



# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

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**WHITTIER CITY COUNCIL  
REGULAR MEETING  
TUESDAY, SEPTEMBER 20, 2016  
7:00 PM  
COUNCIL CHAMBERS  
P-12 BUILDING**

## MINUTES

### 1. CALL TO ORDER

Mayor Daniel Blair called the meeting to order at 7:15 p.m.

### 2. OPENING CEREMONY

Dan Blair led the Pledge of Allegiance.

### 3. ROLL CALL

**A. Council Members Present:** Debra Hicks, Monty Irvin, Peter Denmark, Ata Ma'ae, David Pinguoch, Victor Shen and Daniel Blair

#### **B. Administration Present:**

Mark Lynch, City Manager  
Jennifer Rogers, City Clerk  
Scott Korbe, Public Works Director  
Holly Wells, City Attorney

Andy Dennis, Harbormaster  
Lynette Dennis, Finance Officer  
Dave Schofield, Public Safety Director  
Moe Zamarron, Public Safety Bldg. Manager

#### **Others Present:**

Mike Bender	Jennifer Harrison	Emmitt Raymond
Greg Clifford	Pat Hamilton	Eula Schofield
Melody Clifford	Mike Hanley	Mike Scott
Anna Dickason	Dan Johnson	Beverly Walts
Dave Dickason	Vernadette Macal tao	George Weamire
Lindsey Erk	June Miller	
Demetrius Faatau	Caren Pantaleon	

### 4. APPROVAL OF MINUTES

A. March 15, 2016 and August 16, 2016

**MOTION:** Victor Shen made a motion to approve the Regular Meeting Minutes of March 15, 2016 and August 16, 2016.

**SECOND:** Dave Pinguoch

**VOTE:** Victor Shen: Yes, Dave Pinquoch: Yes, Monty Irvin: Yes, Ata Ma'ae: Yes, Peter Denmark: Yes, Debra Hicks: Yes, Daniel Blair: Yes  
**Motion passed 7-0**

## **5. APPROVAL OF REGULAR MEETING AGENDA**

**MOTION:** Victor Shen made a motion to approve the September 20, 2016 agenda with amendments to move Presentations before Mayor's Report, adding a presentation by two residents and to move Resolution#25-2016 after the executive session.

**SECOND:** Dave Pinquoch

**VOTE:** Victor Shen: Yes, Dave Pinquoch, Yes, Monty Irvin: Yes, Debra Hicks: Yes, Ata Ma'ae: Yes, Peter Denmark: Yes, Dan Blair: Yes

**Motion passed 7-0**

## **6. PRESENTATIONS**

### **A. Demetrius Faataui and Emmitt Raymond**

Demetrius and Emmitt stated that they both rode their four wheelers through the city park last week which destroyed the grass. They apologized for their actions and restored the damaged area to the best of their abilities.

Mayor Daniel Blair thanked the two individuals on behalf of the community for their attempts to repair the property and recommended that in the future they look for other areas to use their four wheelers.

### **B. Eastern Aleutian Tribes, Inc. – Jennifer Harrison**

Jennifer Harrison read a report that she prepared for the council members. She reported that she met with her staff members earlier in the week to discuss their needs in Whittier and decided that it was up to the City to provide the clinic space wherever they feel is appropriate.

Whether the clinic will remain in the BTI building or is included in the new public safety complex, she stated that they need additional space if they are to remain in compliance and expand their services to include increased dental, optometry, behavioral visits and radiology x-ray services.

E.A.T.S. would like to be included in the design process so they can ensure that space will be included for a portable x-ray machine, an emergency room, two exam rooms that would accommodate dental, behavioral and optometry professionals; all those services need hand sinks. Two entry locations are needed; one by the reception and one by the emergency room in order to be HIPA compliant. They also need a secured medical records room.

Jennifer Harrison went on in detail explaining specific space needed for specific work stations for the clinic as well as finding a solution to transport patients to the new clinic if it is moved to the new public safety complex.

Mayor Dan Blair thanked Jennifer for her report and stated that they have been very successful in working with their organization.

## **7. MAYOR'S REPORT**

### **A. Mayor's Report**

Mayor Dan Blair stated that he has spent a great deal of time working on the medical clinic. He met with the Girdwood Board of Supervisors and had some interaction with the Alaska Railroad.

He also reported that the school hosted the entire Chugach School District. He reported that there was good community participation and that the event was a success.

## **B. Vice-Mayor's Report**

Vice Mayor, Dave Pinquoch, reported that he was asked by the Whittier Boat Owners Association to attend their meeting tomorrow night. They would like for him to address two subjects. One is the salmon plant and the other is the \$250,000 appropriated out of the harbor savings account. The Corp tabled the head of the bay project and they're asking for an explanation. Dave agreed to attend the meeting.

Monty Irvin asked Dave to explain which project was tabled. Dan Blair interjected that the Corp. tabled the entire head of the bay project without an explanation. They just found out about it the day before; the Corps intend to reveal the reason within three to four days.

## **8. MANAGER'S REPORT**

### **A. City Manager's Report- Mark Lynch**

See written manager's report in original council packet.

Mark Lynch announced that the Prince William Sound Community Economic Development Strategy (C.E.D.S.) would like to hold a community meeting somewhere towards the end of October.

He asked the council to clarify the duties they want the assistant city manager to have specifically relating to the comprehensive plan. There was a lengthy discussion regarding the importance of creating a more informative comprehensive plan. Mayor Dan Blair stated that he is more interested in the city manager hiring a good assistant manager who will work with a facilitator on updating the comprehensive plan.

Two members of the Innovative Readiness Training team (IRT) arrived. They are engineers who are interested in expanding their scope of work here to do structural analysis. They offered to do more than the Buckner, so they were given a list of facilities to inspect. All work will be done at no cost to the City with the exception of housing. Mark was told that they're open to future projects in Whittier.

### **1. Financial Report- Lynette Dennis**

See Revenues with Comparison to Budget for the month ending August 2016.

### **B. City Attorney's Report – Holly Wells**

Holly will provide the council members with an update during the executive session.

### **C. School District's Report**

Assistant Superintendent, Mike Hanley, announced that the school hosted a Leadership Summit the previous week which turned out to be a great event for the kids and community. Mark expounded on the various activities that took place during the Leadership Summit.

Head school teacher, Melody Clifford, gave another brief report on the events of the Leadership Summit. She thanked everyone who was involved. There were approximately 150 in attendance from Anchorage, Valdez, Chenega and Tatitlek, and Exxon Valdez who stayed at the school.

Melody Clifford stated that the kids had a scavenger hunt around town and made stops at several city departments. The children also took a field trip on the railroad, courtesy of the railroad. She presented Moe Zamarron with a framed picture of the student body as an appreciation for the time he spent with them at new building site.

The school is also partnering with the police department and are working on a student safety plan. She also reported that a cell phone policy will be drafted at the October 3<sup>rd</sup> Community Education Advisory Committee. (Formerly known as Education Advisory Committee) She announced all are welcome to attend, whether or not they have a child enrolled in the school.

Lastly, she stated that there will be a student Film Festival; the date for this activity has not yet been determined.

#### **D. Directors Reports**

- **Harbor Report- Andy Dennis**

See written report in original council packet.

Directing his question to the harbormaster, Peter Denmark inquired about the work to be done regarding the bracing of the fingers at the harbor. Andy Dennis replied that his report covered the work to be done. He requested Bellingham Marine to create another design that doesn't include the triangle piece. The new design will come at an additional cost of \$3,400 per finger. The total cost will be \$190,000 which is 2 ½ % increase. The design includes B and C floats.

Peter Denmark asked if the user groups who are having problems small enough to be accommodated. Andy replied, "Some of these slips can be fitted with the design, but it takes away from the modularity of the design. Once you build this, you can't move fingers around anymore. Every finger that uses the new design has to have one across with the exact same design."

Mayor Dan Blair reminded Peter Denmark that this topic is listed on the agenda as a business item and asked to postpone the conversation.

- **Public Safety Report- Dave Schofield**

None

- **Public Works Report -- Scott Korbe**

See written report in original council packet.

- **Public Safety Building Report- Moe Zamarron**

See written report in original council packet.

#### **9. COMMISSION REPORTS**

- **Planning Commission**

See March 2, 2016 meeting minutes in original council packet.

- **Port and Harbor Commission**

See May 5, 2016 meeting minutes in original council packet.

- **Parks & Recreation Committee**

None

- **PWSAC**

None

#### **10. CITIZEN'S COMMENTS ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING**

Glacier Gazette publisher, Marc Donadieu, asked Mark Lynch if he had any information to share with the public regarding the meeting he had with municipal liaison, Kyle Kelley and Supervisor, Sam Daniel that would not be discussed during the executive session. Mayor Dan Bair replied that the meeting went well. Mark Lynch added that they discussed some sticking points of the contract and Mr. Daniel assured him that he would work within the community and their legal counsel to try to resolve those legal issues. It was all that he would say since it's all still under negotiations.

Marc Donadieu also stated that according to the council meeting notes, there is a lot of negative commentary in Girdwood regarding policing. He asked if Mark Lynch could reference anything specific on where that information came from because it contradicts what he has learned recently.

Mark Lynch replied that, "All I'll say is if anybody is paying attention, they would know where the comments have been coming from. I'm not going to name names."

Marc Donadieu stated, "I received documents that Alyeska sent to Anchorage Assembly and it was strongly worded; they put themselves on a very strong ledge, but then in his most recent article, they backed down from that ledge and they have concerns, but it's not near where it was. Is there anything you can say about that?" Mark Lynch replied, "I haven't seen all this information you're referencing to, so I don't know. I wrote this report a week ago, so a lot of this apparently has happened since then."

Marc Donadieu thanked Mark Lynch.

## **11. CONSENT CALENDAR**

None

## **12. PUBLIC HEARING (NON-ORDINANCE)**

None

## **13. ORDINANCES**

### **A. Introduction (1<sup>st</sup> reading)**

Ordinance #07-2016- An ordinance amending WMC Section 17.16.221, Marine Park Use Regulations.

**MOTION:** David Pinguoch made a motion to introduce Ordinance #07-2016 and set the public hearing date for October 18, 2016.

**SECONDED:** Ata Ma'ae .

**DISCUSSION:** None

Dave Pinguoch: Yes, Ata Ma'ae: Yes, Peter Denmark: Yes, Monty Irvin: Yes, Debra Hicks: Yes, Victor Shen: Yes, Dan Blair: Yes

**VOTE:** 7-0

### **B. PUBLIC HEARING (2<sup>ND</sup> reading)**

None

**VOTE:** 4-0

## **15. COUNCIL DISCUSSION**

Council member, David Pinguoch, asked harbormaster Andy Dennis if he if working through the financing and design of the harbor. He asked if a committee was needed to finalize the options. Mark Lynch stated that he had intended on discussing this under new business, harbor float design.

David Pinguoch also stated, "For those who were present for the workshop, Pat had some legitimate questions about how we're handling the building of this building. I'd like to tell people that we're doing a great job with the money we have with the time we had. Not finishing the 2<sup>nd</sup> and 3<sup>rd</sup> floors was not an option; we didn't have the money. We just spent \$50,000 to get the floors poured to make it cheaper moving forward. We didn't have a choice; we had to spend the \$2 million or lose it. I think the administration did a great job in making it so that it didn't happen."

Peter Denmark wanted to follow up with Moe regarding the contingencies of the public safety building and wanted to know what the specific contingencies were and how they were resolved. Dan replied that that will be discussed during the executive session.

## 16. CITIZEN'S DISCUSSION

Mike Bender is a representative of the RCAC, which is the Regional Citizen's Advisory Council. He reported that they just had their fall meeting in Cordova. The biggest issue was that after 38 years, Crowley will no longer be the tugboat and escort company. Edison Chouest of Louisiana is the new contractor and they will start on July 1, 2018. Mike added that there's a lot of concern over that. Representatives of Edison Chouest was at the meeting and they reassured people that their services will be on-par or exceeds Crowleys.

Dan Blair asked Mike what is RCAC's stance on it? Mike replied, "We don't have a relationship with them; they're an oversight. They just want to be sure that they bring qualified people and equipment to carry on Crowley's good standing." Mike Bender reported that Edison Chouest is a huge oil field service company in Louisiana, the Gulf of Mexico and worldwide. Weekly updates will be provided on how the transaction is taking place.

Lastly, Mike reported that the RCAC rotates the location of their meetings and the meeting next September will take place here in Whittier. There will be approximately 60-80 people in attendance. There was a brief discussion on where the attendees would stay and where the meetings will be held.

Peter Denmark asked who is our representative for the Whittier Prince William Sound Aquaculture Corporation. Mark replied that it was Larry Gilman, but he resigned. City Clerk, Jennifer Rogers, stated that there was some confusion surrounding the resignation of Larry Gilman. He resigned, but council didn't officially accept his resignation, so at this point, it's unclear as to whether or not Whittier has a representative. Mayor Dan Blair directed the city clerk to advertise a vacancy for the PWSAC seat, and if Larry wants to be re-appointed, it can be done if there isn't other input.

David Goldstein agreed with Peter Denmark that we should have a living comprehensive plan document. He suggested that we schedule a meeting every year or two to make updates instead of waiting five years.

Dave Goldstein also gave his opinions regarding the harbor slips and the location of the clinic. He encouraged the council to conduct a workshop to obtain more public discussion. He then gave a brief history of the clinic in the Begich Towers Building and the past efforts to relocate it from its current location.

## 17. EXECUTIVE SESSION

**MOTION:** Ata Ma'ae made a motion to enter into executive session at 8:25 pm to discuss the Whittier Manor lease. Matters that, if immediately disclosed, would tend to adversely affect the finances of the city.

To Discuss the Water System Electrical Upgrade. Matters that, if immediately disclosed, would tend to adversely affect the finances of the City.

To discuss the Girdwood Policing. Matters that, if immediately disclosed, would tend to adversely affect the finances of the City.

To discuss the Public Safety Building. Matters that, if immediately disclosed, would tend to adversely affect the finances of the City.

**SECONDED:** Dave Pinquoch

Ata Ma'ae: Yes, Dave Pinquoch: Yes, Debra Hicks: Yes, Monty Irvin: Yes, Victor Shen: Yes, Peter Denmark: Yes, Dan Blair: Yes

**VOTE:** 7-0

**MOTION:** Dave Pinquoch made a motion to end the executive session and return to the regular meeting at 10:45 pm.

**SECONDED:** Monty Irvin

Dave Pinquoch: Yes, Monty Irvin: Yes, Debra Hicks: Yes, Ata Ma'ae: Yes, Peter Denmark: Yes, Victor Shen: Yes, Dan Blair: Yes.

**VOTE:** 7-0

## **WATER SYSTEM ELECTRIC UPGRADE**

**MOTION:** Dave Pinquoch made a motion to authorize the city manager to accept the bid for the well house repair for construction and installation, providing it does not exceed the engineers estimate.

**SECONDED:** Monty Irvin

Dave Pinquoch: Yes, Monty Irvin: Yes, Debra Hicks: Yes, Ata Ma'ae: Yes, Peter Denmark: Yes, Victor Shen: Yes, Dan Blair: Yes

**VOTE:** 7-0

## **14. RESOLUTIONS**

### **1. Resolution #25-2016- A resolution authorizing the ground sublease between the City of Whittier, and the Whittier Manor Condominium Association, Inc.**

**MOTION:** David Pinquoch made a motion to postpone Resolution #25-2016 to the October 18, 2016 meeting.

**SECONDED:** Ata Ma'ae

**DISCUSSION:** None

David Pinquoch: Yes, Ata Ma'ae: Yes, Debra Hicks: Yes, Peter Denmark: Yes, Victor Shen: Yes, Monty Irvin: Yes, Dan Blair: Yes

**VOTE:** 7-0

## **18. UNFINISHED BUSINESS**

### **A. Shotgun Cove Road Project**

Not discussed during this meeting.

### **B. ARRC/COW Land Swap**

Monty Irvin asked Dan Blair and Mark Lynch if they have met with the railroad. Dan Blair replied that they did meet with them. Dan Blair stated, "We presented an offer and they rejected the offer and presented a counter offer which was not accepted.

Peter Denmark asked to review the trigger dates and what their implications are. Holly replied that the quit claim deed hasn't been recorded, therefore, there are no trigger dates at this time. Mark reiterated that we have 90 days from whenever the Corps of Engineers signs over the property to the railroad, they have 90 days to convey it to the City and we have 180 days to reach a management agreement or we get half the dock and they get half the dock. They still own the whole dock, we just get to use the dock. Holly Wells explained that the 90 day date runs from the date of recording of the deed. The deed has been approved by the railroad and submitted to the army. The Army Corps of Engineers has not sent it back for recording.

### **C. Improve Salmon Sport Fishing in Northwest PWS**

Not discussed during this meeting.

### **D. Whittier Manor Lease**

Discussed in the executive session.

### **E. Public Safety Complex- Phase 2**

**MOTION:** Dave Pinquoch made a motion to authorize the city manager to move forward with the public safety matters as directed by the city attorney.

**SECONDED:** Debra Hicks

Dave Pinquoch: Yes, Debra Hicks: Yes, Monty Irvin: Yes, Ata Ma'ae: Yes, Peter Denmark: Yes, Victor Shen: Yes, Dan Blair: Yes

**VOTE:** 7-0

#### **F. Paddle Craft Launch**

Not discussed during this meeting.

### **19. NEW BUSINESS**

#### **A. Confirmation of 2016 Municipal Election Board**

City Clerk, Jennifer Rogers, read out loud the names of individuals interested in serving as election officials for the October 4, 2016 Regular Municipal Elections. They are: Terry Bender, Brandy Bender, Elizabeth Cox and Charlene Arneson

**MOTION:** Ata Ma'ae made a motion to approve the individuals interested in serving as election officials for the October 4, 2016 Regular Municipal Election.

**SECONDED:** Victor Shen

Ata Ma'ae: Yes, Victor Shen: Yes, Monty Irvin: Yes, Debra Hicks: Peter Denmark: Yes, Dave Pinquoch: Yes, Dan Blair: Yes.

**VOTE:** 7-0

#### **B. Harbor Float Design**

Harbormaster, Andy Dennis, stated that he has received complaints regarding the design of the new floats. Some are concerned that they didn't have an opportunity to provide input before the floats were built. A letter was sent to berth holders on the B and C floats to inform them of what the new design will look like. Thirteen people said the design wouldn't work for them because they like to back their boats in or they like their boats to point west of the wind.

There was some discussion regarding the float design. Each of the fingers has to have a piling. That's the same way the floats are currently designed. The alternate design is what we currently have. It would cost an additional \$3,400 a finger to do that. The entire harbor rebuild with the original plan will cost \$7.2 million dollars. The alternate design will cost \$7.4 million dollars. \$190,000 difference; \$115,000 for the C float and \$75,000 for B float. In his opinion, the alternate design is the better of the two.

He stated that if the design is changed, there will be people who will not be able to use their slips. They can still use the slips, but their boats will stick out an additional 6 feet and it'll reduce the size of the fairway, especially between B and C float.

Over the course of a forty year lifetime, it might be worth to fund the extra \$190,000. Andy stated that he wanted the council to be aware of the cost difference. He added that at the time he sent out the letter to the berth holders, he didn't have any dollar figures. People were voicing their opinion without regard to cost.

Dave Pinquoch asked if the price just includes the redesign of the fingers and if the pilings were included. Andy replied that the pilings are included in the cost. There was some discussion regarding the cost and location of the pilings.

Mark Lynch reported that a decision doesn't have to be made tonight. We have until the end of December to solve the issue and to have a contract signed off by the State or we lose our grant. Mark will try to obtain an extension. We have to have something in place by the end of the year.

Dave Pinquoch stated that he is willing to work with Andy to try to sort out the different options to present to council and perhaps get the Boat Owners Association involved.

- C. Discussion of Local Shuttle Service**  
Not discussed during this meeting.

## 20. ADJOURNMENT

**MOTION:** Dave Pinquoch moved to adjourn the meeting at 11:08 p.m.

**VOTE:** Motion passed unanimously.

**Attest:**

  
\_\_\_\_\_  
Jennifer Rogers  
City Clerk

  
\_\_\_\_\_  
Daniel Blair  
Mayor