



CITY OF SELDOVIA

PO Box B, 245 Dock Street

Seldovia, Alaska 99663

Phone 907-234-7643

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Regular City Council Meeting

Monday, January 13, 2020

6:00PM

Council Chambers

Multi-Purpose Room

260 Seldovia Street

Seldovia, AK 99663

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**AGENDA FOR A REGULAR MEETING
OF SELDOVIA CITY COUNCIL
COUNCIL CHAMBERS**

**Monday
January 13, 2020
6:00pm**

ROJAS NATHAN SWEATT COLBERG CAMPBELL MORRISON
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- A. Call to Order & Roll Call:
- B. Pledge of Allegiance:
- C. Excused Absences:
- D. Agenda Approval:
- E. Consent Agenda: *(All items under the Consent Agenda are approved with a single motion, no discussion, and one vote. A Council Member may request to remove an item(s) for discussion and a separate vote.)*
 - 1. Approval of Minutes: Minutes of the Regular Meeting, December 09, 2019
Minutes of the Special Meeting, December 17, 2019
 - 2. Payment Approval Report:
 - 3. Ordinance Introduction:
- F. Mayoral Proclamations:
- G. Public Presentation Prior Notice: (each presenter has up to 10 min) None
 - 1. Louise Stutes, Alaska Representative-
 - 2. Erin McKittrick, Seldovia Representative for HEA Board-
- H. Public Presentation for Items not on Agenda: (public has 3 min each)
- I. Committee and Advisory Board Reports: (each member has 5 min)
- J. Public Hearings:
 - 1. RESOLUTION 20-20 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF SELDOVIA, ALASKA, PRIORITIZING CAPITAL PROJECTS IN THE COMMUNITY FOR SUBMISSION TO THE KENAI PENINSULA BOROUGH'S STATE AND FEDERAL PRIORITIES BOOK FOR THE UPCOMING LEGISLATIVE SESSION BEGINNING IN JANUARY 2020
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition
 - 2. RESOLUTION 20-21 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA AUTHORIZING ACCEPTANCE OF A STATE OF ALASKA DEPARTMENT OF PUBLIC SAFETY CONTRACT FOR SPECIAL SERVICES FOR FY20
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition
- K. Unfinished Business:
- L. New Business:
 - 1. Discussion- ADF&G Proposed changes to regulations on personal watercraft use in the Kachemak Bay Critical Habitat Areas
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition
- M. Administration Reports:
 - 1. Treasurer's Report:
 - 2. City Manager's Report: See Laydown
 - 3. Chief of Police Report: None
 - 4. Harbormaster's Report: None
 - 5. Public Works Report: None
- N. Informational Items Not Requiring Action:
 - 1. The City Office will be closed January 20, 2020 in observance of Martin Luther King Jr Day.
- O. Executive Session:
- P. Council and Mayor Comments Concerning Items Not on the Agenda:
- Q. Next Meeting: The next Regular Meeting will be held on Monday, January 27, 2020 at 6:00 pm
- R. Adjournment:

* IF YOU REQUIRE SPECIAL ASSISTANCE TO ATTEND THE MEETING, PLEASE NOTIFY THE CITY OFFICE 24 HOURS
IN ADVANCE AND ARRANGEMENTS WILL BE MADE *

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Seldovia City Council Regular Meeting January 13, 2020

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Pages 16-18	Resolution 20-21 Public Safety Contract- DRAFT
Page 19	Re: Seldovia Special Services Contract Letter
Pages 20- 21	Public Notice 5AAC 95.310- ADF&G Proposal to change regulations on personal watercraft use in Fox River Flats and Kachemak Bay Critical Habitat Areas
Pages 22- 23	Supplemental Public Notice 5 AAC 95.310
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**MINUTES FROM A REGULAR MEETING
OF SELDOVIA CITY COUNCIL
COUNCIL CHAMBERS
Monday
December 09, 2019
6:00pm**

SWEATT COLBERG CAMPBELL MORRISON ROJAS NATHAN
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A. Call to Order & Roll Call: PRESENT: COUNCIL MEMBERS: SWEATT, COLBERG, CAMPBELL, MORRISON, ROJAS-telephonic, and NATHAN

STAFF: CITY MANAGER CAMERON
FINANCE OFFICER TAYLOR
POLICE CHIEF CUSHMAN
CITY CLERK GEAGEL

- B. Pledge of Allegiance: Held
- C. Excused Absences: None
- D. Agenda Approval:

COLBERG/CAMPBELL MOVED TO APPROVE THE AGENDA
VOICE VOTE/UNANIMOUS/MOTION PASSED

SWEATT/COLBERG MOVED TO AMEND THE AGENDA TO INCLUDE ITEM G.
PUBLIC PRESENTATION PRIOR NOTICE AND ITEM L1. DISCUSSION- RESOLUTION
20-18 VETO OVERRIDE AMHS FUNDING- DRAFT THIS WILL MOVE EVERYTHING
DOWN ONE
VOICE VOTE/UNANIMOUS/MOTION PASSED

COLBERG/CAMPBELL MOVED TO APPROVE TONIGHTS AMENDED AGENDA
VOICE VOTE/UNANIMOUS/MOTION PASSED

- E. Consent Agenda: *(All items under the Consent Agenda are approved with a single motion, no discussion, and one vote. A Council Member may request to remove an item(s) for discussion and a separate vote.)*
 - 1. Approval of Minutes: Minutes of the Regular Meeting, November 25, 2019
 - 2. Payment Approval Report:
 - 3. Ordinance Introduction:

COLBERG/CAMPBELL MOVED TO APPROVE THE CONSENT AGENDA
VOICE VOTE/UNANIMOUS/MOTION PASSED

- F. Mayoral Proclamations: None
- G. Public Presentation Prior Notice: (each presenter has up to 10 min)
- H. Public Presentation for Items not on Agenda: (public has 3 min each)
LAUREL HILTS, resident- Spoke to upcoming events in the community; the school Christmas program would be Thursday night, the Santa's shop for kids was Friday, Saturday was the Procrastinators Fair with the tree lightening that evening, Sunday was the Seldovia Bible Chapel Christmas program Sunday morning a change from the past. She spoke to it sounding like the fireworks were happening and that it was the last city council meeting of the decade.
- I. Committee and Advisory Board Reports: (each member has 5 min)
LAUREL HILTS, Lollipop Park Work Committee Member- Discussed that Friday there was a gentleman coming to town for free to look at the Lollipop park and give guidance for potential upgrades, Kate made that connection. She spoke to the committee members and the discussion to council at their last meeting. She spoke to the Cemetery Committee having gift wrapping that Wednesday and Friday for donations.
CAMPBELL- Inquired about who was coming to town and where they were from.

SWEATT- Discussed that the Asta gallery would be open for the Procrastinators Fair.

PAULIE CARLUCCIO, Planning Commission Member- Spoke to being one member short on the Planning Commission and that they were busily working on and reviewing a matrix system to uniform the different zoning area, with same terminologies throughout the zones with definitions of terms. She thanked Heidi for doing most of work on that.

J. Public Hearings:

1. ORDINANCE 20-05 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, AMENDING TITLE 18.52 COMMERCIAL MARINE, CHAPTER 18.20 DEFINITIONS, AND TITLE 1 GENERAL PROVISIONS SECTION 1.08.040 TO INCLUDE 18.52.120 VIOLATION—PENALTIES

a. Presentation by Staff or Council

CLERK GEAGEL- Presented Ordinance 20-05 amending Commercial Marine.

b. Council Discussion

SWEATT- Asked for clarification on 18.52.035 B and C.

CAMPBELL- Spoke to the administrative permit and in support of there being a 10% cap. He inquired about the total of lots and permits and spoke in support of putting section 18.52.035 before section 18.52.025.

c. Public Presentation or Hearing (public has 3 min each)

JENNY CHISSUS, resident- Spoke to the permit being in regards to lots, the total of lots combined or owners of multiple lots, 21 owners opposed to 30 lots. She spoke to the 10% impact of properties being different from 21 to 30. She spoke in support of Ordinance 20-05, retaining the business district and its importance to economic viability.

d. Action/Disposition

CAMPBELL- Inquired about how many lots would be a permitted now and spoke to having the permit be property owners versus lots and in support of leaving the permit to be administered by lot for now, recognizing that in the future they may need to amend the percentage.

CARLUCCIO- Spoke to 10% having come from the council.

CM CAMERON- Spoke to using lots versus property owners and that the borough, tax assessments, and the city used lots for determination.

CAMPBELL/COLBERG MOVED TO ADOPT ORDINANCE 20-05 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, AMENDING TITLE 18.52 COMMERCIAL MARINE, CHAPTER 18.20 DEFINITIONS, AND TITLE 1 GENERAL PROVISIONS SECTION 1.08.040 TO INCLUDE 18.52.120 VIOLATION—PENALTIES

VOICE VOTE/UNANIMOUS/MOTION PASSED

CAMPBELL/COLBERG MOVED TO AMEND BY MOVING SECTION 18.52.035 DIRECTLY BENEATH SECTION 18.52.020

VOICE VOTE/UNANIMOUS/MOTION PASSED

COLBERG/CAMPBELL MOVED TO ADOPT ORDINANCE 20-05 AS AMENDED

VOICE VOTE/UNANIMOUS/MOTION PASSED

2. RESOLUTION 20-17 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA ADOPTING AN ALTERNATIVE ALLOCATION METHOD FOR THE FY20 SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT THIS ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF SIGNIFICANT EFFECTS OF FISHERIES BUSINESS ACTIVITY IN FMA 14: COOK INLET

a. Presentation by Staff or Council

CLERK GEAGEL- Introduced Resolution 20-17.

b. Council Discussion

COLBERG- Spoke to the resolution.

CAMPBELL- Inquired about the tax that would be distributed to Seldovia.

c. Public Presentation or Hearing (public has 3 min each)

MAYOR LENT called for public comment and none was heard.

d. Action/Disposition

COLBERG/CAMPBELL TO ADOPT RESOLUTION 20-17
VOICE VOTE/UNANIMOUS/MOTION PASSED

K. Unfinished Business:

1. Discussion- Pavilion Electricity

a. Presentation by Staff or Council

CLERK GEAGEL- Presented correspondence with HEA about obtaining new service for parcel 19207914. The estimate for the new service was \$5000.00 unless there was the installation of a driveway and water and sewer. She discussed that when speaking with HEA she inquired about using an existing service or the city putting in the service themselves and she was informed that there was an existing pedestal that they looked into and that the city could put in a service off of an existing building, but not off of the HEA utility.

b. Council Discussion

ROJAS- Discussed that she would like to see a little more investigation and if there was another way to get electricity to that building. She spoke about Jeremiah or the builder Tim Dillon and requested the past year revenues on the pavilion. She spoke in support of electricity but in opposition of it costing \$5000.00. She spoke in opposition of using generation for power in the pavilion. She spoke in support of a centrally located meter base that would include the harbor project buildings.

NATHAN- Inquired about using generation in the pavilion versus hooking up electricity and the base rate commercial hook up for HEA being \$54.00 a month.

CAMPBELL- Inquired about the power there for the Fourth of July and discussed including the small harbor rental places in the discussion.

CM CAMERON- Discussed that the Fourth of July power came through the city, but that it was not very active.

SWEATT- Inquired if people renting the pavilion wanted power or had a problem with no power. She spoke in support of seeing the revenue on the pavilion and the projection on it and spoke in support of a centrally located meter base that included the harbor building project.

F/O TAYLOR- Spoke to customers wanting access to power when renting the pavilion that summer and there having been two weddings that needed a lot of power that they ran from Jerry Stranik's building, along with using a couple of generators and power loaned from another property owner.

MORRSION- Spoke in support of providing power to the pavilion and in opposition of using generators for the noise and maintenance. He spoke in support of a centrally located meter base.

COLBERG- Spoke in support of centrally located meter base.

c. Public Presentation or Hearing (public has 3 min each)

CHISSUS- Spoke to the Fourth of July box being used for the Fourth of July and the chainsaw carving and that HEA was always asked to use the power before the chainsaw carving competition. She spoke in support of ensuring there was efficient power for events happening now and in future and spoke to people paying more for electricity being there. She spoke to it maybe being a business opportunity for Jerry Stranik's building in the commercial marine zone to rent power to the city and of their needing to be a way turn on and off power outlets as they may be used inappropriately or create a bill that was unmanageable.

LAUREL HILTS- Spoke in support of some sort of limited use of electricity.

d. Action/Disposition

ROJAS- Discussed continuing to move forward with a little more information and the revenue brought in being presented.

NO ACTION WAS TAKEN AT THIS TIME

L. New Business:

1. Discussion- Requesting monthly board reports from Seldovia's HEA Board Representative- NATHAN

a. Presentation by Staff or Council

NATHAN- Spoke to there being an HEA representative in Seldovia in the past that would make a report monthly to the city council with the status of projects that were on going, what happened during outages, how to prevent

future outages and more. He asked for council consideration on sending a letter to the board president requesting their representative give monthly reports to the council again and in support of the representative attending in person though it could be on the phone.

b. Council Discussion

ROJAS- Spoke in support of sending a letter to HEA.

SWEATT- Spoke in support of sending a letter to HEA.

CAMPBELL- Inquired about who was in the position.

c. Public Presentation or Hearing (public has 3 min each)

LAUREL HILTS, resident- Spoke to Erin McKittrick being in the position and recognized her for already communicating actively with community on Facebook and with taking requests from the community.

d. Action/Disposition

NATHAN/COLBERG MOVED THAT THE CITY MANAGER COMMUNICATE WITH THE HEA BOARD THAT THEIR REP ATTEND ONE CITY COUNCIL MEETING A MONTH
VOICE VOTE/UNANIMOUS/MOTION PASSED

2. Discussion- RESOLUTION 20-18 VETO OVERRIDE AMHS FUNDING

a. Presentation by Staff or Council

CM CAMERON- Spoke to AML having passed a resolution at their last conference urging Alaska legislature to override the 5-million-dollar veto. The house and senate would be back in session January 15th and would have 5 days to override that veto. She asked for council consideration on passing a resolution urging reconsideration and presented a draft for review. She spoke to several communities who were looking to pass resolutions as well and spoke of the impacts of those communities from the loss of funds.

b. Council Discussion

ROJAS- Spoke in support of the draft resolution.

SWEATT- Inquired if the 5 million could be overridden before the new budget.

CAMPBELL- Spoke in support of the draft resolution.

c. Public Presentation or Hearing (public has 3 min each)

JENNY CHISSUS, resident- Spoke in support of the draft resolution.

d. Action/Disposition

ROJAS/COLBERG MOVED TO ACCEPT RESOLUTION 20-18
VOICE VOTE/UNANIMOUS/MOTION PASSED

M. Administration Reports:

1. Treasurer's Report: See Laydown

F/O TAYLOR- Presented the treasurer's report as written in the laydown and included that a few expenses in October were repairs to the BHO trailer which included the rams and them being welded on to the trailer, chemicals for the water for six months, payment to the Alaska test lab for repairs on Main Street, freight from Kar-A-Van for 20 pallets of water, Altman and Rogers, Timberline Tree Cutting, the safety inspection the fire extinguishers, and to Atlas Electric to repair the floats. Kar-A-Van all together was \$4025.00. Discussed the repairs on the BHO trailer and that to her knowledge only one customer was unable to be accommodated and launched by the city.

ROJAS- Inquired about the expenses and the freight from Kar-a-van.

MAYOR LENT- Inquired if the state was going to cover costs from the drought.

CM CAMERON- Discussed that the state did not engage with the city about the drought because the city did not meet their threshold. The water was good indefinitely and was being stored for emergency operations in a warm dark spot. The state was billed \$7300.00 for their water draw.

ROJAS- Inquired about the donated water and freight and if the state engaged in the emergency declaration.

NATHAN- Inquired about the money from the state for their water draw.

CLERK GEAGEL- Stated that the state had been invoiced but that it hadn't been paid yet and discussed the water donation and that freight had to be paid from Homer to Seldovia.

JENNY CHISSUS, resident- Inquired about the BHO trailer. Heard multiple comments from people who could not get in water this summer.

2. City Manager's Report: See Laydown

CM CAMERON- Presented the City Manager's report as written in the laydown and included the disaster declaration that was collaborated on with the borough for the few weather events that happened recently. She discussed that the disaster declaration pulled the lever for the city to engage outside entities into these conversations on how they can take care of incidents that they have had and how to take care of future incidents and mitigate them better. Based on the number of trees that fell and damage to the area that was extensive and the man power available was limited. After talking to Tyler at the state him being a single person they were in agreeance that it would be nice to get professionals to come in and take care of trees there was a tremendous amount of clean up needed. She discussed hoping to also engage with HEA in a conversation in the near future about their plans to maintain their power easements and the amount of overgrowth happening inside and outside of city limits creating huge power outages for longer amounts of time then permittable. The concern for people in town with medical issues was high. She spoke with Dan with OEM there was flooding happening that was very minor. The fire department and public works were filling up sand bags to help with the flooding. High tide tomorrow was around 12:40pm, high tide today the culvert at the airport was filled to the brim, Fish Creek was over flowing and outside of the dam itself. The Water Treatment Plant road was washing away, they are making an effort to shore that up. She presented photos of trees needing to be cleaned up in town and discussed the damage to the harbor, parts were ordered. She included reminders in her report that emergency management and preparedness was essential, especially this time of year, which includes ensuring you have flash lights, water, heating oil, everything you need and keeping everything charged up. She spoke to anticipating the water infrastructure repair projects happening in March and April when the ground thaws. The MOA between BHVFD and SVHD was still being worked out, as well as the MOA with DOT. The LED light plan replacing lights was going to starting at the city office, and then the Multi-Purpose Building. They were able to get the lights basically at wholesale prices. She presented the letter declining the request for more money in the Public Safety Contract and discussed that Chief Cushman and herself would just have to build a bigger case the following year. She discussed the contracts language about certain types of calls falling outside the language of the contract and the states position, their hands were tied with budget crunches as well. She discussed that Paul responded to every call and the process for calls outside of city limits. She spoke to being at the end of work with Shane and SFL for the lease which would be discussed with council in the executive session. She was almost done with the proposal for the EDA grant and was waiting for someone else to look at it. She was asking for a backup water storage tank and a mobile command center for emergencies in the grant. She spoke to Tim Dillon and DNR planning a visit to Seldovia to meet and discuss funding to build a trail between Red Mountain and the wash out, not for driving but to be more passable. The program to was to develop trail systems around Kachemak bay. The Land Use and Harbor Lot Parking Plans were ongoing and there would be another piece now with the power. The water shortage management would be discussed on the January 13th meeting.

LAUREL HILTS, resident- Stated that she spoke with Barbara Carlough and SNA would be drafting a release about the availability of trees on SNA lands.

3. Chief of Police Report: None

4. Harbormaster's Report: None

5. Public Works Report: None

N. Informational Items Not Requiring Action:

1. The City Office will be closed December 25th in observance of Christmas Day.

O. Executive Session:

1. Seldovia Fuel and Lube Lease Negotiation Update- To receive privileged legal advice from the City Attorney.

**SWEATT/COLBERG MOVED TO ENTER INTO AN EXECUTIVE SESSION TO RECEIVE PRIVILEGED LEGAL ADVICE FROM THE CITY ATTORNEY ABOUT THE SELDOVIA FUEL AND LUBE LEASE NEGOTIATION AND INVITE IN THE CITY MANAGER AND THE CITY ATTORNEY at 7:29pm.
VOICE VOTE/UNANIMOUS/MOTION PASSED**

ROJAS- Asked to be excused from the session and left the meeting.

**SWEATT/COLBERG MOVE TO COME OUT OF EXECUTIVE SESSION at 8:04pm
NO ACTION WAS TAKEN**

VOICE VOTE/UNANIMOUS/MOTION PASSED

P. Council and Mayor Comments Concerning Items Not on the Agenda:

SWEATT- Thanked everybody for staying and commended Cassidi for getting the lease done, it has been a long road.

COLBERG- Thanked everyone for coming, thanked Laurel for staying, staff, and Cassidi job well done.

CAMPBELL- Gave special thanks to Cassidi and spoke in appreciation. He stated that he was glad to get it behind them so that they can move forward with the next one whenever that may be.

MORRISON- Thanked everyone for being there, great job, and spoke to the negotiations having been a mind bender.

NATHAN- Stated that he really appreciated Cassidi's extra effort and the staff as well.

MAYOR LENT- Thanked everyone for being there, the staff, and the council members for giving up their time and energy to get these things done. He spoke in appreciation.

Q. Next Meeting: The next Regular Meeting will be held on Monday, January 13, 2020 at 6:00 pm

R. Adjournment:

COLBERG/NATHAN MOVED TO ADJOURN AT 8:06PM

NO OBJECTION/MOTION PASSED

I certify the above represents accurate minutes of City of Seldovia Council meeting of December 09, 2019.

Heidi Geagel, City Clerk

Approved by Council _____

DRAFT

**MINUTES FROM A *SPECIAL* MEETING
OF SELDOVIA CITY COUNCIL
COUNCIL CHAMBERS
Tuesday
December 17, 2019
4:00pm**

NATHAN SWEATT COLBERG CAMPBELL MORRISON ROJAS
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A. Call to Order & Roll Call: PRESENT: COUNCIL MEMBERS: SWEATT, COLBERG, CAMPBELL and MORRISON

STAFF: CITY MANAGER CAMERON
CITY CLERK GEAGEL

B. Pledge of Allegiance: Held

C. Excused Absences: MAYOR LENT, ROJAS, NATHAN

D. Agenda Approval:

COLBERG/CAMPBELL MOVED TO APPROVE THE AGENDA
VOICE VOTE/UNANIMOUS/MOTION PASSED

E. Consent Agenda: *(All items under the Consent Agenda are approved with a single motion, no discussion, and one vote. A Council Member may request to remove an item(s) for discussion and a separate vote.)* None

COLBERG/MORRISON MOVED TO APPROVE THE CONSENT AGENDA
VOICE VOTE/UNANIMOUS/MOTION PASSED

F. Mayoral Proclamations: None

G. Public Presentation Prior Notice: (each presenter has up to 10 min) None

H. Public Presentation for Items not on Agenda: (public has 3 min each) None

I. Committee and Advisory Board Reports: (each member has 5 min) None

J. Public Hearings:

1. RESOLUTION 20-18 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA URGING THE ALASKA LEGISLATURE TO OVERRIDE A \$5,000,000 VETO OF ALASKA MARINE HIGHWAY SYSTEM FUNDING FOR FY2020

a. Presentation by Staff or Council

CLERK GEAGEL- Presented Resolution 20-18.

b. Council Discussion

COLBERG- Stated that is was ready to go

c. Public Presentation or Hearing (public has 3 min each)

ACTING MAYOR SWEATT called for public comment and none was heard.

d. Action/Disposition

COLBERG/MORRISON MOVED TO ADOPT RESOLUTION 20-18
VOICE VOTE/UNANIMOUS/MOTION PASSED

2. RESOLUTION 20-19 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA APPROVING A LEASE AMENDMENT TO THE BULK FUEL STORAGE AND DISTRIBUTION FACILITY LEASE HELD BETWEEN SELDOVIA FUEL AND LUBE, INC AND THE CITY OF SELDOVIA

a. Presentation by Staff or Council

CM CAMERON- Presented Resolution 20-19 and spoke to the proposed amendments. She spoke to the lease amendment process and that originally it was discussed whether the amendments should be a lease/easement or an addendum and that now it was an addendum. She spoke to the infrastructure included in the amendment.

b. Council Discussion

MORRISON- Spoke to Resolution 20-19.

CAMPBELL- Inquired about the lease and if the amendment was originally going to be its own lease or easement. He spoke in support of Resolution 20-19.

c. Public Presentation or Hearing (public has 3 min each)

ACTING MAYOR SWEATT called for public comment and none was heard.

d. Action/Disposition

COLBERG/CAMPBELL MOVED TO ADOPT RESOLUTION 20-19

VOICE VOTE/UNANIMOUS/MOTION PASSED

K. Unfinished Business: None

L. New Business: None

M. Administration Reports:None

N. Informational Items Not Requiring Action: None

O. Executive Session: None

P. Council and Mayor Comments Concerning Items Not on the Agenda:

COLBERG- Thanked the public for coming and Cassidi and Heidi for all their hard work, it had been a long and difficult road.

MORRISON- Thanked Don for attending and spoke in appreciation of the staff.

CAMPBELL-Thanked the staff and anyone in the public that participated in the process.

SWEATT- Spoke in consensus with the other council member comments.

Q. Next Meeting: The next Regular Meeting will be held on Monday, January 13, 2020 at 6:00 pm

R. Adjournment:

COLBERG/CAMPBELL MOVED TO ADJOURN AT 4:12PM

NO OBJECTION/MOTION PASSED

I certify the above represents accurate minutes of City of Seldovia Council meeting of December 17, 2019.

Heidi Geagel, City Clerk

Approved by Council _____

**CITY OF SELDOVIA
RESOLUTION 20-20**

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF SELDOVIA, ALASKA, PRIORITIZING CAPITAL PROJECTS IN THE COMMUNITY FOR SUBMISSION TO THE KENAI PENINSULA BOROUGH'S STATE AND FEDERAL PRIORITIES BOOK FOR THE UPCOMING LEGISLATIVE SESSION BEGINNING IN JANUARY 2020

WHEREAS, the City of Seldovia has specific needs that can only be met with outside sourced revenues; and

WHEREAS, the City Council of the City of Seldovia has decided on and prioritized four (4) specific needs.

NOW THEREFORE: BE IT RESOLVED THAT: the City Council of the City of Seldovia, Alaska, hereby endorses the prioritized capital projects identified below.

<u>Project Name</u>	<u>Funds Requested</u>	<u>Priority</u>
Industrial Building Completion	\$1,325,000	1
New Road Grader	\$250,000	2
Multipurpose Building Renovation	\$820,000	3
Cemetery/Campground Renovation	\$250,000	4

PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Seldovia, on this ___ day of _____, 2020.

ATTEST:

APPROVED:

Heidi Geagel, City Clerk

Dean Lent, Mayor

**CITY OF SELDOVIA
RESOLUTION 20-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA
AUTHORIZING ACCEPTANCE OF A STATE OF ALASKA DEPARTMENT OF
PUBLIC SAFETY CONTRACT FOR SPECIAL SERVICES FOR FY20**

WHEREAS, the Alaska Department of Public Safety and the City of Seldovia enter into a contract for Special Services annually for services provided to the Greater Seldovia Region; and

WHEREAS, the Alaska Department of Public Safety will pay the City for services provided in accordance with, and under the terms of the contract; and

WHEREAS, payments will be made quarterly in the amount of \$5,000.00, for a total of \$20,000.00, effective July 1, 2019 and continuing in force until June 30, 2020; and

WHEREAS, the City of Seldovia will provide and perform the services specified in the contract to the satisfaction of the Department, in support of Department personnel and operations; and

WHEREAS, the City of Seldovia will provide services in the Greater Seldovia Region that would otherwise normally be performed by the Department personnel; and

WHEREAS, the Department will provide necessary, required and appropriate support to the City to enable the City to carry out their obligations relative to the contract.

NOW THEREFORE: BE IT RESOLVED THAT: The City Council of the City of Seldovia authorizes acceptance of a State of Alaska Department of Public Safety Contract for Special Services for FY20 including payment of \$20,000.00 for services provided.

PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Seldovia, on this 13th day of January, 2020.

ATTEST:

APPROVED:

Heidi Geagel, City Clerk

Dean Lent, Mayor

**ALASKA DEPARTMENT OF PUBLIC SAFETY
CONTRACT FOR SPECIAL SERVICES**

July 1, 2019 to June 30, 2020

GENERAL PROVISIONS

The parties. The parties to this contract are the Alaska Department of Public Safety (hereinafter referred to as the “Department”) and the City of Seldovia (hereinafter referred to as the “City”).

Sole Agreement. The City and the Department undertake this contract under the terms set forth below. This contract is the sole agreement between the parties relating to special services, and there are no other agreements, express or implied.

Effective Date/Termination/Amendments. This contract is effective July 1, 2019 and continues in force until June 30, 2020. Either party may terminate the agreement with thirty (30) days written notice to the other party. This agreement may be amended by written agreement of the parties.

1. The Department will pay the City for services provided in accordance with, and under the terms of, this contract. Payments will be made quarterly in the amount of \$5,000.00, for a total of \$20,000.00. Payment for services provided under this contract will be made in four payments in the amount of and covering the period indicated below:

Period Covered	Amount	Payment Process Can Be Initiated
07/01/19 - 09/30/19	\$5,000.00	10/01/19
10/01/19 - 12/31/19	\$5,000.00	01/01/20
01/01/20 - 03/31/20	\$5,000.00	04/01/20
04/01/20 - 06/30/20	\$5,000.00	06/01/20
12 Month Total	\$20,000.00	

2. The City will provide and perform the services specified in this contract to the satisfaction of the Department, in support of Department personnel and operations.

SPECIAL PROVISIONS

3. The City will:
 - a. services in the Greater Seldovia Region that would otherwise normally be performed by Department personnel, i.e.: emergency criminal investigations, traffic enforcement, search and rescue, process service, prisoner transport and care, intelligence gathering, agency assists (requested directly from AST), property/evidence preservation and

**ALASKA DEPARTMENT OF PUBLIC SAFETY
CONTRACT FOR SPECIAL SERVICES**

July 1, 2019 to June 30, 2020

handling, and court appearance. Traffic enforcement means addressing a specific traffic enforcement problems or complaints identified by the Department and Report Every Dangerous Driver Immediately (REDDI) reports. Search and Rescue does not include marine (Cook Inlet, Kachemak Bay, Gulf of Alaska, Seldovia Bay) search and rescues.

- b. Provide to the Department in a timely manner all necessary, required, and requested reports, completed forms, and/or documentation relative to Department duties performed.
- c. Non DV Property crimes and crimes such as theft, burglary, and criminal mischief reported after the fact will be referred to AST to investigate.

4. The Department will:

- a. Provide necessary, required and appropriate support to the City to enable the City to carry out their obligations relative to this contract.

IN WITNESS OF THIS AGREEMENT, the undersigned duly authorized officers have subscribed their names on behalf of the City and the Department respectively.

For the City of Seldovia:

For the Department of Public Safety:

By _____

By _____

Printed Name _____

Printed Name _____

Official Title _____

Official Title _____

Date _____

Date _____



THE STATE
of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Public Safety

DIVISION OF ALASKA STATE TROOPERS
Office of the Director

5700 East Tudor Road
Anchorage, Alaska 99507-1225
Main: 907.269.5641
Fax: 907.269.5079

November 26, 2019

Ms. Cassidi Cameron
City Manager
City of Seldovia
P.O. Drawer B
Seldovia, AK 99663

Dear Ms. Cameron,

Thank you for your letter in reference to the Special Services Contract with the Department of Public Safety. We appreciate the cooperation from your agency in our joint effort to make our communities a safer place to live. At this time, we will not be increasing the amount of the contract. In reviewing the documentation on services provided with the contract language, we found that there are calls for service that fall outside of the contract language. We ask that services requested by citizens outside of the contract language be directed to the Alaska State Troopers in Anchor Point or Soldotna. To clarify the contract some of the language has been clarified and/or changed. Enclosed is a copy of the contract for your review. If this is agreeable to the City of Seldovia please print and sign two (2) copies of the contract and return them to me. I will have them endorsed by Commissioner Amanda Price.

Please let me know if I can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to be "C. Sims", with a small circular stamp containing the letters "ASA" to the right.

Lieutenant Cornelius A. Sims
Director's Staff

Enclosure: Amended Contract for FY20

cc: Colonel Barry J. Wilson, Director, Alaska State Troopers
Major Andrew Greenstreet, Deputy Director, Alaska State Troopers
Major Bryan Barlow, Deputy Director, Alaska State Troopers
Captain Maurice Hughes, A Detachment Commander, Alaska State Troopers

NOTICE OF PROPOSED CHANGES ON PERSONAL WATERCRAFT USE IN THE FOX RIVER FLATS AND KACHEMAK BAY CRITICAL HABITAT AREAS IN THE REGULATIONS OF THE ALASKA DEPARTMENT OF FISH AND GAME

BRIEF DESCRIPTION

The Department of Fish and Game proposes to change regulations on personal watercraft use in the Fox River Flats and Kachemak Bay Critical Habitat Areas.

The Alaska Department of Fish and Game proposes to adopt regulation changes in 5 AAC 95.310 of the Alaska Administrative Code, dealing with the prohibition of the use of personal watercraft in the Fox River Flats and Kachemak Bay Critical Habitat Areas, including the following:

- (1) 5 AAC 95.310 is proposed to be repealed. The purpose of this repeal is to remove the prohibition on personal watercraft use in the Fox River Flats and Kachemak Bay Critical Habitat Areas.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to the Alaska Department of Fish and Game at: Rick Green, 333 Raspberry Rd, Anchorage, AK 99518-1565. Additionally, the Alaska Department of Fish and Game will accept comments by facsimile at 907-267-2499 and by electronic mail at rick.green@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 5:00 p.m. on January 6, 2020.

You may submit written questions relevant to the proposed action to Rick Green at rick.green@alaska.gov or 333 Raspberry Rd., Anchorage, AK 99518-1565. The questions must be received at least 10 days before the end of the public comment period. The Alaska Department of Fish and Game may aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Rick Green at rick.green@alaska.gov or 907-267-2228 not later than December 30, 2019, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Rick Green at rick.green@alaska.gov or at 333 Raspberry Rd., Anchorage, AK 99518-1565.

After the public comment period ends, the Alaska Department of Fish and Game will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

Statutory authority: AS 16.05.020; AS 16.20.500; AS 16.20.580; AS 16.20.590

Statutes being implemented, interpreted, or made specific: AS 16.20.500

Fiscal information: The proposed regulation change is not expected to require an increased appropriation.

The Alaska Department of Fish and Game, Habitat Section keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the Alaska Department of Fish and Game, Habitat Section notices of proposed regulation changes. To be added to or removed from the list, send a request to the Alaska Department of Fish and Game, Habitat Section at 333 Raspberry Rd, Anchorage, AK 99518-1565, giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

Date: 12/02/2019



Rick Green, Special Assistant to the Commissioner
Alaska Department of Fish and Game

SUPPLEMENTAL NOTICE OF PROPOSED CHANGES ON PERSONAL WATERCRAFT
USE IN THE FOX RIVER FLATS AND KACHEMAK BAY CRITICAL HABITAT AREAS
IN THE REGULATIONS OF THE ALASKA DEPARTMENT OF FISH AND GAME

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- (1) 5 AAC 95.310 is proposed to be repealed. The purpose of this repeal is to remove the prohibition on personal watercraft use in the Fox River Flats and Kachemak Bay Critical Habitat Areas.

This is a SUPPLEMENTAL NOTICE adding to the NOTICE OF PROPOSED CHANGES that was issued on December 5, 2019. This supplemental notice is providing an extension to the end date of the public comment period. You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to the Alaska Department of Fish and Game at: Rick Green, 333 Raspberry Rd, Anchorage, AK 99518-1565. Additionally, the Alaska Department of Fish and Game will accept comments by facsimile at 907-267-2499 and by electronic mail at rick.green@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 5:00 p.m. on January 21, 2020.

You may submit written questions relevant to the proposed action to Rick Green at rick.green@alaska.gov or 333 Raspberry Rd., Anchorage, AK 99518-1565. The questions must be received at least 10 days before the end of the public comment period. The Alaska Department of Fish and Game may aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Rick Green at rick.green@alaska.gov or 907-267-2228 not later than January 14, 2020, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Rick Green at rick.green@alaska.gov or at 333 Raspberry Rd., Anchorage, AK 99518-1565.

After the public comment period ends, the Alaska Department of Fish and Game will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that

of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

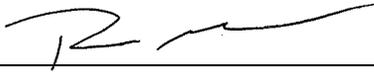
Statutory authority: AS 16.05.020; AS 16.20.500; AS 16.20.580; AS 16.20.590

Statutes being implemented, interpreted, or made specific: AS 16.20.500

Fiscal information: The proposed regulation change is not expected to require an increased appropriation.

The Alaska Department of Fish and Game, Habitat Section keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the Alaska Department of Fish and Game, Habitat Section notices of proposed regulation changes. To be added to or removed from the list, send a request to the Alaska Department of Fish and Game, Habitat Section at 333 Raspberry Rd, Anchorage, AK 99518-1565, giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

Date: 12/16/2019



Rick Green, Special Assistant to the Commissioner
Alaska Department of Fish and Game

ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Alaska Department of Fish and Game_____
2. General subject of regulation: Prohibition of personal watercraft - Kachemak Bay_____
3. Citation of regulation (may be grouped): 5 AAC 95.310_____
4. Department of Law file number, if any: 2019200826_____

5. Reason for the proposed action:

- () Compliance with federal law or action (identify):_____
- () Compliance with new or changed state statute
- () Compliance with federal or state court decision (identify):_____
- () Development of program standards
- (x) Other (identify): To repeal prohibition on personal watercraft in the Fox River Flats and Kachemak Bay Critical Habitat Areas.

6. Appropriation/Allocation:_____

7. Estimated annual cost to comply with the proposed action to:

A private person: \$0_____

Another state agency: \$0_____

A municipality: \$0_____

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY 20____	Subsequent Years
Operating Cost	\$ 0_____	\$ 0_____
Capital Cost	\$ 0_____	\$ 0_____
1002 Federal receipts	\$ 0_____	\$ 0_____
1003 General fund match	\$ 0_____	\$ 0_____
1004 General fund	\$ 0_____	\$ 0_____
1005 General fund/0 program	\$ 0_____	\$ 0_____
Other (identify)	\$ 0_____	\$ 0_____

9. The name of the contact person for the regulation:

Name: Rick Green
Title: Special Assistant to the Commissioner I
Address: 333 Raspberry Rd, Anchorage, AK 99518
Telephone: (907) 267-2228
E-mail address: rick.green@alaska.gov

10. The origin of the proposed action:

Staff of state agency
 Federal government
 General public
 Petition for regulation change⁷
 Other (identify): _____

11. Date: 12-2-19 _____

Prepared by: 

Name (printed): Ron Benkert
Title (printed): Fish and Game Coordinator
Telephone: (907) 267-2172