



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
330 Harbor Drive
Sitka, AK
(907)747-1811

Minutes - Final

City Assembly

Mayor Cheryl Westover
Deputy Mayor Larry Crews
Vice Deputy Mayor Mim McConnell
Assembly Member Phyllis Hackett
Assembly Member Terry Blake
Assembly Member Thor Christianson
Assembly Member Pete Esquiro

Municipal Administrator: Jim Dinley
Municipal Attorney: Theresa Hillhouse
Municipal Clerk: Colleen Ingman, MMC

Tuesday, November 9, 2010

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - Westover, McConnell, Hackett, Blake, Christianson, and Esquiro

Telephonic: 1 - Crews

IV. CORRESPONDENCE/AGENDA CHANGES

Motion by Blake to move Item I to come up immediately following Item M. The motion PASSED unanimously.

V. CEREMONIAL MATTERS

Mayor Westover read the proclamation for National Diabetes Awareness Month.

VI. PERSONS TO BE HEARD

None.

VII. REPORTS

B 10-192 AKDOT - Preliminary Plans for Sawmill Creek Road Phase III - Reuben Yost

Yost reported a few elements would require a maintenance agreement which could be discussed at a later date. He also reported additional right-of-way would be

needed from the University of Alaska.

This matter was HEARD

A 10-191 Invasive Tunicate - ADF&G

Invasive Species Project Leader, Tammy Davis, explained how the species was discovered and action that has occurred thus far. The biggest threat is to aquaculture and kelp.

This matter was HEARD

a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other

Mayor - Reminded the Economic Roundtable would be held Saturday. Also reminded and encouraged people about picking up after their dogs and policing it.

Administrator – Reported on the Building Seminar and gave an update on Public Works projects.

Attorney – Out next week attending the Alaska Municipal Attorney and Municipal League Conferences.

Liaisons – Hackett noted the Historic Preservation Commission would hold an open house November 17th to introduce their draft plan; the plan is available on the city web site. McConnell announced that the Long Range Planning and Economic Development Commission was rescheduled because of Veteran's Day.

Clerk – Reminded the Assembly and public that the joint Government-to-Government dinner meeting would be held November 10 at the Westmark Sitka. She is also noted she would be out next week for attendance at the Alaska Clerks Association and AML.

Other – McConnell attended the Bear Task Force meeting, the SEDA presentation at Sawmill Cove Park, and workshops for the Outdoor Sustainable Recreation plan. Hackett relayed that Sawmill Cove Industrial Park was looking more marketable and reminded the public there is office space available. Westover thanked Mr. Etulain in his efforts at keeping us all informed by televising so many events.

VIII. CONSENT AGENDA

C 10-194 Approve the minutes of the October 12, 2010 Assembly meeting.

This matter was APPROVED ON THE CONSENT AGENDA

D 10-190 Reappoint PJ Ford Slack to a term on the Library Commission.

This matter was APPROVED ON THE CONSENT AGENDA

IX. UNFINISHED BUSINESS:

E 10-171 Appointment and swearing in of Assembly Member to serve until the next Regular Municipal Election.

Five people testified in support of the appointment of Pete Esquiro. Six people supported either the next highest vote getter or someone who ran for office. Two people specifically named John Stein and at least one person specifically named Jack Ozment and John Sherrod for appointment to the vacant seat.

Candidate Comments:

John Stein, the next highest vote getter, commented if three seats were open the third vote getter would get that seat. He contended Sitkans were aware of the possibility of this vacancy when they voted. He urged members to respect the existence of diversity on the assembly.

John Sherrod -- Served on the Assembly from 2005-2008. He paid attention to the budget and made sure the tax payers were well served. Sherrod stated he did not represent any specific constituency.

Michelle Putz -- Noted she did not feel voted against. A thousand people voted for her and she thinks they need to be represented.

Pete Esquiro -- Submitted his name because of his great interest in Sitka. Esquiro noted he is a 30+ year resident of Sitka, is experienced in working with Tribal governments.

Jack Ozment - Testified previously on his desire to be appointed having served for four years on the Assembly. He declined to add anything further.

Municipal Attorney, Theresa Hillhouse, explained the Charter indicates the Assembly shall fill the vacant seat. The requirement that the seat be filled with the next highest vote getter went away in 2004 and is no longer required.

To begin with, all five candidates were nominated to fill the vacant seat. After the first vote was taken, the two candidates Ozment and Putz were dropped from consideration after receiving no votes.

Motion by Christianson to narrow it down to the three that received votes: Stein, Sherrod and Esquiro to fill the vacant assembly seat. This resulted in 2 votes for Stein and 4 for Esquiro. Esquiro was appointed to fill Westover's term until the next regular Municipal Election in 2011.

F ORD 10-29

Approve Ordinance 2010-29 Authorizing the issuance of electric revenue bonds of the City in the principal amount of not to exceed \$50,000,000 to refund and defease all outstanding obligations of combined electric and water utilities and to finance a portion of the cost of expanding the Blue Lake hydroelectric project, as approved by Sitka's voters in an advisory vote held on October 5, 2010; and authorizing the sale of the bonds to the Alaska Municipal Bond Bank on the terms and conditions provided in the ordinance.

Finance Director, David Wolff, informed the Assembly this ordinance would set up the transaction between CBS and the bond bank.

A motion was made by Christianson that this Ordinance be PASSED ON SECOND READING. The motion PASSED by the following vote:

Yes: 7 - Westover, Crews, McConnell, Hackett, Blake, Christianson, and Esquiro

G ORD 10-28

Ordinance 2010-28: Adjusting the FY10 and FY11 Budgets for changes indentified during the Fourth Quarter Execution Review.

Finance Director, David Wolff, indicated this recaps and adjusts the budget in accordance with the Charter.

A motion was made by McConnell that this Ordinance be PASSED ON SECOND READING. The motion PASSED by the following vote:

Yes: 7 - Westover, Crews, McConnell, Hackett, Blake, Christianson, and Esquiro

H 10-193

Approve Consent to an Assignment and Assumption of Tidelands Lease between City, SJC and for Sitka Sound Science Center.

Hackett thanked Sitka Sound Science Center (SSSC) for the inclusion of the award letter from the Karsh Foundation. Also clarified was that the Tidelands lease would still remain with the City, the City in turn would be leasing it to SSSC.

This matter was APPROVED

Yes: 7 - Westover, Crews, McConnell, Hackett, Blake, Christianson, and Esquiro

X. NEW BUSINESS:

New Business First Reading

J ORD 10-30

Amending SGC Chapter 4.12 entitled "Property Tax" to define Residential and Business Used Mobile and Modular Homes and similar structures that are attached to the land or utilities as real property instead of personal property.

Randy Hughes, Assessor, reported CBS had an audit from the State Assessors office and personal property was one of the things they advised us to review. This Ordinance would define Residential and Business Used Mobile and Modular Homes and similar structures as real property instead of personal property. Hughes stated this wouldn't take effect until January 2012 and that his office would give notice to people.

The ordinance PASSED on FIRST READING.

Yes: 7 - Westover, Crews, McConnell, Hackett, Blake, Christianson, and Esquiro

K RES 10-29

Resolution 2010-29: Providing for a systematic re-evaluation of all taxable property within the City and Borough.

Assessor, Randy Hughes, pointed out this is an item of great concern. A re-evaluation of all taxable property within CBS is required by Alaska State Statute. He stated he would be in the field more; his goal to re-evaluate all taxable property in Sitka within 4 to 5 years.

This item was APPROVED.

Yes: 7 - Westover, Crews, McConnell, Hackett, Blake, Christianson, and Esquiro

L RES 10-30

To enter into a Conservation Easement with Southeast Alaska Land Trust regarding tidelands adjacent to Lot 8 of the Sheldon Jackson Campus Subdivision, accept ownership of Lot 8 from Southeast Alaska Land Trust upon its acquisition of this parcel from Sheldon Jackson College, with Lot 8 subject to the Conservation Easement, and authorize the Municipal Administrator to execute all necessary documents.

Motion was made by McConnell to PASS Resolution 2010-30 on first and final

reading. The motion was later postponed.

- M RES 10-31** Resolution 2010-31: Opposing an application from Aquabounty Technologies, Inc. to the U.S. Food and Drug Administration (FDA) to approve an market genetically engineered Atlantic Salmon in the United States.

Esquiro urged the assembly to support this and noted it is not a good Alaska Salmon.

A motion was made by Blake that this Resolution be APPROVED. The motion PASSED by the following vote:

Yes: 7 - Westover, Crews, McConnell, Hackett, Blake, Christianson, and Esquiro

- I 10-173** Appointments: Deputy and Vice-Deputy Mayor and Liaisons

Larry Crews was nominated and appointed to serve as Deputy Mayor. Mim McConnell was nominated and appointed to serve as Vice-Deputy Mayor. The Assembly then chose the various committees/commissions that they desired to serve as a liaison to.

Additional New Business Items

- N 10-189** Approve Deputy Finance Director recruitment.

Administrator Dinley explained his difficulty in the last two years trying to recruit a controller. He researched Prothman, a Seattle area firm that helps local governments in the Pacific Northwest find qualified permanent and interim employees, and received high recommendations. He recommended the Assembly approve a contract with Prothman to begin the search for a Deputy Finance Director.

This matter was APPROVED

Yes: 7 - Westover, Crews, McConnell, Hackett, Blake, Christianson, and Esquiro

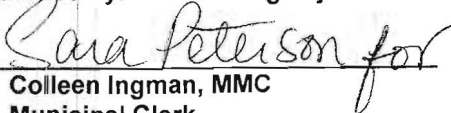
XI. PERSONS TO BE HEARD:

Ryan Haug, Chair of the Police and Fire Commission, was glad to see the assignment of board/commission/committee liaisons. He stated there is a need for direction and goals.

XIII. ADJOURNMENT

A motion was made by Hackett that this meeting be ADJOURNED. The motion PASSED unanimously. The meeting adjourned at 10:09 PM.

ATTEST:


**Colleen Ingman, MMC
Municipal Clerk**