~Other advisory groups may be established by the Mayor or City Council for special temporary purposes (moved this sentence to section D).~~

Any vacancy during the unexpired term of an appointive member shall be filled by the council for the remainder of the term. The City Clerk shall advertise notice of the vacancy.

B. Function of Advisory Groups:

1. To receive citizen input and administration staff advice in formulating policy recommendations.

2. To assist and advise Council in the development of program policy and budget for the city.

C. Established or Standing Advisory Groups:

1. Planning and Zoning Commission
2. Valdez Museum and Historical Archive Board of Directors
3. Ports and Harbors Commission
4. Parks and Recreation Commission
5. Valdez Consortium Library Board
6. Economic Development Diversification Commission
7. Permanent Fund Investment Committee
8. Beautification Commission

D. Establishment of Temporary Citizen Advisory Groups (Task Force)

1. When considering assignment of a special project or delegation of work to a citizen advisory group, City Council shall first consider assigning such work to an established or standing citizen advisory group.
2. If the work considered does not fit into the mission, purpose, or scope of an established or standing citizen advisory group, a temporary citizen advisory group in the form of a “Task Force” shall be formally established by Council resolution.
3. The City Council resolution establishing the temporary Task Force shall, at a minimum, include the following components:
 - The official name of the Task Force;
 - Scope of work the Task Force is expected to complete (Task Forces should be limited in scope);
 - Timeline for work completion and Task Force sunset date (Task Forces should be temporary in nature);
 - Task Force member composition;
 - Task Force member appointment methodology (appointment by name within the resolution or direction to the City Clerk to solicit for interested and qualified

applicants from the general public);

- Expected Task Force work products and delivery date of said work products to City Council;
 - Designation of city staff or city department to provide staff/administrative support to the Task Force; and
 - Other guidelines as determined by City Council.
4. All temporary Task Forces shall be subject to the same standard policies and procedures established for other citizen advisory groups, including election of a Task Force chair and chair pro tempore during the first Task Force meeting, adherence to attendance and quorum policies, meeting noticing and Alaska Open Meetings Act requirements, use of proper parliamentary procedure and meeting decorum, recording of meeting minutes, and use of the full city legislative management software system.

E. Attendance

1. Any member(s) not able to attend a particular meeting must notify their Staff Liaison as far in advance as possible.
2. Attendance policies and procedures for the Valdez Museum and Historical Archive Association Board of Directors are outlined in the VMHA By-Laws and may differ slightly from this section.
3. A member may participate via telephone in a Board, Commission, Task Force, or Committee meeting, except members of the Planning and Zoning Commission, which are bound by the attendance requirements set forth in II (H).
4. No more than three members may participate via telephone at any one meeting. A quorum of members must be physically present.
5. The member shall notify the Staff Liaison, if reasonably practicable, at least twenty- four hours in advance of a meeting which the member proposes to attend by telephone

and shall provide the physical address of the location, the telephone number, and any available facsimile, email, or other document transmission service.

6. At the meeting, the Staff Liaison shall establish the telephone connection when the call to order is imminent.
7. A member participating by telephone shall be counted as present for purposes of discussion, and voting.
8. The member participating by telephone shall make every effort to participate in the entire meeting. From time to time during the meeting the Chair shall confirm the connection.
9. The member participating by telephone may ask to be recognized by the Chair to the same extent as any other member.
10. To the extent reasonably practicable, the Staff Liaison shall provide backup materials to members participating by telephone.
11. If the telephone connection cannot be made or is made then lost, the meeting shall commence or continue as scheduled and the Administrator shall attempt to establish or restore the connection.
12. Meeting times shall be expressed in Alaska time regardless of the time at the location of any member participating by telephone.
13. Participation by telephone shall be allowed for regular, special, work sessions and sub-committee meetings of the Committee or Commission.

14. Remarks by members participating by telephone shall be transmitted so as to be audible by all members and the public in attendance at the meeting.
15. All votes shall be taken by audible roll call vote.
16. As used in these rules, "telephone" means any system for synchronous two-way voice communication. "Chairperson" includes the Acting Chair or any other member serving as chair of the meeting.
17. A quorum (majority of the members) must be present at all times during a meeting or work session of the commission or committee.
18. The seat of any member, including the Chair, shall become vacant if the member is absent from three consecutive regular meetings, ~~without excuse~~ except where advance requests for extended absences are authorized by a formal vote of a majority of the applicable citizen advisory group.

The Deputy City Clerk shall forward to Council for formal action the request to remove a member after three consecutive absences occurring without advance authorization.
19. Any member wishing to resign from a citizen advisory group prior to the completion of their full term shall provide written notice to their Staff Liaison who will forward such notice to the City Clerk's Office for processing and formal acceptance by City Council.

F. Travel Authorization

All travel for members of Boards, Commissions, Advisory Groups, or members of other community service organizations for which city funding is requested, shall be coordinated through the City Clerk and is to be approved in advance by a vote of the council.

XIV. **CITIZENS' RIGHTS:**

A. **Addressing the Council:**

Any person desiring to address Council by oral communication shall first secure the permission of the Chair.

B. **Manner of Addressing the Council -- Time Limit:** Each person addressing the Council other than as a scheduled Public Appearance shall step up to the microphone, shall give his/her name and address in an audible tone of voice for the record.

The time allowed for public testimony is five minutes, individually or by agent. A person may give individual testimony and testify as an agent of another, but may not exceed five minutes total. Additional time may be granted by the Mayor, upon motion and approval by the Council, to a person testifying who possesses special knowledge or expertise on the matter being heard. The five-minute limitation shall be strictly enforced by the Mayor.

All remarks shall be addressed to the Council as a body and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through members of the Council. No questions shall be asked the Council members except through the Chair.

C. **Personal and Slanderous Remarks:** Any person making personal, non-germane or slanderous remarks or who shall become boisterous while addressing the Council may be requested to leave the meeting.

D. **Written Communications:** Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the City's business or over which the Council has control at any time by direct mail or by addressing the City Clerk and copies will be distributed to the Council members.

XV. ADMINISTRATIVE OFFICERS:

A. Definitions:

For the purposes of this section, Administrative Officers refer to the City Manager and City Clerk who work directly for the City Council as authorized and defined by the City Charter, Chapter V - The Administrative Service:

B. Manner of Employment: The City Manager and City Clerk will be employed or engaged via negotiated individual contracts approved by the City Council.

C. Evaluations: The City Council will evaluate the performance of the City Manager and the City Clerk under direct employment on a periodic basis, but not less than once annually.

D. Annual Evaluation Process: The City Council will employ the following annual evaluation process:

1. Two regular Council meetings before an evaluation, the City Council will be provided the currently adopted evaluation form(s) for the Officer being evaluated, and appoint a council member to serve as "evaluation chairperson" for that specific evaluation.
2. Each City Council Member will fill out the evaluation form(s) individually.
3. One regular Council meeting before the evaluation, the City Council will meet in Executive Session (without the Officer being evaluated*) to discuss the performance and reach consensus regarding final disposition of the evaluation form(s).
4. The evaluation chairperson will compile the final version of the evaluation form(s) and provide a copy to the full Council and the Officer being evaluated, not less than seven calendar days prior to the evaluation.
5. The annual evaluation will occur at the next regular City Council meeting in Executive Session*.

6. All evaluation forms will be considered confidential and will not be released without the express written permission of the Officer being evaluated.

*AS 44.62.310 (c) (2) allows a governing body to meet in executive session on matters which tend to prejudice the reputation and character of any person, except that the person to be discussed is entitled to notice and may insist upon open discussion.



Legislation Text

File #: ORD 21-0009, **Version:** 1

ITEM TITLE:

#21-09 - Establishing the City Beautification Commission. Second Reading. Adoption.

SUBMITTED BY: Allie Ferko, MMC, Deputy City Clerk

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Approve ordinance #21-09. Second reading. Adoption.

SUMMARY STATEMENT:

Ordinance #21-09 is presented for second reading and adoption. If approved at second reading, the City Clerk's Office will begin advertising for citizens interested in applying to serve on the commission. Staff anticipate candidate applications will be presented to Council for appointment in late October or early November. Once seven commissioners are appointed, the first commission meeting will be scheduled.

Background: The Mayor's Beautification Task Force was first commissioned by Mayor Dave Cobb in 2012 to address a coordinated, all-season beautification and revitalization effort throughout the community. Mayors Larry Weaver, Ruth E. Knight, Jeremy O'Neil, and Sharon Scheidt continued this effort.

The Beautification Task Force worked diligently since 2012 to enhance the aesthetics of the local human built environment to reflect the beauty of the surrounding natural environment.

They developed multiple successful and highly visible aesthetic programs since 2012, to include:

- The "Welcome to Valdez" sign near milepost 18 of the Richardson Highway,
- The City of Valdez Beautification Matching Grant Program, and
- The Egan Drive Streetscape Enhancement Project, which created intersection pocket plazas, decorative pedestrian lighting, and a now highly photographed welcome arch over the Richardson Highway.

In late 2019, Jeremy O'Neil (the Mayor at the time) requested the Beautification Task Force begin having discussions about the future of the group, as city task forces are intended to be limited in time and/or scope. Since the Beautification Task Force had been in place since 2012, former Mayor O'Neil charged the task force members to thoughtfully consider if the task force had (a) accomplished its objectives and should therefore sunset or (b) still had enough future or ongoing work to justify codification as a city commission.

After a brief delay in 2020 due to the community's COVID-19 response, the Beautification Task Force worked together over the course of many months to develop a recommendation to City Council regarding the future of the group.

This recommendation (outlined below) was informally presented during the City Council's 2021 summer strategic planning retreat and then discussed again during the City Council boards and commissions planning work session on August 31, 2021.

City Council provided direction to staff to bring forth an ordinance creating a Beautification Commission for further discussion.

Multiple current Beautification Task Force members will be present at the meeting to answer questions about their process thus far and their recommendation below.

Please note, if City Council decides not to transition the Beautification Task Force into a commission, the task force will automatically sunset. Current task force members are aware this is the case.

Beautification Task Force Recommendation

- **Name/Type:** Beautification Commission
- **Composition:** Seven commissioners each to serve a ~~three-year~~ two-year term. A chair and chair pro tempore will be elected at the first meeting of the commission.
- **Representation:** Commissioners should not be assigned specific sectors so as to not limit interested participants. However, Council could consider maintaining a variety of stakeholder representation during the commission selection/appointment process.
- **Staff Advisor:** Clerk's Office. However, due to existing workload of the department, commissioners must/will be actively involved in performing the work of the commission.
- **Meeting Schedule:** Commission should continue to meet once per month at their regular meeting time - noon on the last Monday of the month.

- **Commission Mission Statement:** The Beautification Commission advocates for, promotes, and enhances the aesthetics of the community's human built environment to reflect the beauty of the surrounding natural environment and build a sense of place and civic pride.

- **What commission success looks like in ten years:** Positive momentum towards passionate, sustained community engagement and pride in the aesthetic environment of our community.

- **Commission Responsibilities** (in no particular order):
 - Serving as an advisory commission to the city council.
 - Building community, a sense of place, and civic pride through beautification projects, educational programming, and activities focused on the aesthetics of town, including but not limited to design, landscaping, and public art.
 - Serving as a collection point for public feedback regarding aesthetics of the community and associated needs/wants.
 - Advising on the aesthetic components of city projects and public-private partnership projects, as requested.
 - Advising on code enforcement efforts related to community aesthetics, as requested.
 - Administering city-funded beautification grant and incentive programs.
 - Facilitating applications to obtain outside beautification grant funding.
 - Consulting with other city boards and commission on their work as it relates to community aesthetics.
 - Participating in the comprehensive planning process as it relates to community aesthetics.
 - Providing recommendations to city council thru the city budget process regarding beautification program or beautification project priorities for funding.

- **Commission Goals:** These will be set during the first couple of meetings once the commission is established. The task force did not want to get into too much detail or spend too much time on goal setting until they received confirmation the Council wanted them to continue their work in the form of a commission.

They did provide a few examples of goals, including but not limited to:

- Setting up a process to collaborate with other commissions, code enforcement, capital facilities, etc. after commission creation. Perhaps through joint work sessions. Collaboration process in place by January 2022. Commission would then know what

their role would be with each. Other entities would also know how/when the commission could help.

- Administer the beautification matching grant program annually, as long as funding and interest from property owners continue. Perhaps emphasizing landscaping or art in future years.
- Gathering input thru a variety of avenues on where the public believes the focus should be for beautification efforts moving forward. Done by the end of 2021. Does not need to be done by a contractor - can be a grassroots effort. Have this be an annual occurrence. Discussion about having a 2-3 person team of commission members staffing vendor booths at events to gather input using a paper survey of some sort. Would have to think out process to ensure we meet compliance with statute and have strict guidelines for the commissioners participating.
- Commission develops a public art/mural program. Solicitation to artists to envision where and what type of art would best be suited for different areas of the city. Brainstorming session in early 2022 and future plan, with request for funding if necessary, by budget time in 2022.
- Commission develops an interactive presentation on the economic and social benefits of beautification by the end of 2021. Commission members use the presentation to do outreach to 5-10 community organizations in 2022.
- In late 2021 or early 2022, begin discussing/revisiting the “Valdez Home and Garden Show” concept. With the goal to help property owners with the resources and ideas needed to improve the aesthetics of their property. During the show, connect home/property improvement vendors with property owners, provide educational sessions on types of landscaping/plants that do well in our climate, provide educational sessions on basic home improvement skills in a home show type setting, etc. This may be a potential partnership opportunity with PWSC and other private entities.
- There continues to be discussion on the need for a centralized “town square” or centralized outdoor gathering/community use space in the core downtown area to pull together the pedestrian experience and overall aesthetic of town. So this is likely to be one type of project championed by this group in the future.

CITY OF VALDEZ, ALASKA

ORDINANCE #21-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AMENDING TITLE 2 BY CREATING CHAPTER 2.66 OF THE VALDEZ MUNICIPAL CODE TITLED BEAUTIFICATION COMMISSION

WHEREAS, the Mayor's Beautification Task Force was first commissioned by Mayor Dave Cobb in 2012 to address a coordinated, all-season beautification and revitalization effort throughout the community; and

WHEREAS, Mayors Larry Weaver, Ruth E. Knight, Jeremy O'Neil, and Sharon Scheidt enthusiastically continued this effort; and

WHEREAS, the Beautification Task Force worked diligently since 2012 to enhance the aesthetics of the local human-built environment to reflect the beauty of the surrounding natural environment; and

WHEREAS, the Beautification Task Force developed multiple successful and highly visible aesthetic programs since 2012, to include the "Welcome to Valdez" sign near milepost 18 of the Richardson Highway, the City of Valdez Beautification Matching Grant Program, and the Egan Drive Streetscape Enhancement Project, which created intersection pocket plazas, decorative pedestrian lighting, and a now highly photographed welcome arch over the Richardson Highway; and

WHEREAS, the City of Valdez has found efforts to strengthen and maintain aesthetics help build community, a sense of place, and civic pride, as well as make Valdez more inviting for tourism and attractive to new investment; and

WHEREAS, the City of Valdez has identified a need for continued coordination of city beautification efforts by a city council appointed citizen advisory group; and

WHEREAS, City of Valdez task forces are intended to be limited in time and scope; and

WHEREAS, no commission or board currently exists in Valdez Municipal Code to provide an advisory role for comprehensive beautification efforts; and

WHEREAS, the City of Valdez has determined transitioning from a temporary Beautification Task Force into a Beautification Commission will best suit the needs of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:

Section 1. Chapter 2.66 of the Valdez Municipal Code is hereby created as follows:

Chapter 2.66

BEAUTIFICATION COMMISSION

Sections:

2.66.010	Establishment – Composition – Appointment of members - Chair.
2.66.020	Powers and duties.
2.66.030	Quorum and voting.
2.66.040	Limitations.

2.66.010 Establishment – Composition – Appointment of members - Chair.

A. There is established a Beautification Commission which shall consist of seven members who shall be appointed by the city council.

B. The terms of the commission members shall be for two years or until their successors have been appointed by city council. Vacancies shall be filled in the same manner as the commissioners are appointed.

C. Appointment to the commission shall be adjusted by the city council to ensure continuity. In this regard, initial appointments may be made for terms other than two years.

D. The commission shall elect its chair and chair pro tempore from among the appointed members.

2.66.020 Powers and duties.

The commission is an advisory commission to the city council. It shall:

A. Work to advocate for, promote, and enhance the aesthetics of the local human-built environment to reflect the beauty of the surrounding natural environment.

B. Work to build community, a sense of place, and civic pride through beautification projects, educational programming, grant programs, and other activities focused on the aesthetics of Valdez, including but not limited to design, landscaping, and public art.

C. Receive, consider, and evaluate public input, opinions, and recommendations regarding aesthetics of the community and advise the city council of any findings or recommendations.

D. Advise on aesthetic components of city projects and public-private partnerships, as requested.

E. Advise on code enforcement efforts related to community aesthetics, as requested.

F. Consult with other city boards and commissions on their work as it relates to community aesthetics.

G. Participate in the city comprehensive planning process as it relates to community aesthetics.

H. Make recommendations to city council through the city budget process regarding beautification programs and beautification project priorities for funding.

I. Meet at least once per month and cause minutes of each meeting to be recorded.

J. Perform such other activities as may be requested of it by the city council.

2.66.030 Quorum and voting.

A quorum of the beautification commission for the conduct of any meeting, work session, or public hearing shall be a majority of the commission. No actions shall be taken by the commission except by concurrence of at least four members.

2.66.040 Limitations.

The commission has only those powers and duties set forth in this chapter and those necessarily implied from those enumerated. In particular, the commission may not:

- A. Expend or obligate city funds without prior approval of the city council or city manager; or
- B. Act in any manner inconsistent with the requirements of Section 2.66.020.

Section 2. This ordinance shall take effect immediately following adoption by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA THIS _____ DAY OF _____, 2021.

CITY OF VALDEZ, ALASKA

Sharon Scheidt, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

First Reading:
Second Reading:
Yeas:
Nays:
Absent:
Abstain:

Jake Staser, City Attorney
Brena, Bell, & Walker, P.C.



Legislation Text

File #: ORD 21-0010, **Version:** 1

ITEM TITLE:

#21-10 - Amending Title 2, Chapter 2.60 of the Valdez Municipal Code, Titled Economic Diversification Commission First Reading. Public Hearing.

SUBMITTED BY: Allie Ferko, MMC, Deputy City Clerk

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Approve Ordinance #21-10. First Reading. Public Hearing.

SUMMARY STATEMENT:

During the City Council's July 2021 strategic planning retreat, streamlining the city citizen advisory group program and addressing current challenges with city boards/commissions were discussed.

During a follow-on Council work session on August 31, 2021, Council discussed potential barriers to recruitment and retention of city commissioners and board members. Barriers to participation were identified and several options to reduce/remove those barriers prioritized as short-term goals, including enforcement of attendance policies to allow those able to commit with an opportunity to serve, reduction in term limits to two-years for certain boards/commissions, and removal of the specific industry sector seat requirement for the Economic Diversification Commission.

Council directed staff to bring forth a series of ordinances to address Code changes necessary to accomplish those short-term goals. The Economic Diversification Commission chapter revision is being presented for consideration first, as it has the most substantial changes and will have the most immediate impact on recruitment for upcoming vacancies.

Synopsis of changes included in this ordinance:

- Adjustment in language to reflect the current functional process for commissioner appointment by city council.
- Reduction in commissioner term length from three to two years. Current commissioners shall serve out the remainder of the term for which they were appointed. The two-year term length

change will be incorporated for new appointments.

- Removal of language stating no more than three members may be appointed in the same year (*necessary adjustment due to the term length change*).

As the reduction in commissioner term lengths to two years is implemented over time, terms for three commissioners will eventually expire in one year and terms for the other four commissioners (a quorum) will eventually expire in the next.

Avoiding appointments of potential quorum voting blocks in the same year is especially important for politically appointed commissions who hold quasi-judicial authority, boards with fiduciary responsibilities, etc.

In the case of strictly advisory boards like the Economic Diversification Commission, staff do not feel the potential for quorum voting block appointments are a serious concern and can be managed adequately through the commissioner appointment process.

- Removal of language **requiring** that no two members may be appointed to serve concurrently from the same industry sector, while adding language to retain the original intent of broad representation on the commission.
- Removal of the term “nonprofessional” from paragraph 2.60.010.C.6.

Based on documentation from 2014, it appears the original intent behind using the term “nonprofessional” was to differentiate between the industry seat for professional services (like an attorney or accountant who might also be a sole proprietor) and the industry seat for other types of small business sole proprietors.

With the removal of the industry seat requirement from this chapter, that differentiation is no longer necessary. Staff have also received citizen feedback that this descriptor could be interpreted as offensive when taken out of context. Staff believes the word “nonprofessional” is no longer necessary and should be removed.

CITY OF VALDEZ, ALASKA

ORDINANCE #21-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AMENDING TITLE 2, CHAPTER 2.60 OF THE VALDEZ MUNICIPAL CODE, TITLED ECONOMIC DIVERSIFICATION COMMISSION

WHEREAS, city council and city staff have identified that industry seat limitations and three-year term lengths are barriers to recruitment and retention of commissioners to serve on the city economic diversification commission; and

WHEREAS, the city council functionally selects and appoints city commissioners.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that the following amendments are made to Chapter 2.60 of the Valdez Municipal Code.

Section 1. Chapter 2.60 is hereby amended to read as follows.

**Chapter 2.60
ECONOMIC DIVERSIFICATION COMMISSION**

Sections:

- 2.60.010 Establishment—Composition—Appointment of members.
- 2.60.020 Powers and duties.
- 2.60.030 Quorum and voting.
- 2.60.040 Limitations.
- 2.60.050 Definitions.

2.60.010 Establishment—Composition—Appointment of members.

A. There is established an economic diversification commission which shall consist of seven members who shall be appointed by the mayor, with the approval of the city council. The terms of the commission members shall be for two three years or until their successors have been appointed and approved. ~~The term of two members shall expire each year with the additional term expiring every third year.~~ Vacancies shall be filled in the same manner as the commissioners are appointed.

B. Appointment to the commission shall be adjusted by the mayor and city council to ensure continuity. ~~In this regard, initial appointments may be made for terms other than three years, to ensure that the terms of no more than three members expire in any one year.~~

C. Members of the commission shall be diversified to the maximum extent possible. ~~and appointed to represent specific industry sectors of the economy. No two members may be appointed to serve concurrently from the same industry sector. Representatives will be selected from among the following industry sectors.~~ Composition of the

commission should reflect representation from a broad spectrum of industry sectors of the economy, including but not limited to:

1. Accommodations.
2. Commercial fishers.
3. Contracting/trades.
4. Food and beverage.
5. Healthcare.
6. Micro business/~~nonprofessional~~ sole proprietors.
7. Oil and gas.
8. Professional services (attorney, engineer, banker, real estate, media, etc.).
9. Retail.
10. Seafood processing.
11. Sport fisheries.
12. Summer tours and attractions.
13. Transportation.
14. Utilities.
15. Winter tours and attractions.

D. The commission shall elect its chairman from among the appointed members.

E. There may be an additional appointed ex officio position to represent the military members of the community. This position may be held by a local active-duty member of the United States Coast Guard or National Guard. This seat is a nonvoting, advisory position.

2.60.020 Powers and duties.

The commission is an advisory commission to the city council. It shall:

A. Have the authority to prepare and submit to the city council for its approval a comprehensive economic diversification strategy for the overall economic diversification of the community. The commission shall recommend modifications of such plan from time to time, as it deems in the city's interest;

B. Prepare and recommend to the city council for approval reports and plans regarding socioeconomic data and specific sectors of the economy;

- C. As directed by the city council, review and make recommendations to the council for approval of strategic plans, plans of work and funding requests of agencies, organizations, and event sponsors;
- D. Review and make recommendations to the city council for approval on projects submitted for economic development grant funding opportunities;
- E. Receive, consider and evaluate public input, opinions and recommendations regarding economic diversification programs of the city and advise the city council of any findings or recommendations;
- F. Monitor progress and report to council the status of capital improvement projects, programs and activities outlined as goals, objectives or action items in the community's economic strategy;
- G. Have the authority to prepare and submit to council for approval regular quarterly or annual reports documenting economic trends in the community;
- H. Make recommendations to the city council regarding the economic diversification portion of the annual city budget;
- I. Meet at least once a month and cause minutes of each meeting to be recorded and forwarded to the city council through the city manager;
- J. Perform such other activities as may be requested of it by the city council. (Ord. 14-03 (part))

2.60.030 Quorum and voting.

A quorum of the economic development commission for the conduct of any meeting or public hearing shall be a majority of the commission. No actions shall be taken by the commission except by concurrence of at least four members. (Ord. 14-03 (part))

2.60.040 Limitations.

The commission has only those powers and duties set forth in this chapter and those necessarily implied from those enumerated. In particular, the commission may not:

- A. Expend or obligate city funds without prior approval of the city council; or
- B. Act in any manner inconsistent with the requirements of Section 2.60.020. (Ord. 14-03 (part))

2.60.050 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Economy" means the process or system by which goods and services are produced, sold, and bought.

"Economic development" means the process by which the economy is caused to grow, or a sector of the economy is made more advanced.

“Economic diversification” means the process by which the economy is changed to increase the variety of goods or services produced or offered.

Section 2. This ordinance shall take effect immediately following adoption by the City Council.

Section 3. Current Economic Diversification commissioners shall serve out the terms for which they were appointed. The two-year term length change outlined herein shall be incorporated for new appointments.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA THIS _____ DAY OF _____, 2021.

CITY OF VALDEZ, ALASKA

Sharon Scheidt, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

First Reading:
Second Reading:
Yeas:
Nays:
Absent:
Abstain:

Jake Staser, City Attorney
Brena, Bell, & Walker, P.C.



Legislation Text

File #: RES 21-0038, **Version:** 1

ITEM TITLE:

#21-38 - Supporting Adoption of the Alaska Redistricting Board Proposed House District 36 Boundaries as Depicted in the Draft Composite Redistricting Plan Version 1 and 2 Maps Published on September 9, 2021 (*Item Postponed from the City Council Special Meeting on September 14, 2021*)

SUBMITTED BY: Jake Staser, City Attorney

FISCAL NOTES:

Expenditure Required: N/A
Unencumbered Balance: N/A
Funding Source: N/A

RECOMMENDATION:

Approve resolution # 21-38

SUMMARY STATEMENT:

The Alaska Constitution tasks the Alaska Redistricting Board with drawing new state legislative districts every ten years when the census of the United States is completed.

Alaska's resident population determined by the 2020 census is 733,391, which means the target population for each of Alaska's 40 House districts will be 18,335 for the current redistricting cycle.

The Alaska Constitution requires that new districts meet four criteria: compactness, contiguity, socio-economic integration, and equality of population (*definitions of each criteria available here: <http://www.akredistrict.org/mapping-criteria>*). Any recommended map drawings will be evaluated by the Alaska Redistricting Board using these requirements.

During a public hearing on September 7, 2021, the Alaska Redistricting Board provided direction to third-party map submitters that their map plans for presentation on September 17, 2021 must be submitted to board staff for review no later than noon on September 15, 2021.

During the September 7, 2021 regular Valdez City Council meeting, Council expressed interest in holding a special meeting on September 14, 2021 to develop a map recommendation for submission prior to the September 15th deadline.

During a public meeting on September 9, 2021, the Alaska Redistricting Board adopted two

Proposed Redistricting Plans: Board Composite v.1 and Board Composite v.2 (*both versions attached and also available online here: <http://www.akredistrict.org/map-gallery>*).

Both Proposed Redistricting Plan versions have Valdez incorporated in a different, large rural district (district 36), which is drawn north along the Richardson Highway and encompasses land around/north of the Fairbanks area. (*The current 2013 district boundary map is attached for comparison purposes*).

The attached resolution provides Council a place to start discussion during the special meeting and does not necessarily reflect a specific staff recommendation. Amendments may/should be made to both the resolution language and the map attachments as Council determines necessary.

City administration also received the attached (draft) letter from the executive director of the Prince William Sound Economic Development District on September 9, 2021. The contents of the (draft) letter may or may not align with Council preferences regarding redistricting recommendations. The letter is being provided as part of this packet for awareness and consideration during Council discussion.

CITY OF VALDEZ, ALASKA

RESOLUTION # 21-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA SUPPORTING ADOPTION OF THE ALASKA REDISTRICTING BOARD PROPOSED HOUSE DISTRICT 36 BOUNDARIES AS DEPICTED IN THE DRAFT COMPOSITE REDISTRICTING PLAN VERSION 1 AND 2 MAPS PUBLISHED ON SEPTEMBER 9, 2021

WHEREAS, as a result of the 2020 Census, the Alaska Redistricting Board is actively preparing draft redistricting plans for the State of Alaska that will directly affect the City of Valdez and its citizen; and

WHEREAS, the Alaska Constitution imposes specific criteria for redistricting plans for both House and Senate seats; and

WHEREAS, the communities along the Richardson Highway have shared for decades many aspects of life including social, cultural, economic, and political ties; and

WHEREAS, the communities north along the Richardson Highway and east Alaska have commonalities in many ways including the highway corridors, utilities, watershed, education, high cost of energy and much more; and

WHEREAS, District 36, as depicted in the Redistricting Board's draft composite redistricting plan Versions 1 and 2, satisfies the constitutional criteria for redistricting; represents a socioeconomically integrated area that is contiguous and compact; and includes as near as possible a population totaling one fortieth of Alaska's statewide population.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:

Section 1. The foregoing recitals are incorporated in this resolution as if set forth fully herein.

Section 2. The City of Valdez does hereby urge the Alaska Redistricting Board to adopt boundaries for District 36 as depicted in the Redistricting Board's draft composite redistricting plans Versions 1 and 2.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this _____ day of _____, 2021.

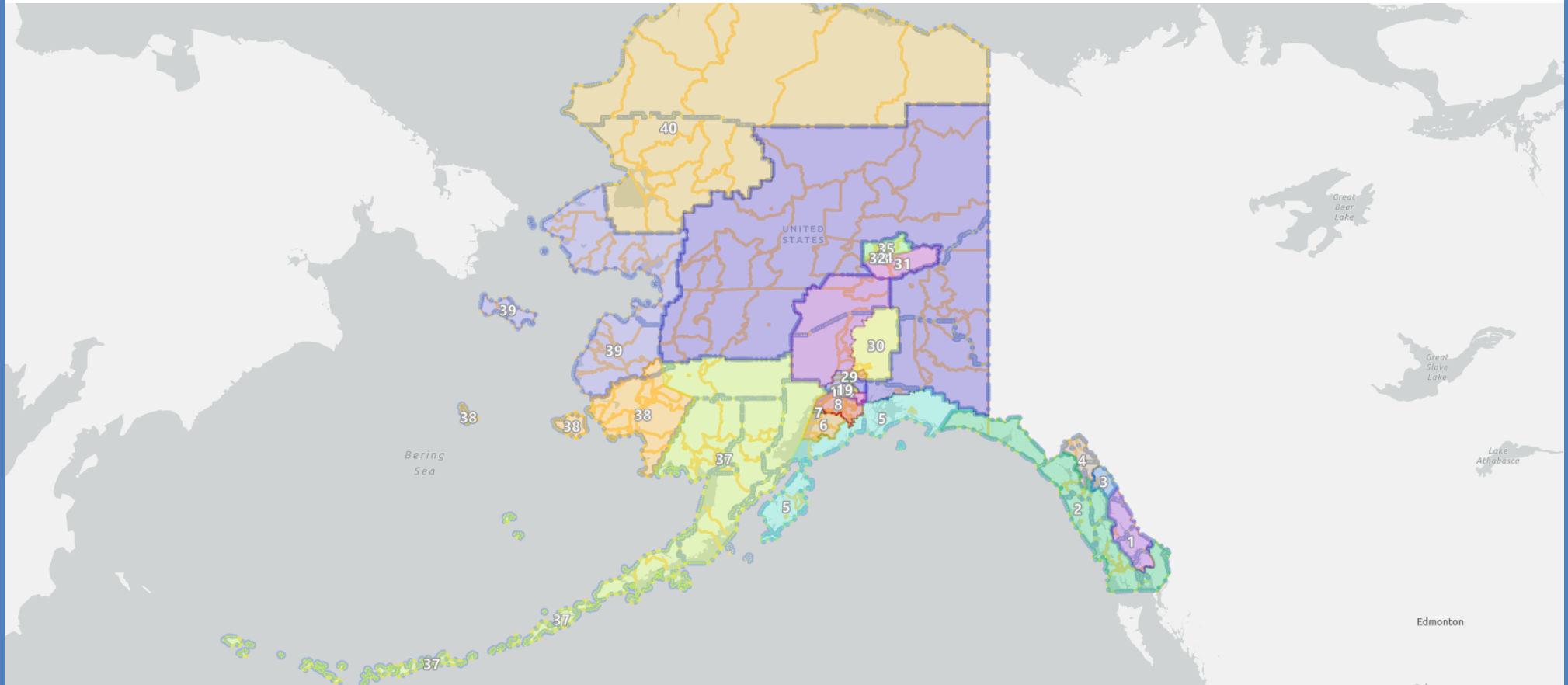
CITY OF VALDEZ, ALASKA

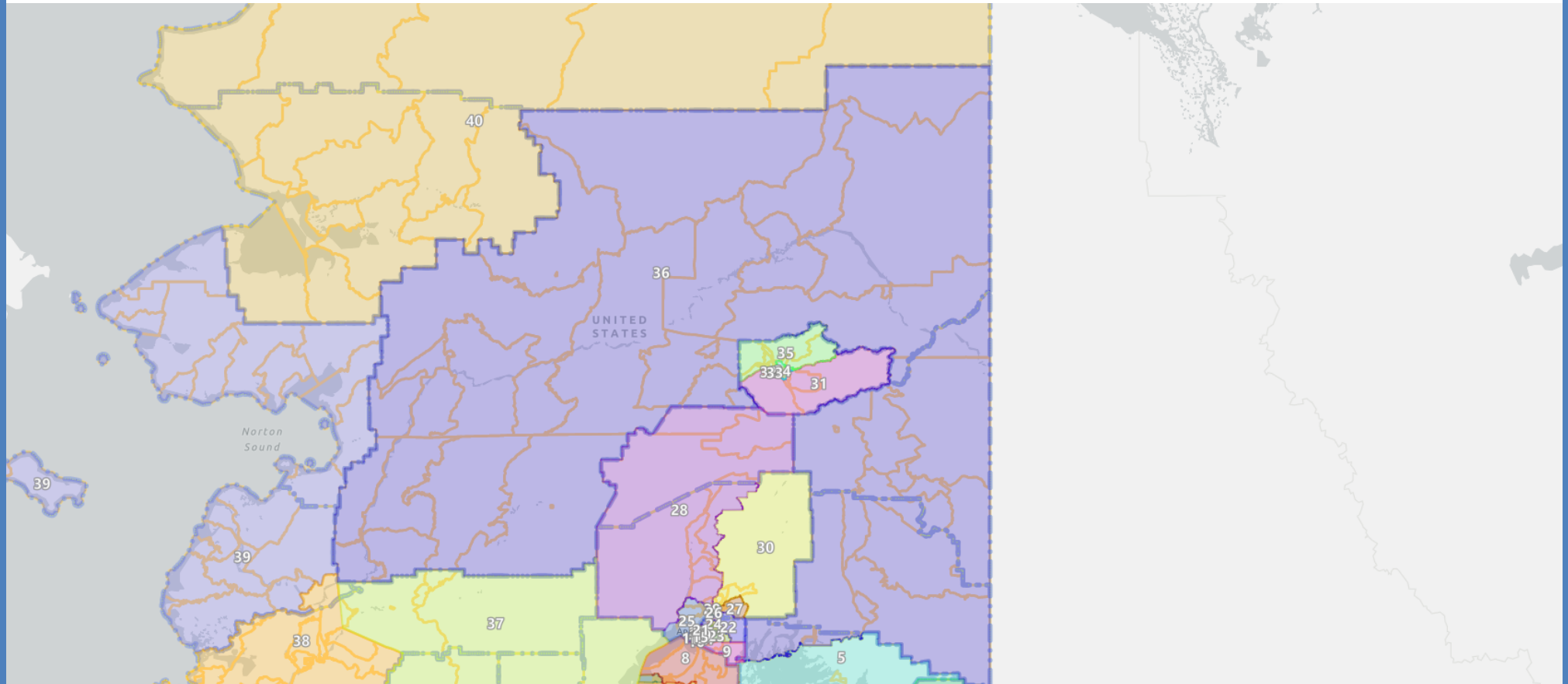
Sharon Scheidt, Mayor

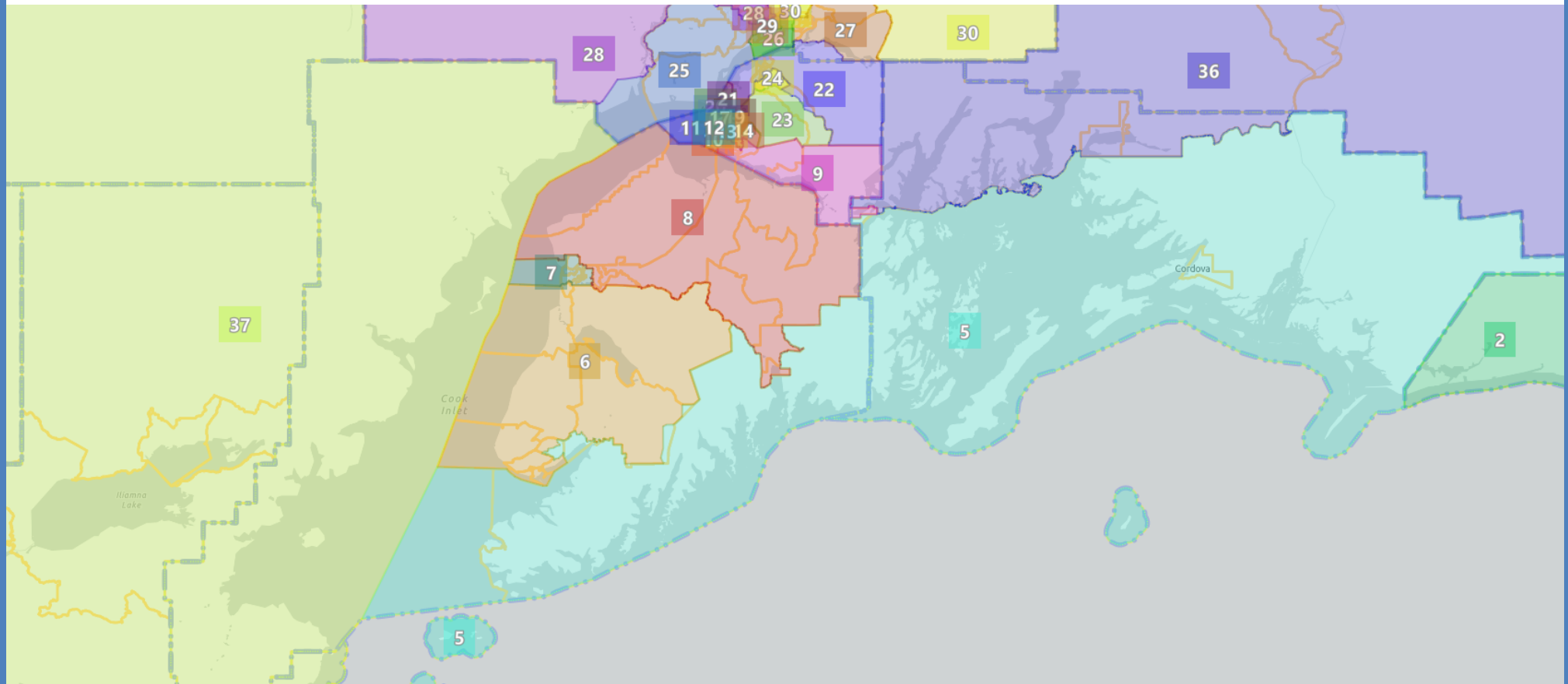
ATTEST:

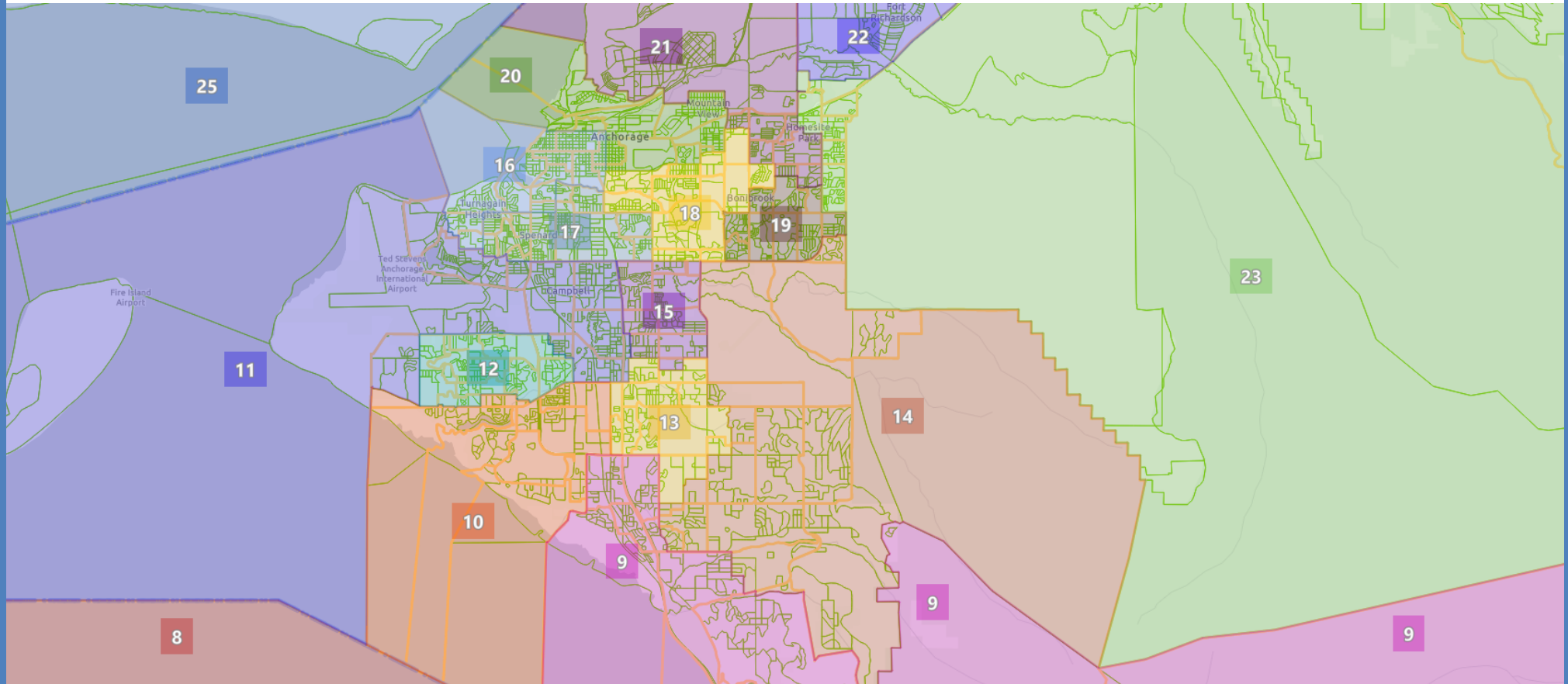
Sheri L. Pierce, MMC, City Clerk

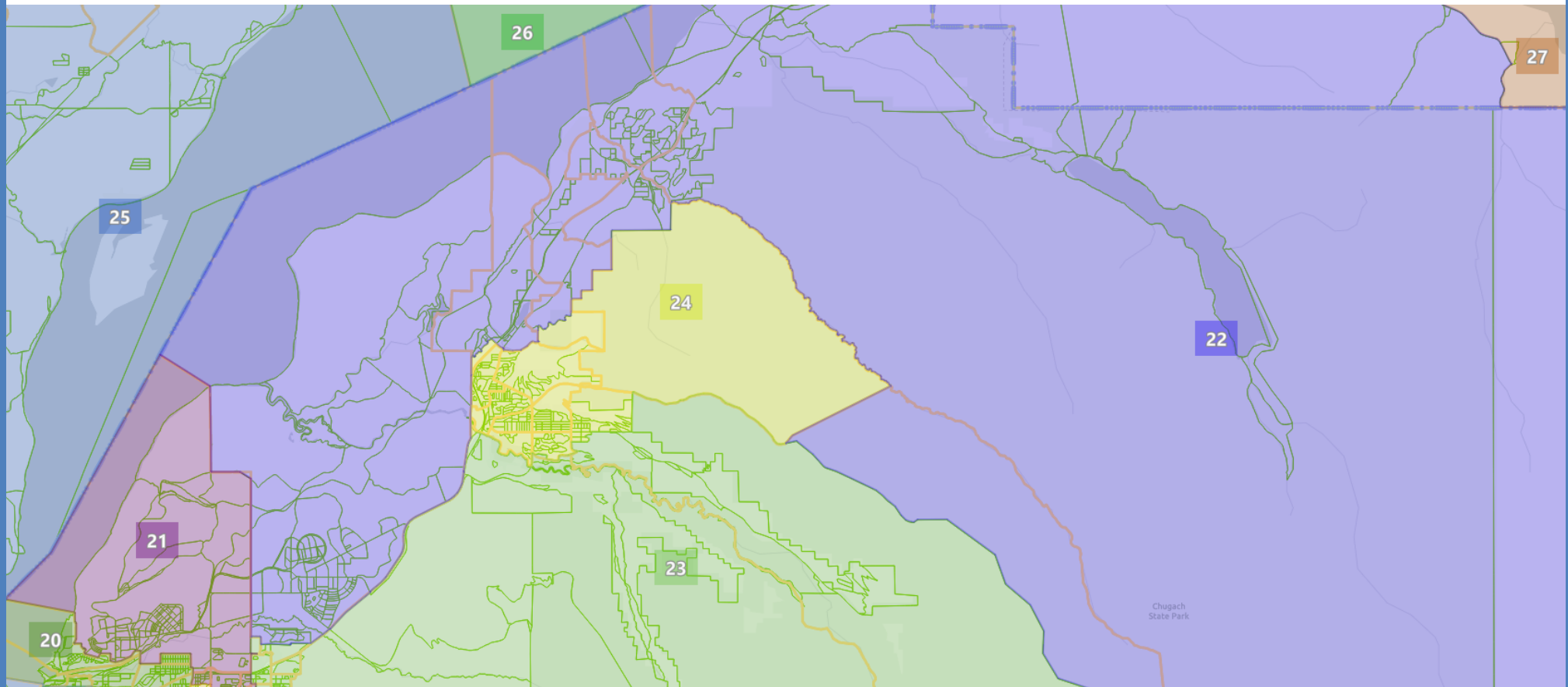
Board Composite v.1

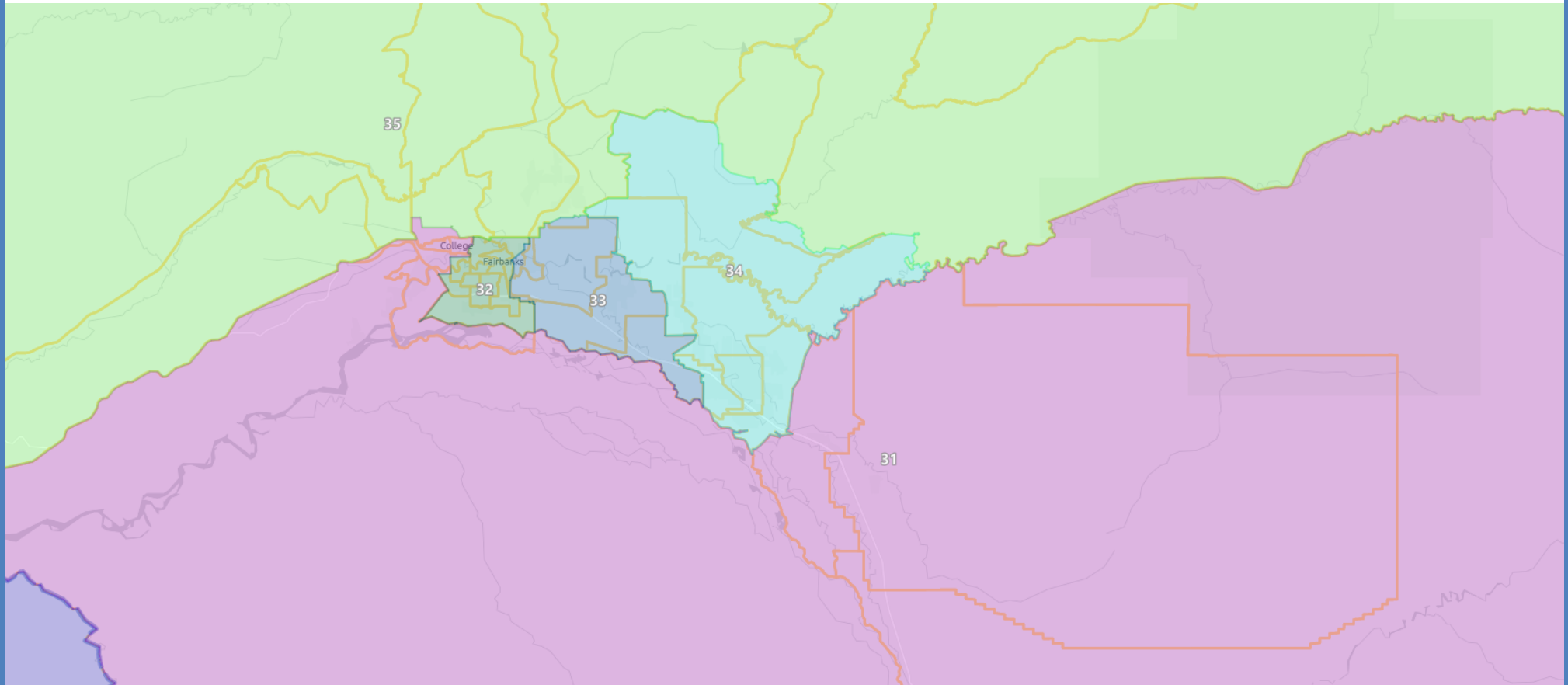


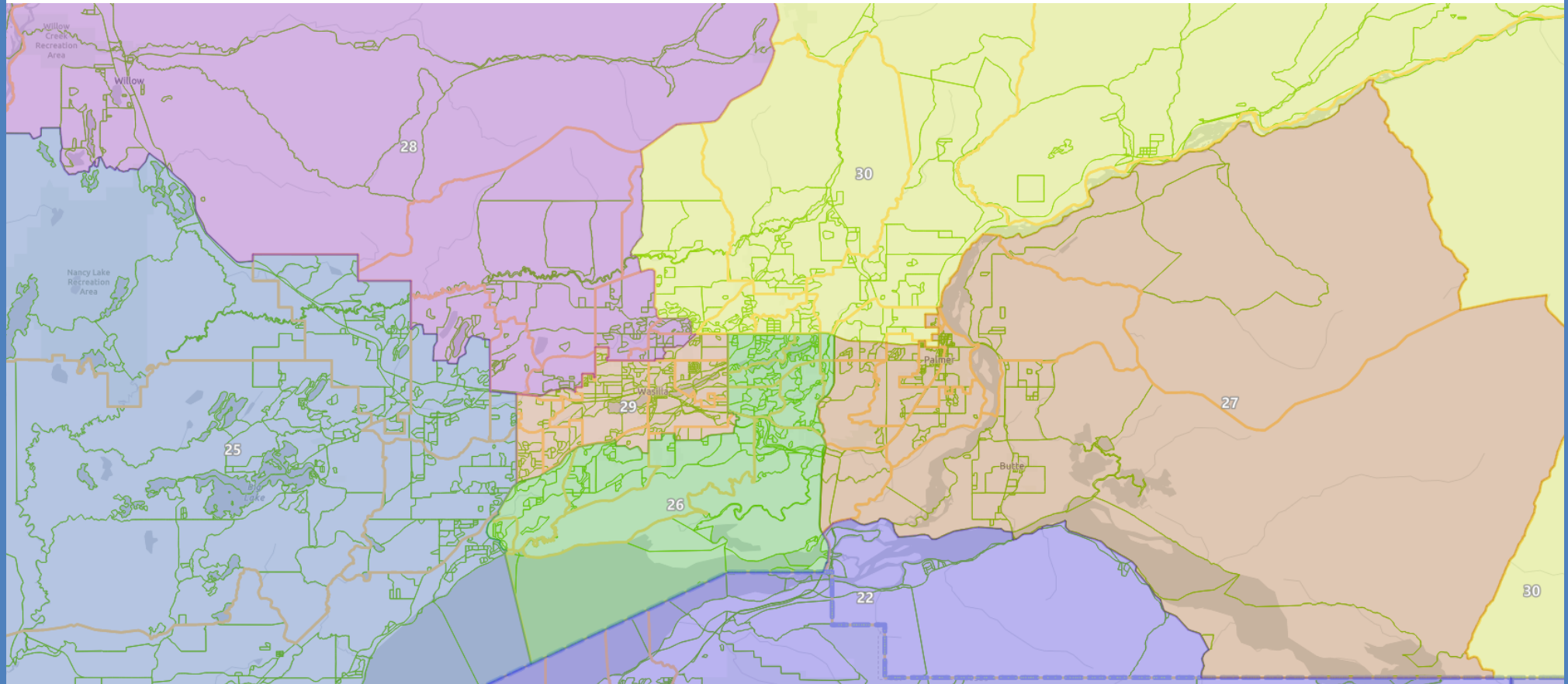


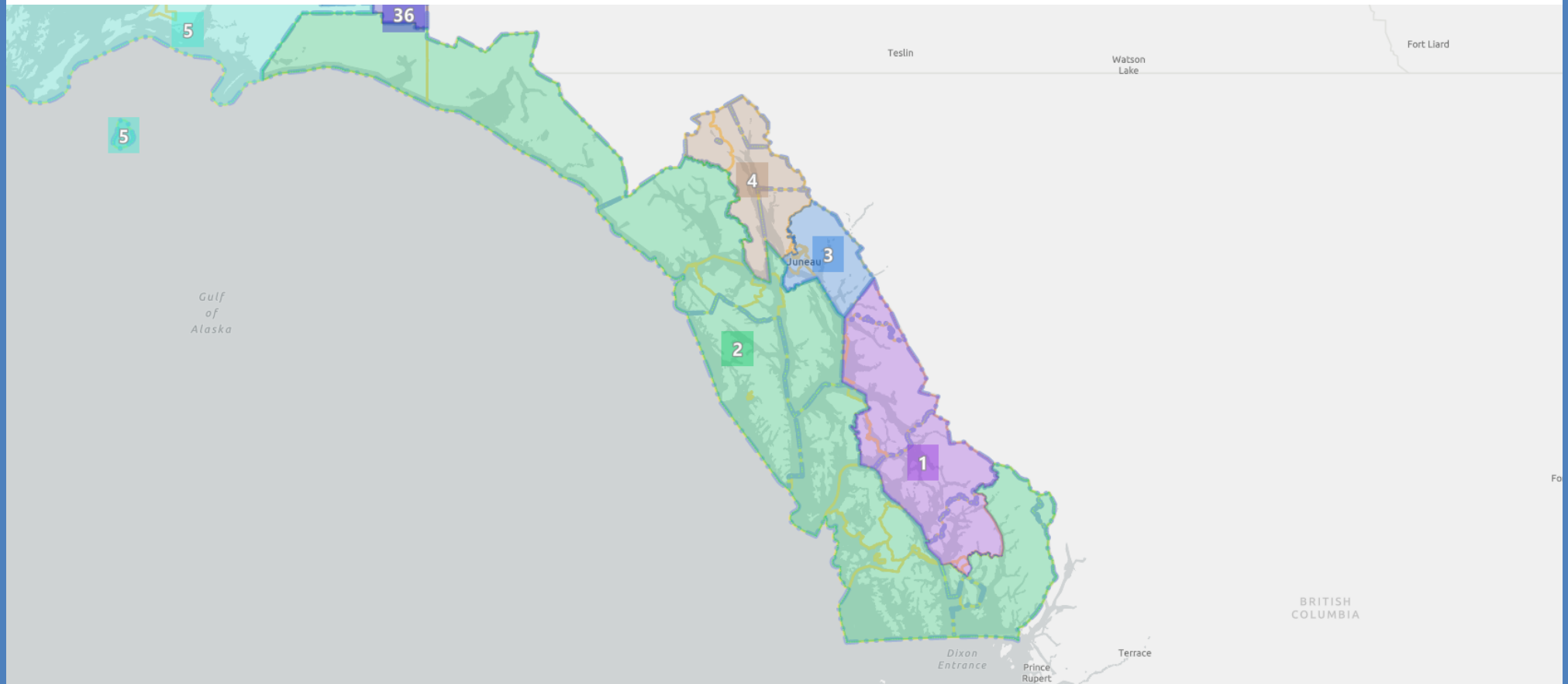




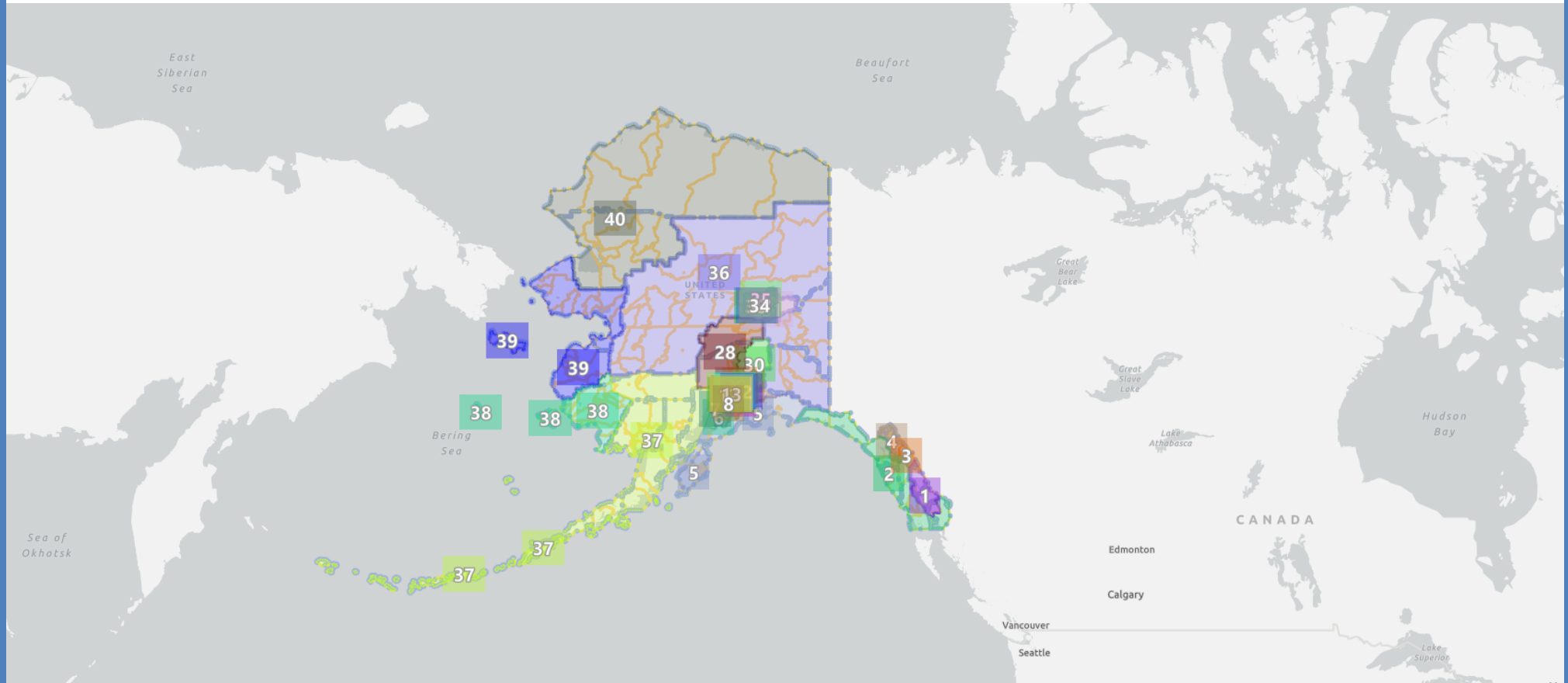






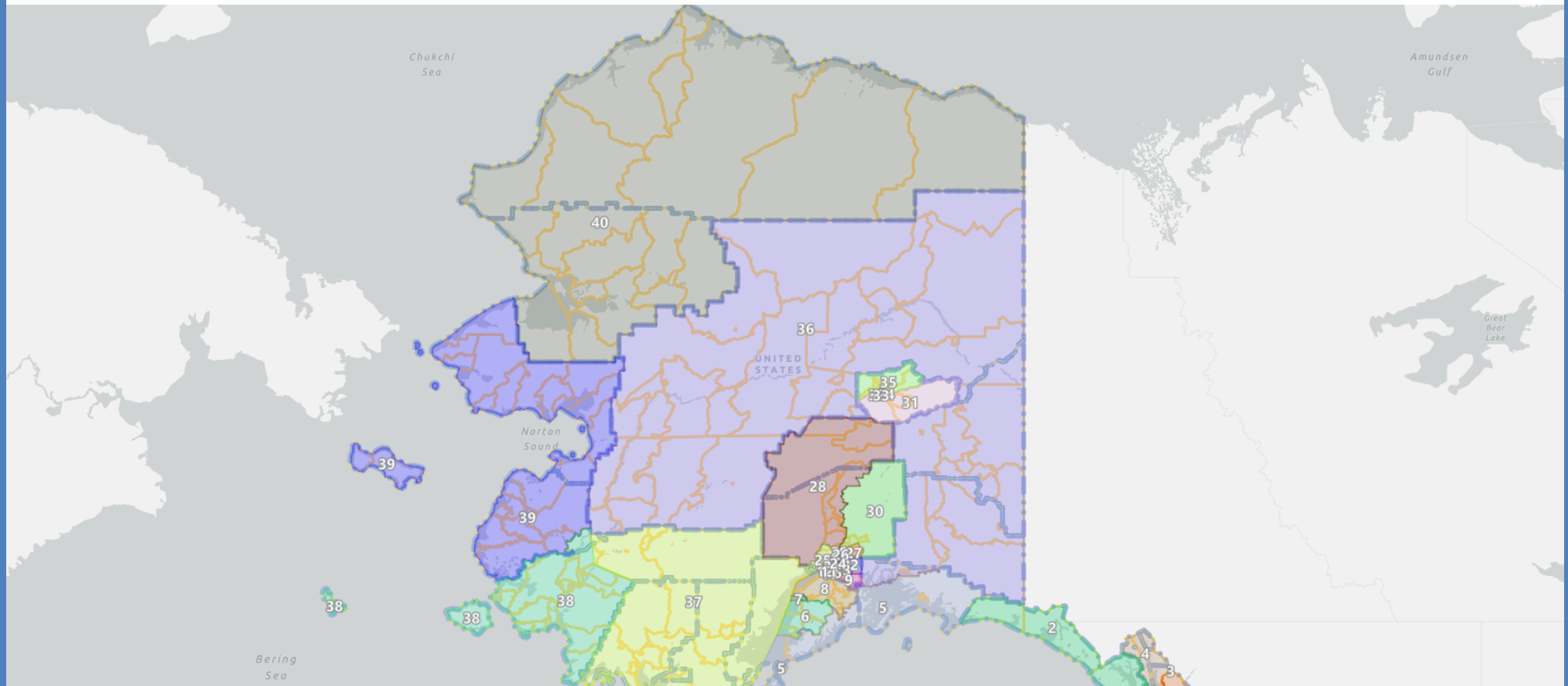


Board Composite v. 2



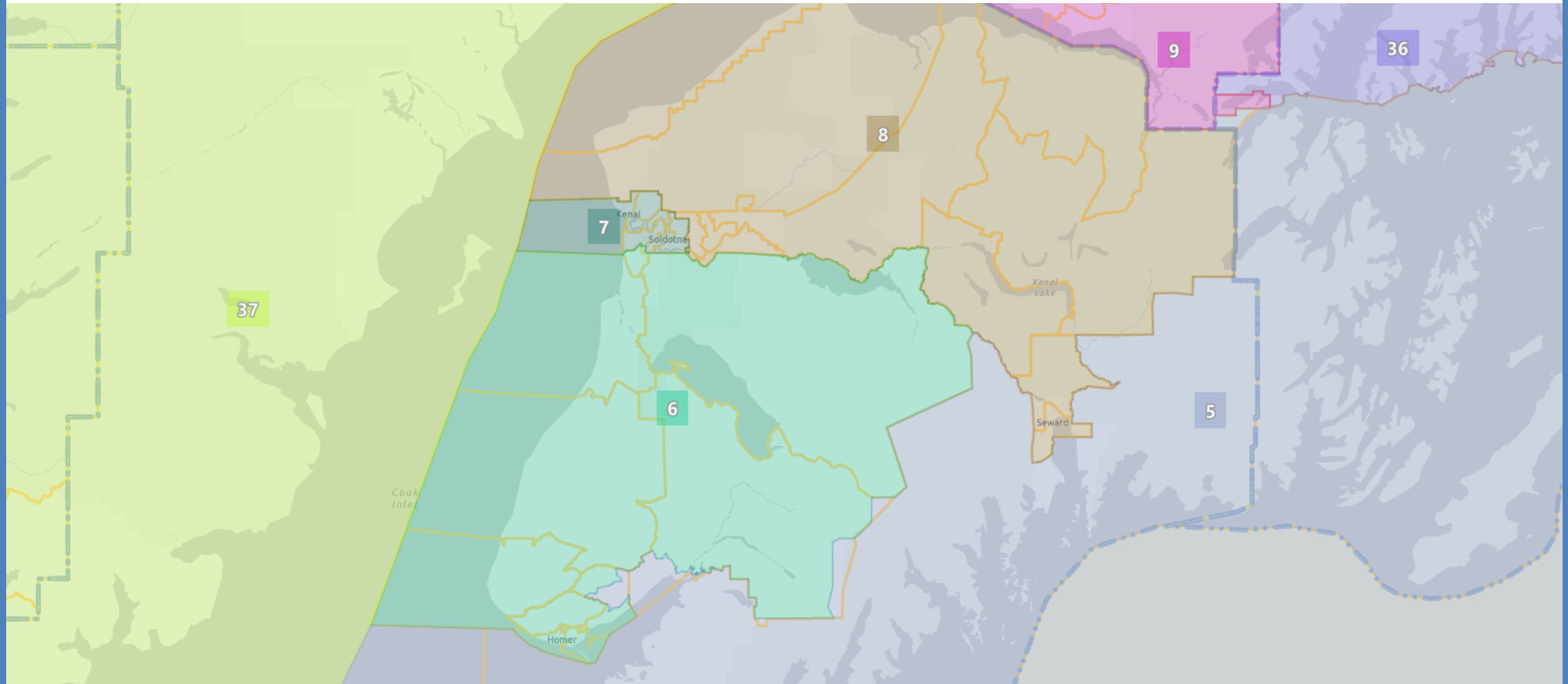
AutoBound Edge MAP - Based on: 2020 Census Geography

Board Composite v. 2

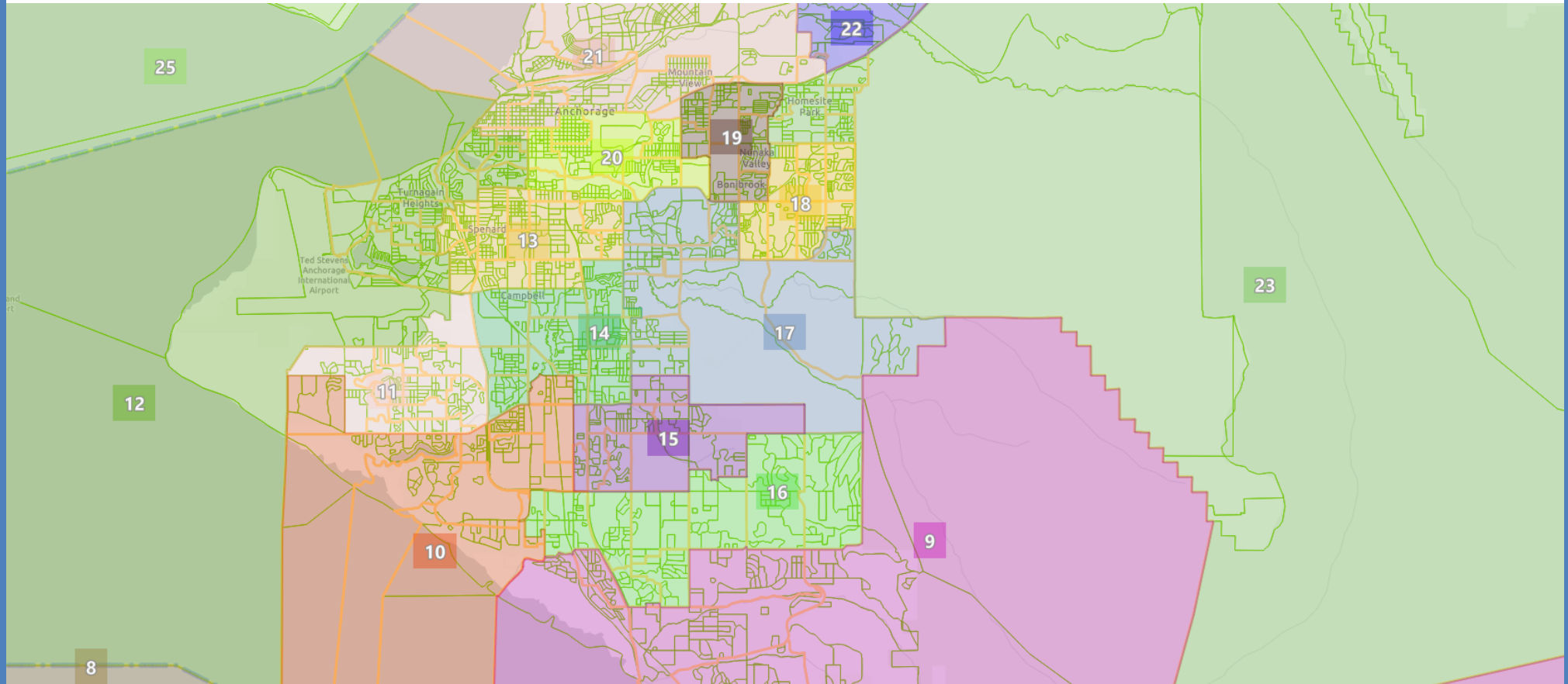


AutoBound Edge MAP - Based on: 2020 Census Geography

Board Composite v. 2

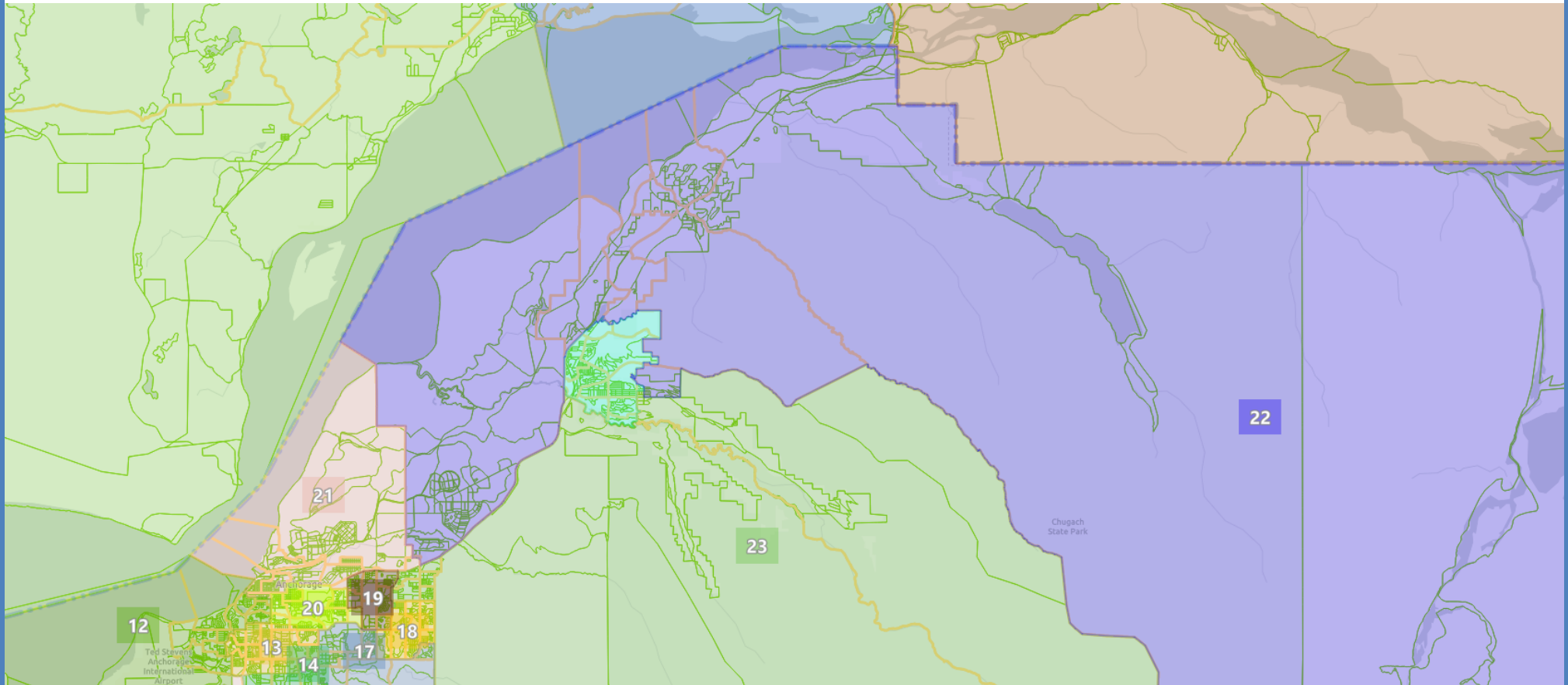


Board Composite v. 2

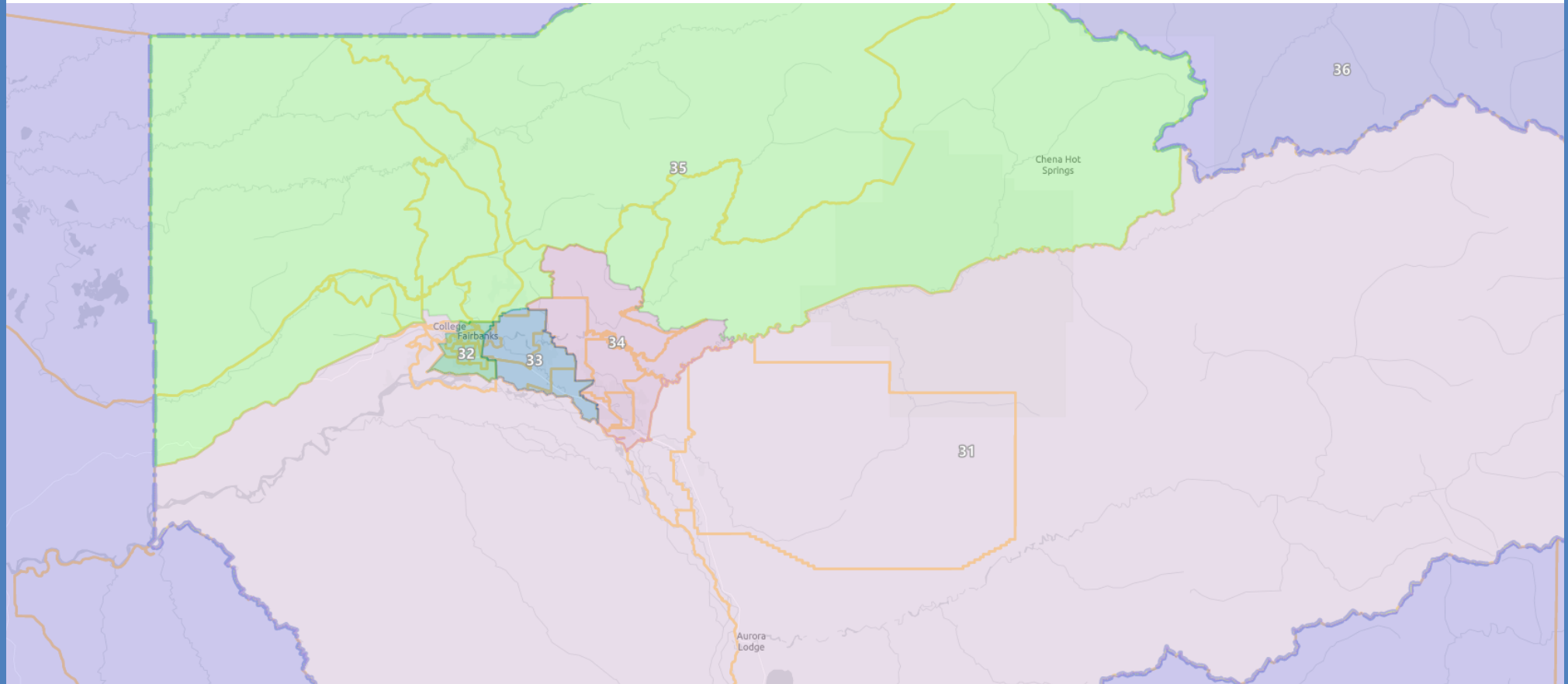


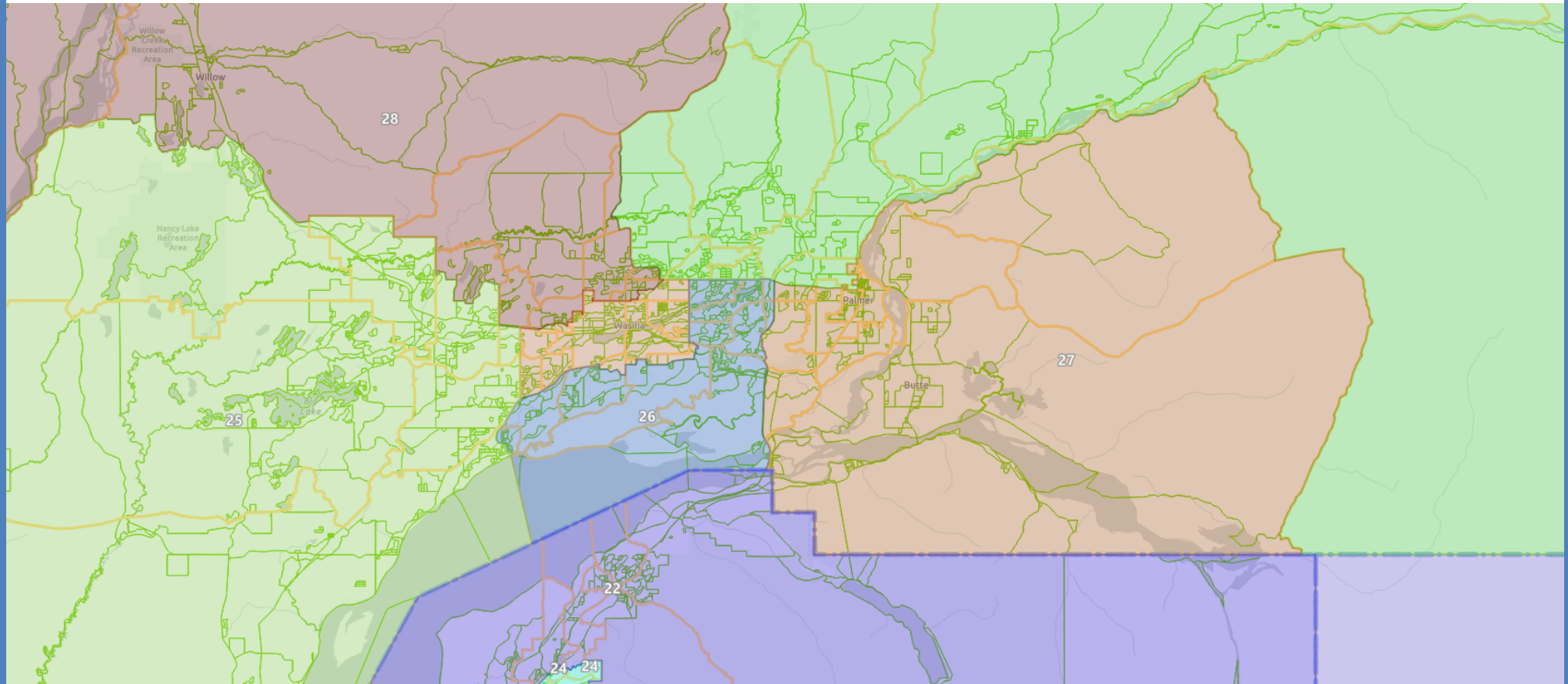
AutoBound Edge MAP - Based on: 2020 Census Geography

Map Date: 9/9/2021 4:47:18 PM

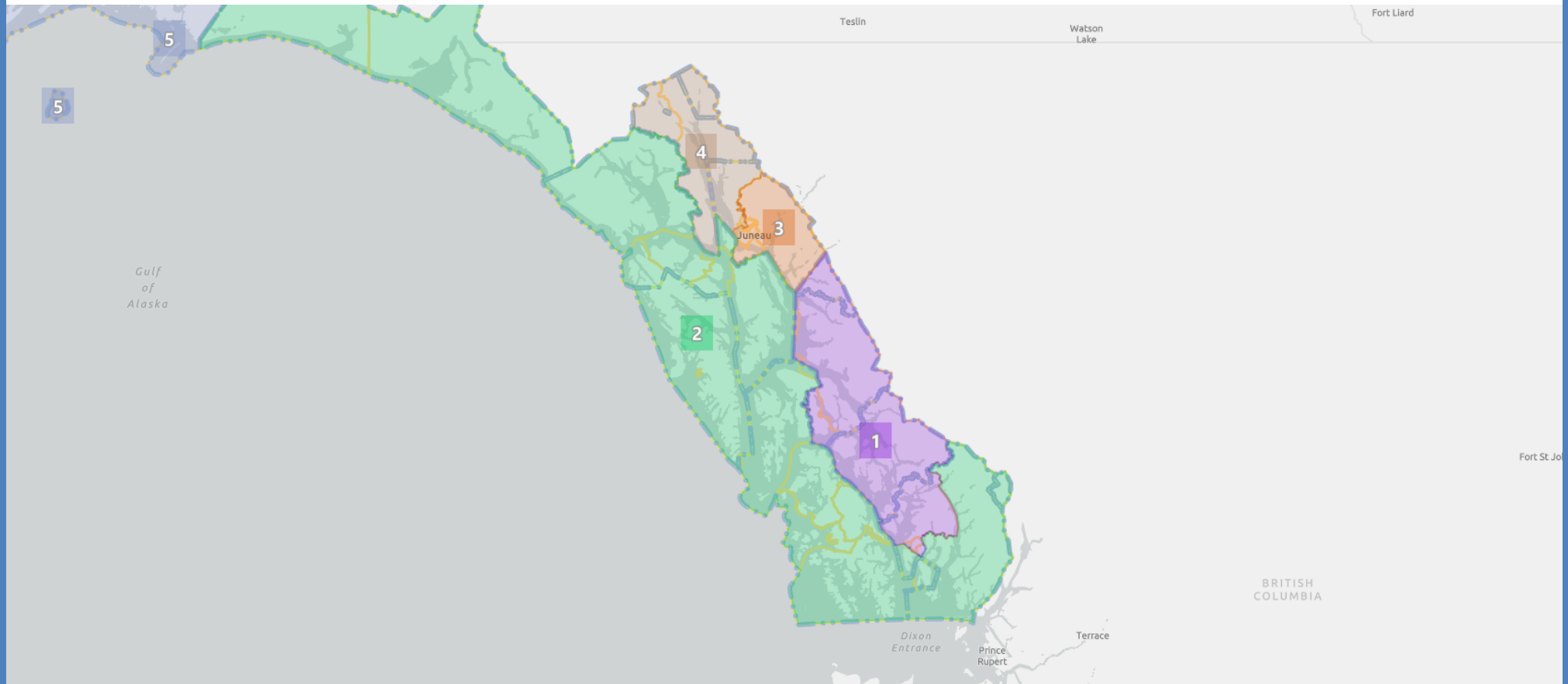


Board Composite v. 2



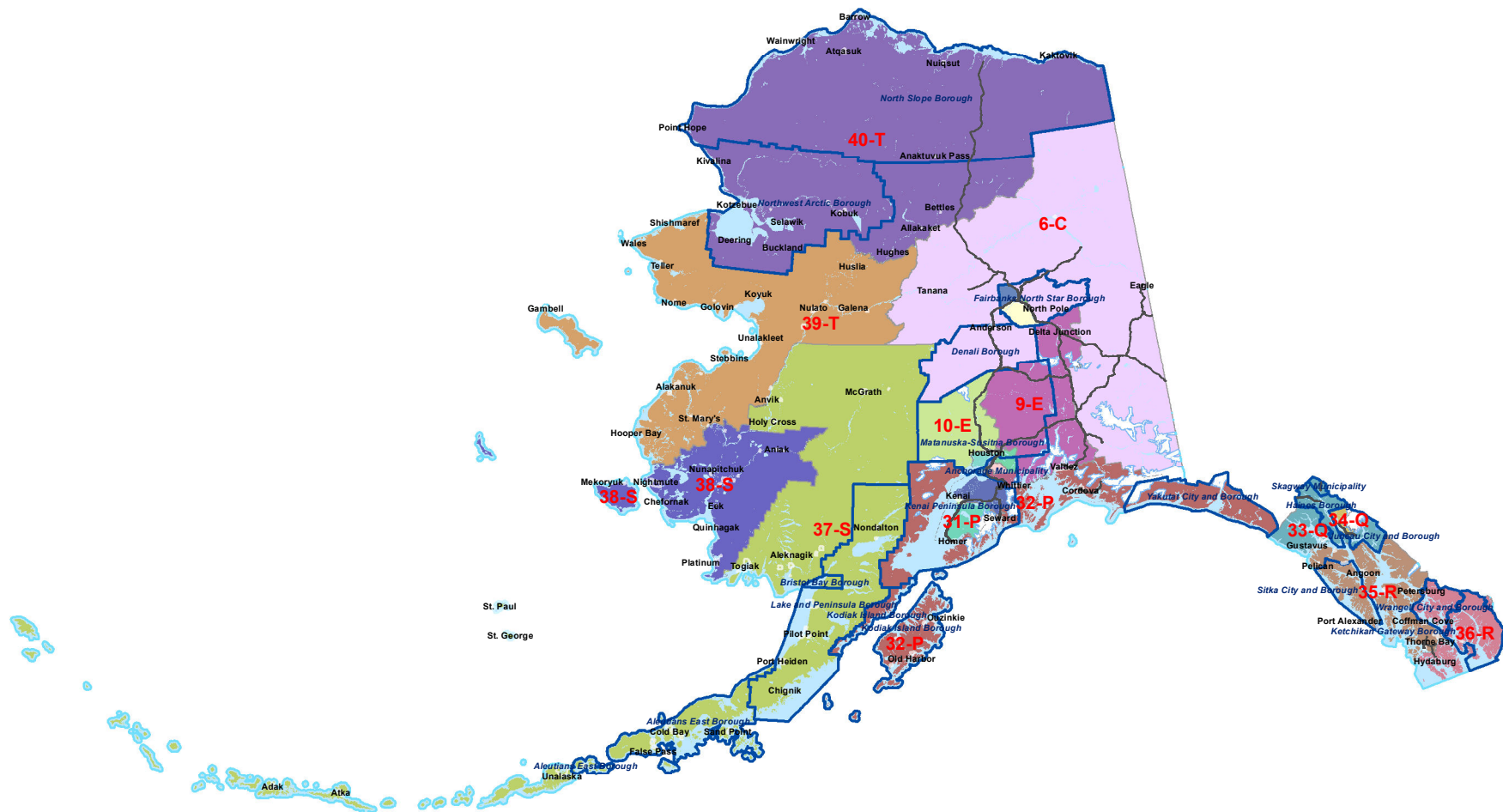


Board Composite v. 2



2013 Proclamation House Districts

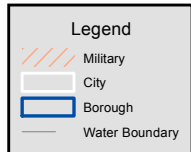
Statewide



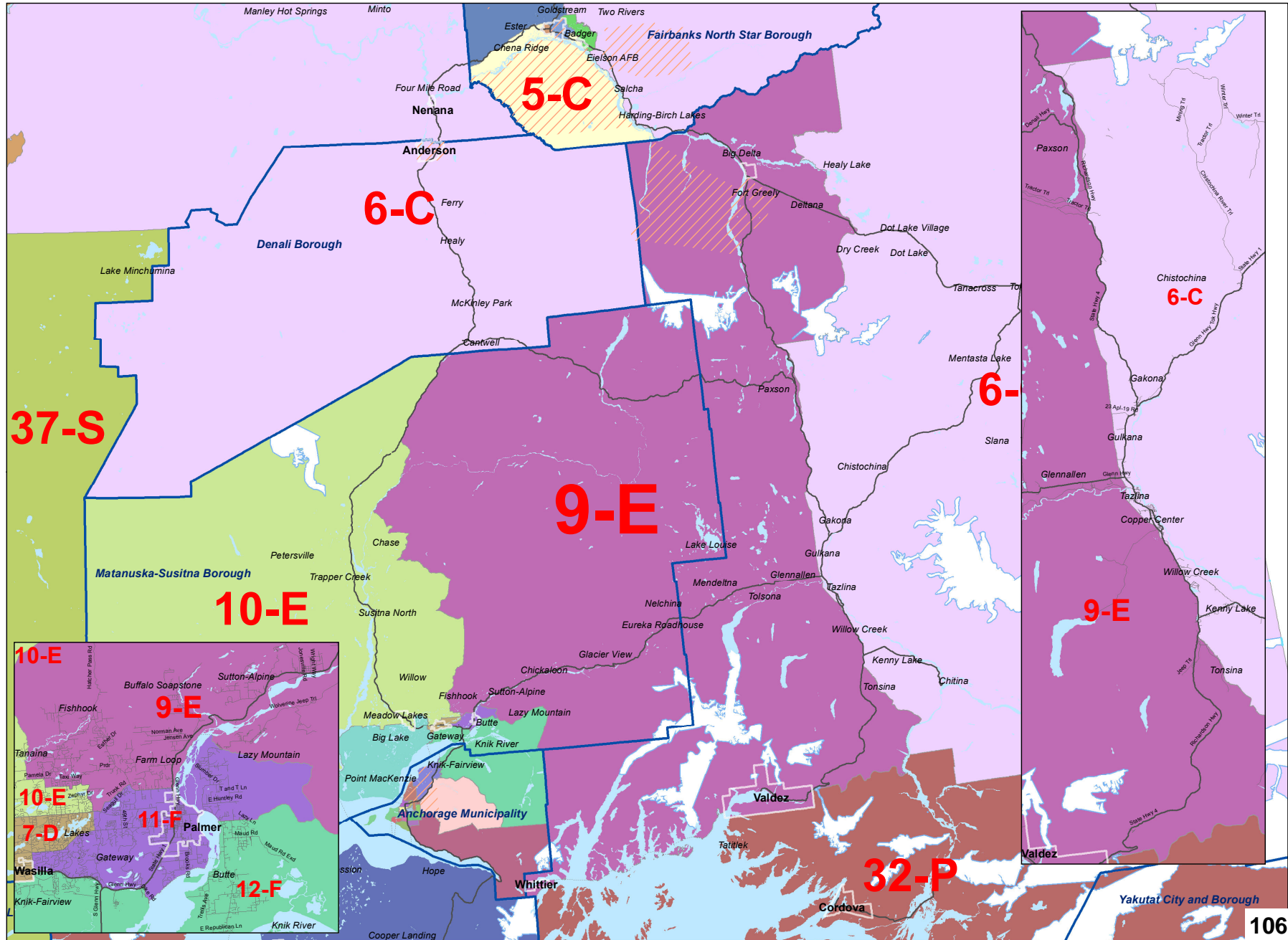
Prepared by:
Alaska Redistricting Board

2013 Proclamation House Districts

House District 9



Prepared by:
Alaska Redistricting Board





September 9, 2021

John Binkley, Chair
Alaska Redistricting Board
P.O. Box 240147
Anchorage, AK 99503

Dear Mr. Binkley,

On behalf of the communities of Prince William Sound, I am writing to urge your consideration for an election district that encompasses Prince William Sound as a contiguous unit.

Our communities already represent a compact, contiguous geographic unit by virtue of their location encircling the marine waters of Prince William Sound. Our economies are driven collectively by the Sound's commercial fishing activity, marine transport through the Sound (fishing vessels, shipping of oil, goods, and people on the AMHS ferry and cruise ships), and tourism activity in the Sound.

From the regional level, we work on coordinating among our five communities on our schools' sports and academic event schedules, our ferry service schedule, regional tourism marketing, and our telecommunications infrastructure.

For our communities to work with a legislator who can advocate for our coastal community needs as a region, we feel we are best served by being included as a group in one election district.

Thank you for your consideration of the interests of our Prince William Sound communities as you work through the process of drawing new election districts for Alaska.

Sincerely,

Kristin Carpenter
Executive Director

...



Legislation Text

File #: RES 21-0039, **Version:** 1

ITEM TITLE:

#21-39 - Supporting the Municipality of Anchorage Letter to the U.S. Secretary of Transportation Requesting Federal Funding for Critical Infrastructure Work for the Port of Alaska

SUBMITTED BY: Mark Detter, City Manager

FISCAL NOTES:

Expenditure Required: N/A
Unencumbered Balance: N/A
Funding Source: N/A

RECOMMENDATION:

Approve Resolution #21-39

SUMMARY STATEMENT:

The Mayor of the Municipality of Anchorage has requested Mayor Scheidt sign a letter supporting a funding request to the United States Secretary of Transportation for critical infrastructure upgrades to the Port of Alaska.

Mayor Dave Bronson contacted Mayor Scheidt requesting Valdez support for funding request through proposed Bi-Partisan infrastructure bill under consideration by the United States Congress.

The Port of Alaska has in excess of a billion dollars in improvements that are needed to strengthen and modernize the Port in order to avoid major damage due to earthquake/tsunami and other natural disasters. The vulnerability of the Port appears to be a major issue.

The issue for Valdez in supporting the request of the Mayor Bronson relates to whether any funding request made by Valdez is considered secondary in the federal governments priorities for funding in the infrastructure bill for ports and waterways.

Mayor Bronson acknowledged in his letter that other Ports in Alaska have funding needs also and the Municipality of Anchorage plans to work with other ports in their funding requests to the United States Department of Transportation and other federal agencies.

CITY OF VALDEZ, ALASKA

RESOLUTION NO. 21-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, SUPPORTING THE MUNICIPALITY OF ANCHORAGE LETTER TO THE U.S. SECRETARY OF TRANSPORTATION REQUESTING FEDERAL FUNDING FOR CRITICAL INFRASTRUCTURE WORK FOR THE PORT OF ALASKA

WHEREAS, Mayor Dave Bronson of the Municipality of Anchorage has requested Mayor Sharon Scheidt sign a letter requesting funding for the Port of Alaska through the United States Department of Transportation; and

WHEREAS, Mayors and Chamber of Commerce directors across the State of Alaska have already expressed support for Mayor Bronson's request for federal funding for the Port of Alaska; and

WHEREAS, the Port of Alaska is the primary in-bound entry point for food, pharmaceuticals, refined petroleum, and supplies used by nearly eighty percent of the population of the State of Alaska; and

WHEREAS, the Port of Alaska is one of seventeen commercial ports in America specifically identified in the National Port Readiness Network, providing national security support for the major force deployment of Alaskan based military forces; and

WHEREAS, the Port of Alaska Modernization Program began in 2016 to expand capabilities to meet currently industry standards and to replace the aging infrastructure of the original dock area of the Port; and

WHEREAS, the Port of Alaska experiences extreme tidal activity and other environmental issues that have caused extensive corrosion and deteriorated the primary dock support poles; and

WHEREAS, the current engineering assessments indicate the Port of Alaska has severe damage to the wharf piles and replacement is necessary to avoid collapse of the dock area; and

WHEREAS, a catastrophic failure of the Port of Alaska would have a devastating impact the public health, safety and economy of the State of Alaska; and

WHEREAS, the City of Valdez maintains a Port that is critical to the economy of the state and the nation, and therefore uniquely understands the costly and critical needs of the Port of Alaska.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:

Section 1. The City of Valdez is supportive of the Municipality of Anchorage continuing to work cooperatively with both state and federal agencies towards

identification of necessary funds to complete numerous repairs needed at the Port of Anchorage and other Ports throughout the State of Alaska, and

Section 2. The Valdez City Council authorizes the Mayor Scheidt to sign the letter (Attachment A) to the Secretary of The United States Department of Transportation requesting funding for the Port of Alaska, in conjunction with Mayors and Chamber Directors across the State of Alaska,

PASSED AND APPROVED this 21st day of September, 2021.

CITY OF VALDEZ, ALASKA

Sharon Scheidt, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk

**Alaska Mayor's and Chambers of Commerce
Joint Letter Concerning the Port of Alaska**

TO: The Honorable Pete Buttigieg,
US Department of Transportation
1200 New Jersey Ave, SE
Washington DC 20590

SUBJECT: Port Infrastructure Funding

Date: August 11, 2021

Dear Secretary Buttigieg,

We write to you today to request your personal assistance in securing \$750 Million from the forthcoming Bipartisan Infrastructure bill for critical repairs needed at the Port of Alaska.

The Port of Alaska is the primary port serving the economic, national defense, and emergency response and disaster recovery for the state. Originally built in the 1950's, the port began operations in 1961. The port serves five primary customer bases: general cargo, bulk petroleum, dry goods, cruise ships, and has a dry barge landing area.

A Port of Alaska Modernization Program began in 2016 to expand capabilities to meet current industry standards, but also to replace the aging infrastructure of the original dock area. Located along the Knik Arm, at the upper end of the Cook Inlet, the port experiences extreme tidal activity. This, combined with brackish water, high silt content, and the presence of a biological component common to northern latitudes has caused extensive corrosion and deteriorated the primary dock support poles. Current engineering assessment is that the damage to the wharf piles is severe and replacement is necessary within the next few years to avoid collapse of the dock area. The port has initiated design for replacement of the deteriorated dock support poles. However, project estimates exceed \$1.0 Billion, for which the Municipality of Anchorage is requesting this financial support through the Bipartisan Infrastructure bill currently being advanced through Congress.

Located in Southcentral Alaska, with both road and railroad connections to interior Alaska, as well as air cargo connections across the state and pipeline connections to Joint Base Elmendorf-Richardson, Ted Stevens International Airport, and the Marathon refinery in Nikiski, the Port of Alaska is the primary in-bound entry point for food, pharmaceuticals,

refined petroleum, and supplies for nearly eighty percent of the state's population. Twenty percent of this cargo is destined for the Department of Defense installations as well. With only about a five to seven days' supply of food in most Alaskan communities, any disruption to the port operations would have a devastating effect on the residents of the state and could quickly create a humanitarian crisis.

The Port of Alaska is one of seventeen commercial port's in America specifically identified in the National Port Readiness Network, providing national security support for the major force deployment of Alaskan based military forces. Alaska serves a strategic location for the deployment of military forces, especially in regard to the Indio-Pacific region. Maintaining a reliable port for rapid deployment of military forces is essential to our nation's security.

The Port of Alaska is also a strategic port for delivery of petroleum products to the state, which supports both surface transportation and military and commercial aviation fuel requirements. The Ted Stevens Anchorage International Airport is one of the busiest air cargo facilities in the world, providing the most direct connections between North America and Asia. In the first quarter of this year, the airport ranked as the world's fourth busiest air cargo hub. The majority of aviation fuel provide to the airport comes through the Port of Alaska. Ensuring a consistent and reliable fuel supply to the airport is critical to the ability to support trade between the United States and Asian nations. Any interrupted delivery of petroleum products through the Port of Alaska would create a serious commerce disruption that would impact the entire nation.

Since the Port of Anchorage provides the primary entryway into Alaska for the majority of commodities used by the majority of Alaskans, it is imperative the port infrastructure be able to sustain any significant impacts associated with a potentially major earthquake, as well as the tremendous impacts of the currents and silty conditions of the Knik Arm, to remain operational. Additionally, the Port of Alaska has developed into a terminus for commercial passenger cruise operations, complimenting the cruise ship operations at both Whittier and Seward. Therefore, any degradation to the dock and pier area would have a significant impact on the tourist industry of Southcentral Alaska.

We recognize Alaska has numerous other port and dock infrastructure requirements across the state and we are continually working with both state and federal agencies to identify the necessary funds to complete these numerous repairs and improvements. However, the Port of Alaska is a statewide asset that serves the broader population, as well as other national interests. It is with that understanding that we have joined together in this letter to request your support in securing the necessary funds to repair the Port of Alaska before it experiences a catastrophic failure that would have statewide consequences.

The Alaska Congressional delegation supports expedited repairs to the Port of Alaska. Anchorage Mayor Bronson has briefed the delegation on the potential impacts to both the state and nation should the Port of Alaska have a catastrophic failure. By this letter, we are asking for your engagement in securing \$750 Million from within the \$17.0 Billion being set aside for Ports and Waterways in the Bipartisan Infrastructure bill.

We understand you may be visiting Alaska later this month. Should your schedule permit, we would encourage you to tour the Port of Alaska to see first-hand the deteriorating conditions of the dock and pier areas. Please contact Anchorage Mayor Dave Bronson direct if you have the opportunity to visit the port.

Thank you for your consideration of this request. We look forward to working with you to ensure the ports of Alaska continue serving the needs of our state and great nation.

Sincerely,

Mayor Dave Bronson Municipality of Anchorage	Mayor Bryce Ward Fairbanks North Star Borough	Mayor Jim Matherly City of Fairbanks
Mayor Charlie Pearce City of Kenai	Mayor John K. Handeland City of Nome	Mayor Christy Terry City of Seward
Mayor Ken Castner City of Homer	Mayor Joe Vinatieri City of Whittier	Mayor Sharon Scheidt City of Valdez
Mayor Vern Halter Matanuska-Susitna Borough	Mayor Glenda Ledford City of Wasilla	Mayor Edna Devries City of Palmer
Mayor Bill Roberts Kodiak Island Borough	Mayor Patricia Branson City of Kodiak	
Mayor Vincent M. Tutiakoff City of Unalaska		
Kati Capozzi Executive Director Alaska Chamber of Commerce		Bruce Bustamante President and CEO Anchorage Chamber of Commerce

Jinnel Choiniere
President and CEO
Fairbanks Chamber of Commerce

Lucas Parker
President
Palmer Chamber of Commerce

Jessica Viera
Executive Director
Wasilla Chamber of Commerce

Jason Bickling
Executive Director
Seward Chamber of Commerce

Debbie Rinckey
Executive Director
Chugiak Eagle River Chamber of Commerce

Jenna Lowmaster
Executive Director
Kodiak Chamber of Commerce

Brad Anderson
Executive Director
Homer Chamber of Commerce

Sharon Anderson
Executive Director
Valdez Chamber of Commerce

Brittany Brown
Executive Director
Kenai Chamber of Commerce

Shanon Davis
Executive Director
Soldotna Chamber of Commerce

Marlene Fogarty-Phillips
Executive Director
North Pole Community Chamber of Commerce

Patty Wilbanks
Executive Director
Girdwood Chamber of Commerce



Legislation Text

File #: 21-0460, **Version:** 1

ITEM TITLE:

City Manager's Report 9-21-21

SUBMITTED BY: Mark Detter, City Manager

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Receive and File.

SUMMARY STATEMENT:

The City Manager's Report is a little abbreviated this Council meeting, but I would like to cover the following issues during my report:

- Federal COVID 19 Vaccine Mandates.
- Economic Diversification Meeting of 9/15/21.
- Sewer Force Main Project-Bond election schedule.
- Mayor's Flood Task Force meeting of 9/15/21.
- ARPA Funds and Senior Housing Project.
- 2022 Budget preparation.

I will be out of the office for a conference in the 1st week of October, but plan to join virtually for both Council meeting and budget workshop.

Attached is an updated project report.

2021 CITY OF VALDEZ PROJECT UPDATE

City Council Meeting

September 21, 2021



CITY OF VALDEZ

2021 CURRENT PROJECTS

PROJECT	CONTRACT BUDGET	ACTUAL AMOUNT EXPENDED	SCHEDULED SUBSTANTIAL COMPLETION DATE	ACTUAL COMPLETION DATE
COTTONWOOD DRIVE	\$3,575,302	\$2,226,918	10/31/2021	
WEST HANAGITA AND PTARMIGAN PLACE	\$3,895,500	\$1,841,043	10/31/2021	
CITY COUNCIL CHAMBERS UPGRADE	\$767,868	\$444,651	10/1/2021	
MINERAL CREEK BRIDGE REPAIR	\$735,350	\$678,015	9/1/2021	9/1/2021
VHS & HHES GENERATOR REPLACEMENT	\$1,169,000	\$850,200	8/13/2021	9/14/2021



UPDATE ON CONSTRUCTION PROJECTS

- Cottonwood Drive-Paving complete. Working on driveways. Waiting on street lights.
- West Hanagita-Utility work complete. Structural excavation is complete. Anticipate paving in 2 to 3 weeks.
- School generator project- Generator arrived. All major outages complete.
- Council Chambers-Audio/visual installation ongoing. Carpet and bathroom finishes continuing. Substantial completion mid to late October (current projection).
- Pipeline Club-Abatement and demolition underway.
- 10 Mile Flood Control Project. HS&G making Rip-Rap and working with City to find storage locations. Flood Task Force provided project update September 15th.



DESIGN PROJECTS

- PLAN TO SOLICIT BIDS BY END OF SEPTEMBER FOR NEW WELL*.
- H-K SMALL BOAT HARBOR LAUNCH RAMP GRANT SUBMITTED.
- BIDDING ROBE RIVER FIRE WATER BOOSTER PUMP REPLACEMENT END OF SEPTEMBER*.
- ARCHITECTS ALASKA ON HOSPITAL MASTERPLAN UPDATE CONTRACT CONSIDERED FOR APPROVAL 9/21/21.
- GLACIER STREAM EAST ACCESS STUDY –REVIEWING PRELIMINARY COST ESTIMATES AND WORKING ON EVALUATION CRITERIA MATRIX.



PUBLIC INFO WEBSITES

STREET PROJECTS - WWW.VALDEZPAVING.COM

FIRE STATION – WWW.VALDEZAK.GOV/493/NEW-FIRE-STATION-PROJECT.

COMP PLAN UPDATES - [HTTP://VALDEZCOMPLAN.BLOGSPOT.COM](http://VALDEZCOMPLAN.BLOGSPOT.COM)

WWW.VALDEZAK.GOV/520/PROJECTS



POTENTIAL HOUSING PROJECTS

Senior Housing Project.

- Registration occurred with Alaska Housing end of June.
- Pre-Application due August 6th (Pushed back one week).
- Market Study ongoing.
- Final application due in November.

Whalen/St. Patrick/TractP Subdivision.

- Zoning approved for property on Egan.
- Waiting on preliminary plat to discuss future development needs/incentives.
- Design Contract for Whalen Street approved 7/20/21.
- Engineering firm and City staff met with developer to coordinate utilities.





City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Legislation Text

File #: 21-0461, **Version:** 1

ITEM TITLE:

Council Calendars and Resource Links

SUBMITTED BY: Allie Ferko, MMC, Deputy City Clerk

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Receive and file

SUMMARY STATEMENT:

Council calendars and resource links attached for reference.

September 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6 Holiday 7pm – P&H Commission Meeting	7 6pm – Council Work Session (Topic: Annual Permanent Fund Meeting) 7pm – City Council Regular Meeting	8 7pm – Planning & Zoning Commission Meeting	9	10	11
12	13 6:30pm – School Board Meeting	14 6:30pm – PVMC HAC Meeting (@PVMC) 6pm – Council Work Session (Topic: PRCS Department Report) 7pm – Council Special Meeting (Redistricting) 7pm – Parks & Rec Commission Meeting	15 Noon – Flood Mitigation Task Force 7pm – Economic Diversification Commission	16 6:30pm – VMHA Board Meeting (@Museum)	17	18
19	20 7pm – P&H Commission Meeting	21 5:30pm – Council Work Session (Topic: Copper Valley Electric Association) 7pm – City Council Regular Meeting	22 6:30pm – Hospital Expansion Task Force Meeting (@PVMC) 7pm – Planning & Zoning Commission Meeting	23 6pm – Council Special Meeting (Topic: Legal Strategy 2022 Budget Review in Executive Session)	24	25
26	27 6:30pm – School Board Meeting	28	29	30	27	28

Note 1: This calendar is subject to change. Contact the City Clerk's Office for the most up-to-date information. Strike-thru indicates cancellation of standing meeting.

Note 2: Unless otherwise notated, all meetings and events listed on this calendar are held in the Civic Center Conference Room (temporary meeting location June – November 2021 during Council Chambers remodel project).

Note 3: City Clerk will be out of the office for IIMC official travel 09.08.2021-09.12.2021 and leave 09.13.2021-09.17.2021.

Updated 09.16.2021

October 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 7pm – P&H Commission Meeting	5 6pm – VMHA Corporation Annual Meeting 7pm – City Council Regular Meeting	6 7pm – Economic Diversification Commission Meeting	7 6pm – Council Work Session (Topic: 2022 Budget #1 – Budget Overview; Revenues; Administration Division)	8	9
10	11 6:30pm – School Board Meeting	12 6:30pm – PVMC HAC Meeting (@PVMC) 7pm – Parks & Rec Commission Meeting	13 7pm – Planning & Zoning Commission Meeting	14 6pm – Council Work Session (Topic: 2022 Budget #2 – Facilities, Fleet & Infrastructure and Major Equipment Schedule)	15	16
17	18 Holiday 7pm – P&H Commission Meeting	19 6pm – Council Work Session (Topic: Tsunami Preparedness) 7pm – City Council Regular Meeting	20 Noon – Flood Mitigation Task Force 6pm – Council Work Session (Topic: Planning Department Report)	21 6:30pm – VMHA Board Meeting (@Museum) 6pm – Council Work Session (Topic: 2022 Budget #3 – Community Service Organizations)	22	23
24	25 6:30pm – School Board Meeting	26 6pm – Council Work Session (Topic: 2022 Budget #4 – Education and Public Safety Division)	27 6:30pm – Hospital Expansion Task Force Meeting (@PVMC) 7pm – Planning & Zoning Commission Meeting	28 6pm – Council Work Session (Topic: 2022 Budget #5 – PRCS, Reserves, and Overflow Topics)	29	30
31						

Note 1: This calendar is subject to change. Contact the City Clerk's Office for the most up-to-date information. Strike-thru indicates cancellation of standing meeting.

Note 2: Unless otherwise notated, all meetings and events listed on this calendar are held in the Civic Center Conference Room (temporary meeting location June – November 2021 during Council Chambers remodel project).

Note 3: City Clerk will be out of the office for IIMC official travel 10.12.2021-10.26.2021.

Updated 09.16.2021

Links to city reference documents (all documents linked below available on either the city website or the applicable stakeholder website).

- Comprehensive Plan Website: <https://valdezcompplan.blogspot.com/>
 - Draft Plan: <https://bit.ly/36imR2v>
- Waterfront Master Plan: <https://bit.ly/3ANhTZJ>
- Parks & Recreation Master Plan: <https://bit.ly/3hpogls>
- COV Natural Hazard Mitigation Plan: <https://bit.ly/3xCzrpr>
- Valdez Museum & Historical Archive Master Interpretive Plan: <https://bit.ly/2V7Je8j>
- Valdez Visitor Market Profile: <https://bit.ly/3xux2wM>
- Competitive Market Analysis & Long Range Planning for the Port of Valdez: <https://bit.ly/3qSP49q>
- Community of Valdez Strategic Plan: <https://bit.ly/3yzSAIA>
- Valdez Coordinated Community Transportation Plan: <https://bit.ly/3ywXPsr>
- Valdez Housing Market Assessment & Gap Analysis: <https://bit.ly/36hSqta>
- Valdez Pioneer Field Airport Master Plan: <https://dot.alaska.gov/nreg/valdez-airport/>
- Hospital Master Plan: <https://bit.ly/3wmJFIL>



Legislation Text

File #: 21-0462, **Version:** 1

ITEM TITLE:

Upcoming Boards & Commissions Vacancies

SUBMITTED BY: Allie Ferko, MMC, Deputy City Clerk

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Receive and file

SUMMARY STATEMENT:

The following is a list of upcoming vacancies and application deadlines.

Interested citizens can learn more and apply for vacancies through the city's boards and commissions online portal: www.valdezak.gov/416/boards-commissions-appointment <<http://www.valdezak.gov/416/boards-commissions-appointment>>. Paper applications are available at City Hall for those who have barriers to applying online.

October 2021 Vacancies

- Economic Diversification Commission: One vacancy due to normal term expiration. Appointee to serve a two-year term, expiring September 2024.

No applications were received during the first round of advertising for the Economic Diversification Commission and the incumbent is unable to reapply due to ongoing work obligations. The Clerk's Office will conduct a second round of advertising, which will include the removal of the industry sector requirement and two-year term length in anticipation of the adoption of Ordinance #21-10 prior to candidate appointment.

- Parks & Recreation Commission: Two vacancies due to normal term expiration. Appointees to each serve a two-year term, expiring October 2024.

Valdez Municipal Code already speaks to two-year terms for the Parks & Recreation Commission, so we can move forward with recruitment of the October vacancies without the necessity of an ordinance to change Code.

- Application deadline for all October 2021 vacancies is October 13th for appointment by Council at their October 19th regular meeting.
- PVMC Health Advisory Council: Three vacancies due to normal term expiration. Appointees to each serve a three-year term, expiring October 2024.

PLUS one vacancy due to resignation. Appointee to serve a partial term, expiring October 2023. *(PVMC will be advertising these vacancies and provide the Clerk's Office with application process information to amplify through our channels.)*

November 2021 Vacancies

- Permanent Fund Investment Committee: One vacancy due to normal term expiration. Appointee will serve a three-year term, expiring November 2024.
- Planning & Zoning Commission: Two vacancies due to normal term expiration. Appointees to each serve a three-year term, expiring November 2024.
- Alaska Gasline Port Authority: One vacancy due to normal term expiration. Appointee will serve a four-year term, expiring November 2025.
- Application deadline for all November 2021 vacancies is November 17th for appointment by Council at their November 23rd regular meeting.

December 2021 Vacancies

- None

January 2022 Vacancies

- VMHA Board of Directors: Four vacancies due to normal term expiration. Appointees to each serve a three-year term, expiring January 2025.
- Application deadline TBD.