

CITY AND BOROUGH OF SITKA

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



Meeting Agenda

Tuesday, February 26, 2013

6:00 PM

Assembly Chambers

City and Borough Assembly

*Mayor Mim McConnell
Deputy Mayor Pete Esquiro,
Vice Deputy Mayor Thor Christianson,
Phyllis Hackett, Matthew Hunter, Mike Reif and Michelle Putz*

*Interim Municipal Administrator: John P. Sweeney III
Municipal Attorney: Robin L. Koutchak
Municipal Clerk: Colleen Ingman, MMC*

REGULAR MEETING**I. CALL TO ORDER****II. FLAG SALUTE****III. ROLL CALL****IV. CORRESPONDENCE/AGENDA CHANGES**

[13-105](#) Correspondence Attachments

Attachments: [COR022613](#)

V. SPECIAL REPORTS**Government-to-Government Update with Sitka Tribe of Alaska**

1 [12-176](#) Municipal Report on conditional use permits for Bed and Breakfasts and Short-term Rentals.

Attachments: [Short Term Rentals B&B Update](#)

VI. PERSONS TO BE HEARD**VII. REPORTS****a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other****VIII. CONSENT AGENDA**

A [13-034](#) Approve the minutes of the Assembly meetings of February 6, 8 & 10, 2013

Attachments: [Minutes](#)

B [13-035](#) Approve CBS Mayor signing a block letter to Governor Parnell regarding Alaska Marine Highway System on Southeast Alaska's only connected "road"

Attachments: [Gov Ltr Draft AMHS](#)

C [RES 13-04](#) Supporting an application for funding through the State of Alaska Capital Grant program by the Sitka Summer Music Festival for the purchase of Stevenson Hall

Attachments: [RES 13-04](#)

[RES 13-04 Signed](#)

Dan Jones stated the Sitka Summer Music Festival had been in existence for forty years performing annually in Sitka and in Anchorage. Jones noted Stevens Hall on the Sheldon Jackson College Campus was their "Mothership" with year round usage for things such as artist residency.

- D** [13-037](#) Award contract to Malos Janitorial Services for City/State building for three years at \$4,426.68 per month. Note the award amount is shared with State of Alaska on a percentage basis.

Attachments: [Janitorial Contract](#)

Deputy Mayor Esquiro requested this item be pulled from the consent agenda to receive an explanation on why the City chose not to accept the lowest bid. Chris Wilbur, Facilities Manager, and Gary Baugher, Maintenance and Operations Superintendent, explained the "Best Value" evaluation process was used. It was based 50% on qualifications and 50% on price. Other factors such as experience, record keeping, training and managing of employees, and bidder qualifications were also taken into account.

IX. UNFINISHED BUSINESS:

- E** [13-032](#) Award Completion of the Bathymetric Survey Contract to David Evans and Associates, Inc for the base bid amount of \$150,890 and approve a contingency for weather delays - Contested

Attachments: [Bathymetric Surveys](#)

Acting Utility Director, Dean Orbison, provided a summary of the project and answered questions.

- E** [ORD 13-08](#) Authorizing Amendment No. 2 to the Agreement for Material Sale from Municipally Owned Property ("Agreement") with S&S General Contractors and Equipment Rental, Inc. ("S&S") at Site 5 of the Granite Creek Industrial Area, and approving the Agreement to have S&S provide contract services as an alternative for certain payment owed under the Agreement

Attachments: [Item 1 Ord 13-08 S&S](#)

[ORD 13-08 Passed](#)

Both Putz and Reif had questions for Brewton. Brewton explained that we are paying for the rock to be blasted and removed. Reif clarified that we own the rock now and do not need it. Reif inquired if the city was on firm level ground not going out for competitive bid on this. Hillhouse cited the City Charter where we

spell out the reasons we are not going out for competitive bid. Brewton relayed that there is no doubt in his mind that if we go out to bid there will be increased costs.

Municipal Attorney, Theresa Hillhouse, stated there had been been an objection to this ordinance; it was felt there hadn't been a competitive bid process. Hillhouse explained this ordinance dealt with a lease amendment to a quarry S&S General Contractors had taken over and cited exceptions to the competitive bid process outlined in Sitka Home Rule Charter 11.14 Disposal of Municipal Property and Sitka General Code 3.16.060 Exceptions to Competitive Bidding Requirements.

Acting Utility Director, Dean Orbison, explained the rock removal was critical to the turbine project. On average, the unit cost for similar projects would be \$80 per cubic yard. S&S agreed to provide the rock removal for \$4.97 per cubic yard.

Vaughn Hazel spoke in opposition to the ordinance.

Assembly Member Reif questioned what type of delays would be generated if this were to go out to bid. Public Works Director, Michael Harmon, responded this was a unique opportunity. Going out to bid would cause at least a month delay. Project Manager, Jack West, indicated the project was on a tight budget and although going out to bid would not stop the project, it would increase costs upward of \$500,000.

X. NEW BUSINESS:

New Business First Reading

- F [ORD 13-10](#) Amending the Official Sitka Zoning Map to Rezone Lot 4A Turney-Burkhart Replat from R-2 MHP Multifamily and Mobile Home District to C-2 General Commercial Mobile Home District

Attachments: [ORD 13-10](#)

[ORD 13-10 Passed](#)

Assembly member Christianson announced his executive director lived in this court and wondered if that presented any conflict. Hackett disclosed she had two very close friends in the court and expressed they weren't aware of this ordinance. It was determined neither member had any conflict of interest and could fully participate.

Planning Director, Wells Williams, stated this was a straightforward request that cleared the Planning Commission by 4-0. Williams noted the project was currently zoned R-2 MHP Multifamily and Mobile Home District and the new owners would like to rezone the parcel to C-2 General Commercial Mobile Home

District with plans for storage, single family dwellings or mobile home parks.

Assembly member Reif asked owner, Jeremy Twaddle, what the advantages were to the rezoning. Twaddle explained he was considering expanding and including more manufactured homes. Twaddle further explained rezoning to C-2 would provide more flexibility in permitted uses such as heated storage or a daycare. He added the property abuts commercial property on two sides. His desire is to improve the property.

- G** [ORD 13-11](#) Amending SGC Section 15.01.060 Entitled "Rental Structures" and adding SGC Sections 15.04.340, 15.05.640, 15.96.070 all Entitled "Rental Structures" to clarify "Owner Accounts" will be charged continuously (even when not rented), because Water, Sewer, and Solid Waste services remain available.

Attachments: [ORD 13-11 Owner Accounts](#)
[ORD 13-11 Failed](#)

Deputy Finance Director, Mike Middleton, brought this forward after completing his managerial internal audit.

- H** [ORD 13-07](#) Authorizing payment of the remaining General Obligation Bonds approved by the voters in 1996 to fund Baranof Elementary and Sitka High School Improvements using the current additional 1% Seasonal Sales Tax instead of using the General Fund and put the question on the October 1, 2013 Ballot for the Regular Municipal Election

Attachments: [ORD 13-07](#)
[ORD 13-07 Ballot Proposition](#)

Assembly member Christianson explained the ordinance. Essentially this would move all school projects into the 1% sales tax column.

- I** [ORD 13-09](#) Adjusting the FY 2013 Budget for the transition of the Municipal Attorney

Attachments: [ORD 13-09](#)
[ORD 13-09 Passed](#)

Additional New Business Items

- J** [13-032](#) Award Completion of the Bathymetric Survey Contract to David Evans and Associates, Inc for the base bid amount of \$150,890 and approve a contingency for weather delays - Contested

Attachments: [Bathymetric Surveys](#)

Acting Utility Director, Dean Orbison, provided a summary of the project and answered questions.

- K** [13-033](#) Approve a contract award with Solar Turbines Incorporated to provide

one 15MW Titan 130 Turbine Generator Set in an amount not to exceed \$12,000,000 which includes base bid, shipping, commissioning and contingency funding

Attachments: [Solar Turbines Inc](#)

Dean Orbison, Acting Utility Director, stated Solar could provide the equipment in a package deal. CBS would only be responsible for the auxiliary equipment. He noted there were problems with the existing diesel plant, for example, due to its age not being able to purchase parts.

- L [13-036](#) Award contract to Coastal Excavation for completion of the Spruce Street Drainage Repairs project in the amount of \$61,135.00 and authorized associated fund transfers to Capital Project No. 80293 Spruce Street Drainage Repairs

Attachments: [Spruce Street Drainage](#)

Acting Administrator, Michael Harmon, reported this project was unforeseen and efforts would be made to pull the funds out of reserves.

XI. **PERSONS TO BE HEARD:**

XII. **EXECUTIVE SESSION**

XIII. **ADJOURNMENT**