



THE CITY OF WHITTIER

Gateway to Western Prince William Sound

P.O. Box 608 • Whittier, Alaska 99693 • (907) 472-2327 • Fax (907) 472-2404

**WHITTIER CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 19, 2016
7:00 PM
COUNCIL CHAMBERS
P-12 BUILDING**

MINUTES

1. CALL TO ORDER

Mayor Daniel Blair called the meeting to order at 7:00 p.m.

2. OPENING CEREMONY

Katie Velasco led the Pledge of Allegiance.

3. OATH OF OFFICE FOR NEWLY APPOINTED COUNCIL MEMBER

A. City Council Seat D- Monty Irvin

Acting City Clerk, Jennifer Rogers, swore in Monty Irvin to city council seat D.

4. ROLL CALL

A. Council Members Present: Victor Shen (Telephonic), Debra Hicks, Ata Ma'ae, Dave Pinguoch, Monty Irvin, Dan Blair and Peter Denmark.

B. Council Members Absent: None

C. Administration Present: Mark Lynch, City Manager, Jennifer Rogers, Acting City Clerk, Scott Korbe, Public Works Director, Andy Dennis, Harbormaster, Lynette Dennis, Finance Officer

Holly Wells, City Attorney, Amy Walters, City Attorney, Katie Velasco, Lindsey Erk, Marc Donadieu, Dave Goldstein, Lavon Lymcr, Andrea Korbe, Dave Dickason, Karen Valenta, Lisa Matlock, Roy Robinson, Mike Bender, Moe Zamaron, and Brenda Krol.

5. APPROVAL OF MINUTES

A. March 1, 2016, Special Meeting Minutes

MOTION: Dave Pinguoch made a motion to approve the special meeting minutes of March 1, 2016 as written.

SECONDED: Debra Hicks seconded the motion.

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

Motion passed 7-0

6. APPROVAL OF REGULAR MEETING AGENDA

MOTION: Dave Pinguoch made a motion to approve the agenda as amended moving Presentations, agenda item #12 up on the agenda to #7 after Approval of Regular Meeting Agenda.

SECONDED: Ata Ma'ae seconded the motion.

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

Motion passed 7-0

7. PRESENTATIONS

A. Whittier School- Clean-up Day

Teacher, Lyndsey Erk and student, Katie Velasco were present on behalf of the Whittier Community School. Lyndsey Erk thanked the city for partnering with the school for the betterment of the community. She announced that the school plans to create 20 benches for the city, 10 more than last year. She invited everyone to the end of the school year party on May 12th. She also invited everyone to the graduation ceremony and potluck on May 20th.

Katie Velasco stated that the school will host a Whittier Clean-up Day on May 2nd at 1:00 pm. She invited everyone to attend and help the students.

Mayor Dan Blair thanked the school on behalf of the council for the benches they provided last year and for the benches they'll provide this year.

B. PWSRCAC- Lisa Matlock

Lisa Matlock explained in detail the new Unified Command

Lisa Matlock stated that she works as the outreach coordinator for the Prince William Sound Regional Citizens Advisory Council. She explained that they promote safe transportation of oil from the Valdez rain terminal with the tankers in and out of Prince William Sound.

Lisa explained that in the case of an oil spill, communities have some ways of getting their voice heard at the Unified Command. The Unified Command is comprised of a federal and a state coordinator and the responsible party for the spill.

Since the Exxon Valdez oil spill, the State of Alaska and federal agencies have had a Regional Stakeholder Committee; the committee is comprised of city governments, tribes, and other stakeholders that would be affected by the oil spill. The Stakeholder Committee is laid out in a plan called the Unified Plan which is used for an oil spill response.

The Alaska Regional Response Team decided to change the Regional Stakeholder Committee. They would like to break it into pieces: tribal & local government group and the affected stakeholders group. Tribes want to have a special relationship with federal entities that are involved in oil spill response. Tribes are given more of a voice when it comes to an oil spill response.

Lisa stated that the two groups were broken up and a new plan was written. The Regional Stakeholder Committee no longer receives clear information on how to respond to an oil spill; the new plan also limits access to the Unified Command.

Lisa informed the council that there is a limited thirty day public comment window that closes on April 29th. She is working to get the information out to communities so that if they can provide public comment

if they choose. Whittier's board member is Mike Bender and our volunteer is Dave Goldstein. Lisa provided the council with a draft resolution for the extension.

There was discussion among the members regarding the sample letter provided by Lisa Matlock and whether or not they should support the resolution.

Mike Bender suggested that the Council take action one way or another. In his opinion, he felt that they should pass the resolution requesting an extension to provide time to review the plan.

David Goldstein added that it's not prohibited to pass the resolution as written or with revised changes and following it up with another resolution opposing it.

8. MAYOR'S REPORT

A. Mayor's Report by Mayor Daniel Blair

Mayor Dan Blair announced that he met with the Chugach National Forest district ranger to discuss the lands they are interested in at the head of the bay. The ranger told Dan that the resolution council passed which opposed the proposed changes of the Forest Study Plan was very helpful and timely.

Mayor Dan Blair also stated that he met with Senator Dan Sullivan's Chief of Staff.

B. Vice Mayor's Report by Vice Mayor David Pinguoch

None

9. MANAGER'S REPORT

A. City Manager's Report- Mark Lynch

See written manager's report in original council packet.

Mark Lynch introduced Moe Zamaron, who is the manager for the new public safety building. Moe will also work with Andy Dennis to organize the camp ground and oversee some repairs on the ocean dock.

Mark gave an update on the ocean dock repairs. An engineer has looked at the dock and has given a report. The contractor is currently working on pricing, but Mark does not have those numbers yet. He stated that work on the dock should begin as soon as possible because of the significant damage.

A special meeting will need to be held if council wants to approve the dollar amount before beginning repairs. The contractor for the public safety building looked at the dock and estimated the repairs around \$100,000. Mark inquired if the council wanted to proceed with the repairs or wait for exact numbers. Mayor Blair encouraged the council members to move forward with the emergency repairs.

Peter Denmark asked if our insurance is applicable. Mark replied that he's not sure. A claim was filed and he's waiting for a response. Mark added that we have a \$100,000 deductible.

Mark noted that there is also significant damage to the pavilion. Steel beams have been bent and welds have broken. He hasn't begun discussions for those repairs as he has been focused on the dock.

Mark also reported that Phillips Cruises & Tours have stopped payments to the City until the dock is repaired.

There was some discussion about obtaining accurate estimates for the repairs or moving forward with the emergency repair with an estimated cost. Mayor Blair stated that this topic should be included on the agenda for a special meeting for further discussion.

Mark stated that it'll probably be another week before we the final number of votes for the Girdwood Policing.

Mark Lynch stated that there has been some delay in the transfer of the DeLong Dock. There was brief discussion about this topic.

Mark Lynch introduced Moe Zamaron as the project manager for the new building and welcomed him to give an update of the project to the council. Moe stated that they had started on the storm drain and utility corridor. There were minor changes to the base work. The steel will arrive in July. The project is progressing as scheduled.

B. City Attorney's Report – Holly Wells

Ms. Wells stated that she didn't have anything to report but she welcomed any questions.

- **Finance Report-** See March 2016 revenue & expense report in original council packet.

C. Directors Reports

- **Harbor Report- Andy Dennis**

See written report in original council packet.

- **Public Safety Report- Dave Schofield**

See written report in original council packet.

- **Public Works Report – Scott Korbe**

See written report in original council packet.

10. COMMISSION REPORTS

- **Planning Commission**

See minutes from the January 6, 2016 meeting in the original council packet.

- **Port and Harbor Commission**

See minutes from the November 12, 2015 in the original council packet.

- **Parks & Recreation Committee**

Councilor Victor Shen gave a brief verbal report.

- **PWSAC**

None

11. CITIZEN'S COMMENTS ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING

None

12. CONSENT AGENDA

None

13. PUBLIC HEARING (NON-ORDINANCE)

None

14. ORDINANCES

None

B. PUBLIC HEARING (2ND reading)

None

15. RESOLUTIONS

1. #14-2016 – A resolution of the Whittier City Council adopting the 2016 Employee Classification Plan establishing titles and pay levels for city employees, which include a .5% cost of living increase effective with the pay period beginning March 14, 2016.

MOTION: Dave Pinguoch made a motion to adopt resolution #14-2016.

SECONDED: Ata Ma'ae seconded the motion.

VOTE: Motion passed unanimously

2. #15-2016 – A resolution of the Whittier City Council requesting that the Alaska Department of Environmental Conservation grant an extension to the communities of Alaska who will be affected by changes to Annex B, proposed process for community outreach in the Alaska federal/state preparedness plan for response to oil and hazardous substance discharge/release (Unified Plan) for the Regional Stakeholder Committee.

Mike Bender recommend that the city council approve this resolution and added that if there isn't another meeting held to develop another resolution requesting additional time, then at least we're on the record as a city stating that we're against the methods of change.

City Attorney, Holly Wells, stated that there is a third option, which is to amend a couple of lines that would bring the current resolution to a resolution opposing the changes to Annex B in part on the lack of an insufficient community comment period. If a resolution is passed during the special meeting based on opposing the changes of Annex B, it won't inconsistent with the resolution passed tonight.

MOTION: Peter Denmark made a motion to adopt resolution #15-2016 with an amendment to replace the word confusing with obfuscate in the second paragraph of the resolution.

SECONDED: Ata Ma'ae seconded the motion.

VOTE: Motion passed unanimously

16. COUNCIL DISCUSSION

Dave Pinguoch reminded council members that there are places in the budget where it states year to date actual but it's incorrect; it's what they've billed for the year, not a reflection for what's been collected for the year. He requested that at a minimum, when they're given budget information, that it states actual, not billed.

Dave Pinguoch asked Harbormaster, Andy Dennis how much revenue have we received under year to date actual for preferential moorage. Andy replied that they have received \$225,000. Dave Pinguoch stated that it is reported that we've received \$4485,000.

Andy Dennis and Lynette Dennis explained the accrual accounting procedures. There was further discussion about this topic.

Council set the date for April 26, 2016 for a Special Meeting at 6:00 pm followed by a Comprehensive Plan work shop.

17. CITIZEN'S DISCUSSION

None

18. NAME CLEARING HEARING- BRENDA KROL

A. Post- termination "name clearing" hearing- Open Session unless closed session is requested.
(WMC 2.70.680 Dismissal for disciplinary reasons.)

Mayor Blair stated that it would be left to Brenda Krol on whether or not the post-termination name clearing would be public or held during an executive session. Brenda replied that she would like to have it in executive session.

19. EXECUTIVE SESSION

A. Possible Name Clearing- Matters that would affect personnel issues.

B. Shotgun Cove Road- Matters that, if immediately disclosed, would tend to adversely affect the finances of the City.

C. Discussion of Whittier Manor Lease- Matters that, if immediately disclosed, would tend to adversely affect the finances of the City.

MOTION: Dave Pinquoch made a motion to enter into executive session. Holly Wells asked Dave Pinquoch to clarify that Brenda Krol will only be present for her name clearing. Dave Pinquoch agreed to the amendment.

SECONDED: Ata Ma'ae seconded the motion.

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

Council entered into executive session at 8:21 pm.
Victor Shen left the meeting.

MOTION: Dave Pinquoch made a motion to return to the regular session at 10:20 pm.

SECONDED: Debra Hicks seconded the motion.

VOTE: Motion passed unanimously

UNFINISHED BUSINESS

A. Shotgun Cove Road Project
Discussed in the executive session.

B. ARRC/COW Land Swap
Discussed under the City Manager's report.

C. Improve Salmon Sport Fishing in Northwest PWS
Nothing new to report.

D. Whittier Manor Lease
Discussed in the executive session.

E. Public Safety Complex- Phase 2
Moe Zamaron gave the council an update under the City Manager's report.

F. Paddle Craft Launch
Dan Blair stated that he spoke to Scott Korbe a few weeks ago regarding the use of gabions. He asked if Scott had any progress with that. Peter Denmark added that Scott Korbe had platted out electrical and phone lines through the area for the area that need to be done. Scott replied that there are erosion issues on the backside of the Alaska Sea Kayakers building and old utilities and power lines are exposed.

They're getting closer to the active power lines and phone lines; that needs to be addressed. He will spend some time at the Corps. office to see what can be done under an emergency permit order for repairs. He is hoping that the repairs won't affect the waters below high tide line and create a slopping ramp.

20. NEW BUSINESS

A. RCAC Appointment

Mike Bender was re-appointed as Whittier's representative to the RCAC to another two year term.

B. Port & Harbor Appointment

Mark Mitchell was not present. Mayor Dan Blair instructed Jennifer Rogers to invite Mark Mitchell to attend the April 26th Special City Council Meeting.

C. Ethics Committee Discussion

There was brief discussion among the members on who is eligible to serve on the Ethics Committee Board. There was also discussions on the duties assigned under the WMC. There was a brief discussion on whether or not the WMC needed to be amended. The City Council directed Jennifer Rogers to post for two lay people and two alternative lay people to serve on the Ethic Board Committee.

21. ADJOURNMENT

MOTION: Dave Pinquoch moved to adjourn the meeting at 10:45 p.m.

SECONDED: Debra Hicks seconded the motion.

VOTE: Motion passed unanimously.

Attest:


Jennifer Rogers
Acting City Clerk


Daniel Blair
Mayor