

**CITY OF KETCHIKAN**  
**REGULAR CITY COUNCIL MEETING**

**May 19, 2011          7:00 P.M.**

**AGENDA**

**1.    CALL TO ORDER**

**2.    ROLL CALL**

**Please Rise for the Pledge of Allegiance**

**3.    COMMUNICATIONS**

**4.    PERSONS TO BE HEARD**

**5.    CONSENT AGENDA**

*Items listed under Consent Agenda 5 are considered to be routine by the City Council and will be approved in one motion unless a Councilmember requests an item be considered separately.*

**a.    General Government**

- (1)    Negotiation of Contract No. 11-04 – City Hall Siding & Roof Replacement Design – Bazan & Associates Architects, Inc.

**b.    Ketchikan Public Utilities**

- (1)    Budget Transfer – Ketchikan Public Utilities Funding for Federal Lobbying Services Provided by Hoffman, Silver, Gilman and Blasco

**6.    UNFINISHED BUSINESS**

**a.    General Government**

- (1)    Review and Restructuring of the City of Ketchikan Permitting Process

**b.    Ketchikan Public Utilities**

**7.    NEW BUSINESS**

**a.    General Government**

- (1)    Presentation of Draft Report – Contract No. 10-08, Comprehensive Storm Drainage Study, Tetra Tech Alaska, LLC
- (2)    Ordinance No. 11-1671 – Declaring Fire Department Breathing Apparatuses Surplus and Exempting the Disposition of Surplus Fire Department Breathing Apparatuses from

Competitive Bidding; Transfer of Surplus Fire Department Breathing Apparatuses to MES, Inc.

- (3) Reconsideration of Council Action Regarding Offer of the Position of Fire Chief to Frank Share of Ketchikan, Alaska Based on an Annual Salary of \$90,640.18 – Councilmember Shay

**b. Ketchikan Public Utilities**

- (1) Contract No. 11-30 – Penstock Safety Program, Kleinschmidt Associates

**8. VOUCHERS – Ketchikan Daily News - \$709.30**

**9. MANAGER’S REPORTS**

**a. General Government**

- (1) Schedule of General Government and KPU Appropriated Reserves through the City Council Meeting of May 5, 2011
- (2) 2011 Sales Tax Report No. 2
- (3) Public Works Department Project Status Report – April 2011
- (4) Contract No. 10-31 (Construction Manager/General Contractor Construction Services for the Construction for a New Municipal Fire Station) Update – Minutes of Weekly Construction Progress Meeting Nos. 4 and 5
- (5) Contract No. 10-22 (One Hundred Percent Design of the Ketchikan Public Library Project) Update – Minutes of Weekly Design Progress Meeting Nos. 4 and 5
- (6) Police Department Canine Activity Report – April 2011
- (7) Contract No. 09-38 Update – Millar Street Bridge Replacement, Southeast Engineering
- (8) Downtown Tour Bus Loading and Unloading Zone

**b. Ketchikan Public Utilities**

- (1) Project Status Reports of the KPU Operating Divisions – April 2011
- (2) Electric Division Manager Mike Kline’s May 7, 2011 Testimony to the House Special Committee on Energy
- (3) Ketchikan Electric Load Forecasting
- (4) Swan Lake – Bailey Transmission Line Outage/Diesel Generation

**10. CITY CLERK’S FILE**

**11. CITY ATTORNEY’S FILE**

**12. FUTURE AGENDA ITEMS**

**13. MAYOR AND COUNCIL COMMENTS**

**14. OTHER NEW BUSINESS**

**15. EXECUTIVE SESSION**

*Items listed under Executive Session are items for which an executive session is requested and on which the City Council may or may not take action.*

**a. General Government**

(1) LeCompte v. City of Ketchikan

Recommended Motion: I move that the City Council declare that consistent with the interim city attorney's memorandum dated May 11, 2011 it is in the best interest of the City to discuss in executive session the pending litigation pertaining to the claim of Thomas P. LeCompte for personal injury and to give direction to the interim city attorney regarding the handling of this case; and in accordance with that finding, the City Council go into executive session in accordance with KMC 2.04.025(a)(1) and AS 44.62.310(c)(1) to discuss the case which includes the need to discuss subjects the knowledge of which could have an adverse impact upon the finances of the City and the City's ability to defend itself.

(2) Collective Bargaining Agreement Between the City of Ketchikan and the Public Safety Employees Association

Recommended Motion: I move that the City Council declare that consistent with the city manager's memorandum dated May 12, 2011 it is in the best interest of the City to discuss negotiations regarding a collective bargaining agreement between the City of Ketchikan and the Public Safety Employees Association in executive session; in accordance with that finding, the City Council go into executive session in accordance with KMC 2.04.025(a)(1) and (b)(2) and AS 44.62.310(c)(1) and (3) to discuss said negotiations with the auxiliary items described in the city manager's memorandum dated May 12, 2011, which matters include the need to discuss subjects the knowledge of which would have an adverse impact upon the finances of the City and upon the city's ability to negotiate favorable labor settlements.

**b. Ketchikan Public Utilities**

(1) Discussion of Potential Litigation Strategies with Legal Counsel Within the Attorney-Client Privilege Relating to the Impact of the Application of U.S. Forest Service's Roadless Rule on the Whitman Lake Hydroelectric Project and Future City Projects

Recommended Motion: I move that the City Council declare that consistent with the general manager's memorandum dated May 12, 2011, it is in the best interest of the City to go into executive session in accordance with KMC 2.04.025(a)(3) and AS 44.62310(c)(3) to discuss potential litigation strategies with legal counsel within the attorney-client privilege relating to the impact of the application of U.S. Forest Service's Roadless Rule on the Whitman Lake Hydroelectric Project and future City projects.

(2) Consideration of Legal and Financial Issues Associated with the Sales Effort Phase of the Brokerage Services Agreement Between the City of Ketchikan d/b/a Ketchikan Public Utilities and Falkenberg Capital Corporation.

Recommended Motion: I move the City Council declare that consistent with the general manager's memorandum dated May 13, 2011 it is in the best interest of the City Council to review the status of the *Sales Effort Phase* prepared under the brokerage services agreement between the City of Ketchikan d/b/a Ketchikan Public Utilities and Falkenberg Capital Corporation in executive session; in accordance with that finding, the City Council go into executive session in accordance with KMC 2.04.025(a)(1) and (b)(2) and AS 44.62.310(c)(1) and (3) to review the status of the *Sales Effort Phase* prepared under the brokerage services agreement between the City of Ketchikan d/b/a Ketchikan Public Utilities and Falkenberg Capital Corporation

and the auxiliary items described in the general manager's memorandum dated May 13, 2011, which include the need to discuss subjects the knowledge of which could have an adverse impact upon the finances of the City of Ketchikan d/b/a Ketchikan Public Utilities, and to receive legal advice related to such matters protected under attorney-client privilege.

**16. ADJOURNMENT**

**FYI:**

**a. General Government**

- (1) Community Connections Older Alaskans and Adult Resource Services (OARS) Quarterly Activity Report – January through March 2011
- (2) Women in Safe Homes (WISH) Quarterly Activity Report – January through March 2011
- (3) Southeast Alaska Independent Living (SAIL) Quarterly Activity Report – January through March 2011
- (4) Alaska Legal Services Corporation's Quarterly Financial Report – January through March 2011
- (5) Alaska Legal Services Corporation Financial Statements – Year Ended December 31, 2010

**b. Ketchikan Public Utilities**

- (1) Lake Levels and System Generation Report for the Month of April 2011
- (2) Water Utilization Study Report – April 2011