

**Mayor**

*David Allison*

**Council Members**

*Tom Bailer*

*Cathy Sherman*

*Kasey Kinsman*

*Wendy Ranney*

*David Zastrow*

*Kristin Carpenter*

*Ken Jones*

**City Manager**

*Samantha Greenwood*

**City Clerk**

*Susan Bourgeois*

**Deputy Clerk**

*Tina Hammer*

**Regular City Council Meeting  
July 3, 2024 @ 7:00pm  
Cordova Center Comm Rooms**

**A. Call to order**

**B. Invocation, pledge of allegiance**

I pledge allegiance to the Flag of the United States of America, and to the republic for which it stands, one Nation under God, indivisible with liberty and justice for all.

**C. Roll call**

Mayor David Allison, Council members Tom Bailer, Cathy Sherman, Kasey Kinsman, Wendy Ranney, David Zastrow, Kristin Carpenter, and Ken Jones



**D. Approval of Regular Agenda..... (voice vote)**

**E. Disclosures of Conflicts of Interest and Ex Parte Communications**

- conflicts as defined in Cordova Municipal Code 3.10.010 should be declared, then Mayor rules on whether member should be recused, Council can appeal the Mayor's ruling
- ex parte should be declared here, the content of the ex parte should be explained when the item comes before Council, ex parte does not recuse a member, it is required that ex parte is declared and explained

**F. Communications by and Petitions from Visitors**

1. Guest Speakers - none
2. Audience comments regarding agenda items..... **(3 minutes per speaker)**
3. Chairpersons and Representatives of Boards and Commissions **(Hospital Board, School Board, etal)**
4. Student Council Report – summer vacation

**G. Approval of Consent Calendar**

5. Minutes:
  - a. June 5, 2024, City Council Public Hearing Minutes..... **(page 1)**
  - b. June 5, 2024, Regular City Council Meeting Minutes..... **(page 2)**
6. Ordinance 1217..... **(page 6)**  
An ordinance of the Council of the City of Cordova, Alaska repealing Chapter 5.36 "Property Tax" and replacing same with a new Chapter 5.05 "Property Tax", Chapter 5.06 "Property Tax Exemptions and Deferrals", and Chapter 5.07 "Property Tax Exemption and Deferral Criteria" – 2<sup>nd</sup> reading
7. Ordinance 1218..... **(page 19)**  
An ordinance of the Council of the City of Cordova, Alaska, amending Cordova Municipal Code Section 2.18.040 - Determination of elected candidates and passage of propositions, and repealing Section 2.20.100 - Run-off elections, to prevent conflict with charter which was changed with voter approval of Proposition One at the March 5, 2024, Regular City Election – 2<sup>nd</sup> reading
8. Council action to waive protest for renewal of liquor license #2587 for *The Moose Caboose*..... **(page 22)**  
Seasonal Beverage Dispensary
9. Per Charter Section 2-8 and Cordova Municipal Code 3.12.022, recordation of excused absence of Council member **Kasey Kinsman** from the June 5, 2024, Regular Meeting

**H. Approval of Minutes – in Consent Calendar**

**I. Consideration of Bids/Proposals/Contracts – none**

## J. Reports of Officers

10. Mayor's Report

11. City Manager's Report

- a. South Harbor Rebuild, project update, **Collin Bronson**..... (page 31)
- b. Parks & Rec Summer Activity Guide, **Duncan Chisholm**, Director
- c. Cruise Ship Visits, **Ashley Bivin**, Museum Director

12. City Clerk's Report

**K. Correspondence**..... (see primer for description page 32)

13. 05-28-24 Letter from C. Harmon regarding Pico Shelters..... (page 33)

14. 06-03-24 CDFU letter of support for Resolution 06-24-26..... (page 35)

15. 06-10-24 Email from Grahams supporting Bayside Storage..... (page 36)

## L. Ordinances and Resolutions

16. Resolution 07-24-27..... (voice vote)(page 37)

A resolution of the Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a sole source contract with GV Jones and Associates Inc. to complete a Wastewater Master Plan

17. Resolution 07-24-28..... (voice vote)(page 41)

A resolution of the Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a sole source contract with GV Jones and Associates Inc. to complete a Water Master Plan

**M. Unfinished Business** - none

## N. New & Miscellaneous Business

18. Pending Agenda, CIP List, Calendar, Elected & Appointed Officials lists..... (page 45)

## O. Audience Participation

## P. Council Comments

## Q. Executive Session

City Council is permitted to enter an executive session if an explicit motion is made to do so calling out the subject to be discussed and if that subject falls into one of the 4 categories noted below. Therefore, even if specific agenda items are not listed under the Executive Session header on the agenda, any item on the agenda may trigger discussion on that item that is appropriate for or legally requires an executive session. In the event executive session is appropriate or required, Council may make a motion to enter executive session right during debate on that agenda item or could move to do so later in the meeting.

## R. Adjournment

### Executive Sessions per Cordova Municipal Code 3.14.030

- **subjects which may be considered are:** (1) matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government; (2) subjects that tend to prejudice the reputation and character of any person; provided that the person may request a public discussion; (3) matters which by law, municipal charter or code are required to be confidential; (4) matters involving consideration of governmental records that by law are not subject to public disclosure.
- **subjects may not be considered in the executive session except those mentioned in the motion calling for the executive session, unless they are auxiliary to the main question**
- **action may not be taken in an executive session except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations**

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Regular Meetings of the Cordova City Council are live streamed on the City's YouTube  
or are available there for viewing or audio-only by the next business day

**City Council Public Hearing  
June 5, 2024 @ 6:45 pm  
Cordova Center Community Rooms  
Minutes**

**A. Call to order**

**Mayor David Allison** called the Council public hearing to order at 6:45 pm on June 5, 2024, in the Cordova Center Community Rooms.

**B. Roll call**

Present for roll call were **Mayor David Allison** and Council members **Tom Bailer, Wendy Ranney, Dave Zastrow**, and **Ken Jones**. Council members **Cathy Sherman** and **Kristin Carpenter** were present via zoom videoconference. Council member **Kasey Kinsman** was absent. Also present were City Manager **Samantha Greenwood** and City Clerk **Susan Bourgeois**.

**C. Public hearing**

1. Resolution 06-24-24 A resolution of the Council of the City of Cordova, Alaska setting the property tax mill levy for the 2024 tax year at \_\_\_\_ mills for all properties in the City of Cordova

**Mayor Allison** opened the hearing for public testimony on the resolution. There was no public testimony. The Public Hearing was recessed at 6:46 pm until someone arrived to give comment. Back in the Public Hearing at 6:56 pm and there was still no public comment.

**D. Adjournment**

Hearing no objection **Mayor Allison** adjourned the public hearing at 6:57 pm.

Approved: July 3, 2024

Attest: \_\_\_\_\_  
Susan Bourgeois, CMC, City Clerk

**Regular City Council Meeting**  
**June 5, 2024 @ 7:00 pm**  
**Cordova Center Community Rooms A & B**  
**Minutes**

**A. Call to order** – **Mayor David Allison** called the Regular City Council Meeting to order at 7:00 pm on June 5, 2024, in the Cordova Center Community Rooms.

**B. Invocation and pledge of allegiance** – **Mayor Allison** led the audience in the Pledge of Allegiance.

**C. Roll call** – Present for roll call were **Mayor David Allison** and Council members **Tom Bailer, Wendy Ranney, Dave Zastrow,** and **Ken Jones**. Council members **Cathy Sherman** and **Kristin Carpenter** were present via zoom videoconference. Council member **Kasey Kinsman** was absent. Also present were City Manager **Samantha Greenwood** and City Clerk **Susan Bourgeois**.

**D. Approval of Regular Agenda**

Hearing no objection to approval of the agenda, **Mayor Allison** declared it approved.

**E. Disclosures of Conflicts of Interest and ex parte communications** - none

**F. Communications by and Petitions from Visitors**

1. Guest speakers - none

2. Audience comments regarding agenda items

**Marc Carrel** spoke representing CDFU's groundfish division, in support of Resolution 06-24-26. He said CDFU's **Jess Rude** sent Council a letter with more detail but in general, supporting this is in the best interest of the economy in Cordova.

**Ryan McManus** of 208 Boardwalk spoke about the mill rate and said Council has to stop raising taxes.

**Ardy Hanson** of 310 Railroad asked Council to keep the mill rate at a place where we'd be paying close to what we are paying now. Sales tax increase and other increases, he said it is getting really hard for families to make it. He said households are cutting back; City should too.

**Alex Russin** of 209 South Second St, speaking as Superintendent of Schools in support of Resolution 06-24-25 – School's FY25 budget and request for Council's contribution.

**Sarah Trumblee** of 130 Heney Creek Lane said she is in the minority but thinks the Council should consider increasing the mill rate to get some much-needed revenue for the City.

3. Chairpersons and Representatives of Boards and Commissions - none

4. Student Council Report – none

**G. Approval of Consent Calendar**

5. Minutes: a. May 15, 2024, Regular City Council Meeting Minutes

6. Council concurrence of Mayor's appointment of City representative to PWSAC Board

7. Ordinance 1218 An ordinance of the Council of the City of Cordova, Alaska, amending Cordova Municipal Code Section 2.18.040 - Determination of elected candidates and passage of propositions, and repealing Section 2.20.100 - Run-off elections, to prevent conflict with charter which was changed with voter approval of Proposition One at the March 5, 2024, Regular City Election – 1<sup>st</sup> reading

8. Council action to waive protest for renewal of Liquor License # 341, Northwest Company dba Alaska Commercial #235, Package Store License

Vote on the Consent Calendar: 6 yeas, 0 nays, 1 absent. Carpenter-yes; Sherman-yes; Bailer-yes; Ranney-yes; Zastrow-yes; Kinsman-absent; and Jones-yes. Consent Calendar was approved.

**H. Approval of Minutes** – in consent calendar

**I. Consideration of Bids/Proposals/Contracts** - none

**J. Reports of Officers**

9. Mayor's Report – **Mayor Allison** reported: the Copper River Nouveau is this weekend – he has a meeting scheduled with Alyeska representatives who are here for that. There may be others he meets up with also that are in town.

10. City Manager's Report – **Greenwood** reported: 1) an update on the Eyak Lake weir – State will not be taking ownership – they are willing to work with us on a maintenance agreement. There will be a lengthy process though, a couple of different public notice periods, **Kate** at Watershed is working through all the permitting, etc.; 2) Finance staff are down at Caselle training, learning a lot and getting up to speed on processes, very intensive training sessions.

a. South Harbor Rebuild, project update, **Collin Bronson** updated Council on the project to date, including funding, MARAD reimbursements, construction progress.

11. City Clerk's Report - **Bourgeois** reported: 1) City Attorney **Jes Spuhler** is on the zoom call to participate in Ordinance 1217 discussion.

#### K. Correspondence - none

#### L. Ordinances and Resolutions

12. Ordinance 1217 An ordinance of the Council of the City of Cordova, Alaska repealing Chapter 5.36 "Property Tax" and replacing same with a new Chapter 5.05 "Property Tax", Chapter 5.06 "Property Tax Exemptions and Deferrals", and Chapter 5.07 "Property Tax Exemption and Deferral Criteria" - 1<sup>st</sup> reading **M/Jones S/Bailer** to adopt Ordinance 1217 An ordinance of the Council of the City of Cordova, Alaska repealing Chapter 5.36 "Property Tax" and replacing same with a new Chapter 5.05 "Property Tax", Chapter 5.06 "Property Tax Exemptions and Deferrals", and Chapter 5.07 "Property Tax Exemption and Deferral Criteria"

**Jones** said he supports property tax exemptions for economic development, and this is a necessary step in order for us to enact those.

Attorney **Jes Spuhler** had a short presentation. This was begun last fall – a wholesale rewrite of Property Tax and Sales Tax, council conducted a few work sessions and then at the start of this year we decided to separate Sales Tax from Property Tax and Property Tax is coming first, in Ordinance 1217. The effective date is January 1, 2025. Overall, the ordinance allows the City Clerk and Assessor to manage all the types of exemption applications efficiently and there are also housekeeping edits to reflect current practice and administration of real property taxes in Cordova. We have added the non-profit exemption to code, it exists in Statute and Constitution in Alaska so it is required regardless, but it is helpful to have in code so the administration can efficiently administer it and it also provides clarity and transparency. As far as what Council wanted to focus on, the economic development exemptions, the legislature recently change that optional exemption language so that it is much more flexible for communities now to decide what they want to emphasize, what kinds of development they want to encourage. If Council adopts this ordinance, after public hearing, Council will then adopt application forms by ordinance – the parameters of the economic development exemption can be addressed in these application forms. We will schedule a work session or multiple work sessions to accomplish that work – to create those application forms.

**Carpenter** asked **Spuhler** if she had some examples of application forms from other communities. **Spuhler** said unfortunately, she has not found much out there. Seems like some communities aren't even aware that the new legislation had passed.

**M/Ranney S/Bailer** to amend the ordinance as follows: 1) add 5.06.090 – Appeals. An applicant for exemption or deferral under Chapters 5.06 and 5.07 may appeal a determination of the City directly to the superior court as provided by rules of court applicable to appeals from the decisions of administrative agencies or may first appeal to the Board of Equalization as provided by law. 2) amend 5.06.020 (A) by adding "Applications for exemptions and deferrals must be submitted by January 15 of the year in which they are sought, unless a different application deadline is specified in Chapter 5.07 of this code" as the first sentence in A. 3) amend 5.07.050 by changing the last sentence in B. to change the reference to Code from 5.05.130 to 5.06.090.

Vote on the motion to amend: 6 yeas, 0 nays, 1 absent (Kinsman). Motion was approved.

After the amendment was approved, no Council members had further comments on approval of the ordinance as amended.

Vote on the motion to approve the ordinance on first reading as amended: 6 yeas, 0 nays, 1 absent (Kinsman). Motion was approved.

**13.** Resolution 06-24-24 A resolution of the Council of the City of Cordova, Alaska setting the property tax mill levy for the 2024 tax year at \_\_\_\_ mills for all properties in the City of Cordova

**M/Jones S/Ranney** to approve Resolution 06-24-24 A resolution of the Council of the City of Cordova, Alaska setting the property tax mill levy for the 2024 tax year at **9.93** mills for all properties in the City of Cordova

**Jones** said this mill rate puts us at the \$3 million in revenue for property taxes. He said in his mind that is the deal we made with the citizens when we approved the budget in December. **Ranney** had nothing to add. **Bailer** said he could go along with that. **Sherman** said she could agree but would be ok with a small increase. **Carpenter** echoed **Sherman's** comments. **Zastrow** said he is good with this.

Vote on the motion: 6 yeas, 0 nays, 1 absent. Zastrow-yes; Sherman-yes; Jones-yes; Bailer-yes; Kinsman-absent; Ranney-yes; and Carpenter-yes. Motion was approved.

**14.** Resolution 06-24-25 A resolution of the Council of the City of Cordova, Alaska acknowledging the proposed budget of the Cordova Public School District for fiscal year ending June 30, 2025, and determining the amount of local sources available for school purposes subject to modification before City Council final approval of the City's FY25 budget in December 2024

**M/Sherman S/Bailer** to approve Resolution 06-24-25 A resolution of the Council of the City of Cordova, Alaska acknowledging the proposed budget of the Cordova Public School District for fiscal year ending June 30, 2025, and determining the amount of local sources available for school purposes subject to modification before City Council final approval of the City's FY25 budget in December 2024

**Sherman** said this resolution clearly states our support for the Cordova School District and things can still change such as the Governor may change parts of the state budget and we may make a change when we consider our budget. **Bailer** had questions for the superintendent. He asked where the NVE contributions of \$200K for the National Guard being housed in the schools and the \$700K for the food services and activities shows up in this budget. **Russin** said that initially there was a \$1.5M deficit if all programs were funded, all positions were filled. The \$900K meant that only \$600K had to be cut out instead of \$1.5M. Then as long as the governor does not veto the one-time increase to the BSA that was put into the capital budget, the School district should be able to have a balanced budget because that one-time funding would net them about that \$600k.

**Bailer** said that is a pretty dire situation we'd be in without NVE's contribution.

Vote on the motion: 6 yeas, 0 nays, 1 absent. Sherman-yes; Jones-yes; Kinsman-absent; Carpenter-yes; Bailer-yes; Ranney-yes; and Zastrow-yes. Motion was approved.

**15.** Resolution 06-24-26 A resolution of the Council of the City of Cordova, Alaska in support of amendment 123 to the fishery management plan (FMP) for groundfish of the Bering Sea and Aleutian Islands (BSAI) management area which amends regulations governing limits on the Pacific Halibut Prohibited Species Catch (PSC) and links the halibut PSC limit for the amendment 80 commercial groundfish trawl fleet in the BSAI groundfish fisheries to halibut abundance

**M/Bailer S/Jones** to approve Resolution 06-24-26 A resolution of the Council of the City of Cordova, Alaska in support of amendment 123 to the fishery management plan (FMP) for groundfish of the Bering Sea and Aleutian Islands (BSAI) management area which amends regulations governing limits on the Pacific Halibut Prohibited Species Catch (PSC) and links the halibut PSC limit for the amendment 80 commercial groundfish trawl fleet in the BSAI groundfish fisheries to halibut abundance

**Bailer** said it is important for us to do this, he will support. **Jones, Ranney, Sherman** all agreed they would support this. **Carpenter** also said she would support and gave a statistic: in 2023 the bycatch of halibut in the Bering Sea was 2.66 million pounds and the commercial catch of halibut in the Bering Sea that same year was 2.06 million pounds. She said the bycatch being more than the commercial catch is what makes this issue so compelling.

Vote on the motion: 6 yeas, 0 nays, 1 absent (Kinsman). Motion was approved.

**M. Unfinished Business** - none

**N. New & Miscellaneous Business**

16. Pending Agenda, CIP List, Calendar, Elected & Appointed Officials lists

Council decided to cancel the June 19 meeting as it falls on a City holiday. They directed staff to call a special meeting if necessary before the July 3, 2024, regular meeting. Clerk would get with **Attorney Jes Spuhler** to possibly schedule the first work session on July 3 as needed to create the exemption application forms as mentioned in Ordinance 1217 discussion.

**O. Audience Participation** - none

**P. Council Comments**

**Sherman** thanked **Jes** for the work on the ordinance tonight, the team that worked on that – a long time coming. She also thanked **Superintendent Russin** for his input tonight. She said it was nice to have audience comments tonight also.

**Carpenter** echoed what **Sherman** said and she thanked the City Manager on the work to move the Eyak Lake Weir project forward.

**Ranney** echoed comments before her and was glad to see we didn't jump the mill rate up a bunch. Also, she appreciated our action on the bycatch issue tonight.

**Jones** clarified that what he said earlier – the mill rate is down a bit (.9 mills), but taxes might be slightly increased for everyone based on the assessed value increase.

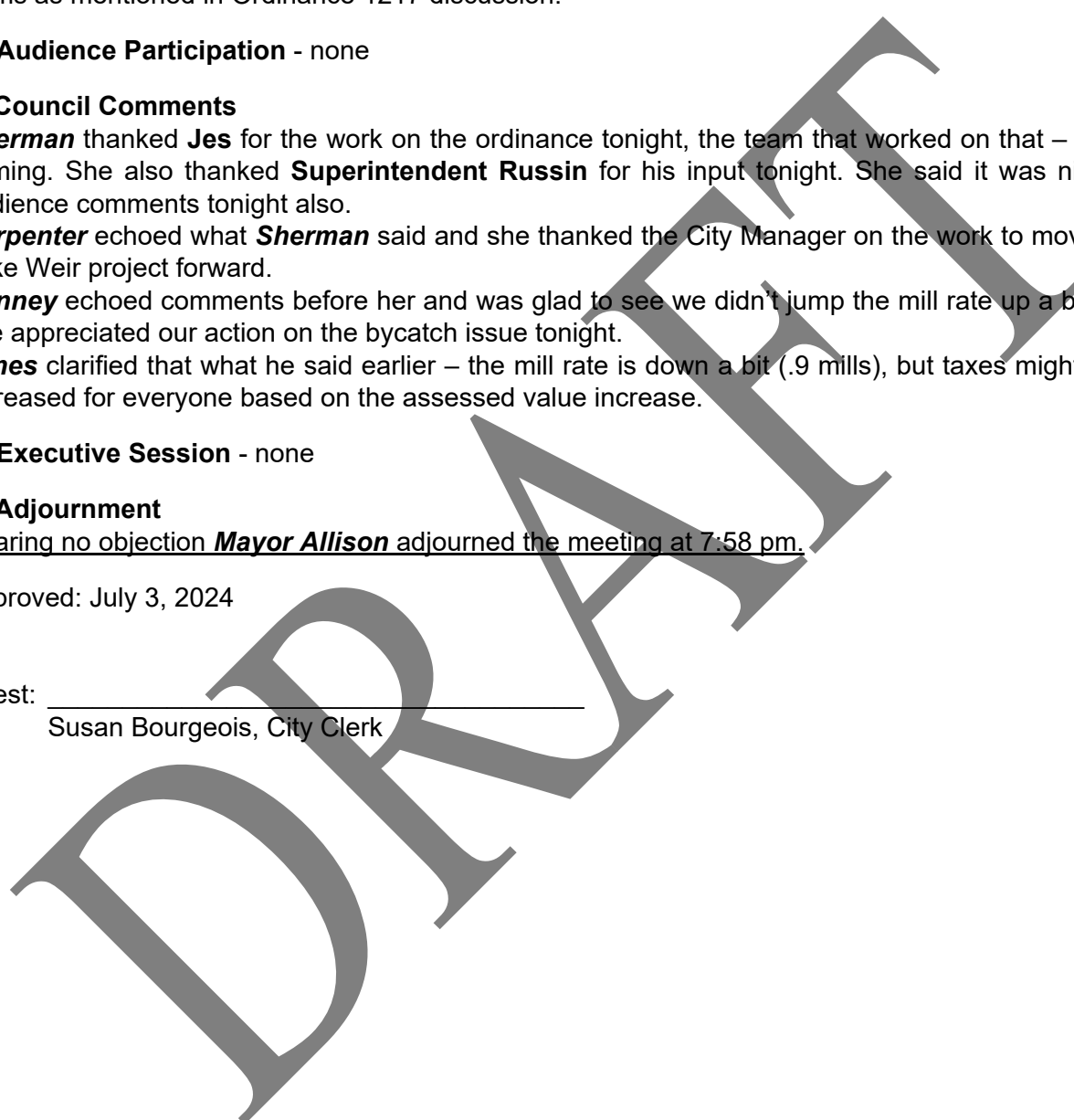
**Q. Executive Session** - none

**R. Adjournment**

Hearing no objection **Mayor Allison** adjourned the meeting at 7:58 pm.

Approved: July 3, 2024

Attest: \_\_\_\_\_  
Susan Bourgeois, City Clerk



## MEMORANDUM

**TO:** CORDOVA CITY COUNCIL

**FROM:** JESSICA J. SPUHLER

**RE:** ORDINANCE 1217

**CLIENT:** CITY OF CORDOVA, ALASKA

**FILE NO.:** 401777.300

**DATE:** MAY 30, 2024

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### **I. Introduction**

The purpose of this memorandum is to provide City Council with a summary of the purpose and intent of the Ordinance entitled “An ordinance of the Council of the City of Cordova, Alaska Repealing Chapter 5.36 “Property Tax” and replacing same with new Chapters 5.05 “Property Tax,” 5.06 “Property Tax Exemptions and Deferrals,” and 5.07 “Property Tax Exemption and Deferral Criteria.”

### **II. Summary**

Council has directed City Administration to work with Counsel to initiate significant revisions to Title 5 of the Cordova Municipal Code, “Revenue and Finance”. Through a series of work sessions Council provided feedback and direction on revisions to Chapter 5.36 “Property Tax,” including: the adoption in code of exemptions required by statute, changes to reflect changes to the State statute governing economic development exemptions, and clarifications to the application and appeal processes for exemptions. Ordinance 1217 contains several other housekeeping amendments to ensure that the City’s administration of the tax code is efficient, and that tax obligations and exemptions are clear and understandable for tax payers.

Council and Administration have determined that the changes reflected in Ordinance 1217 through the adoption of new Chapters 5.05, 5.06, and 5.07 should be considered and passed prior to the changes contemplated to the City’s sales tax regime.

### **III. Conclusion**

In the event Ordinance 1217 is adopted by Council, Administration and Counsel recommend that Council continue its work related to the economic development exemption and deferral application form contemplated in proposed Section 5.07.060(D) to ensure that economic development exemption criteria are established prior to the January 1, 2025, effective date of Ordinance 1217.



**CITY OF CORDOVA, ALASKA  
ORDINANCE 1217**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA, REPEALING CHAPTER 5.36 “PROPERTY TAX” AND REPLACING SAME WITH A NEW CHAPTER 5.05 “PROPERTY TAX”, CHAPTER 5.06 “PROPERTY TAX EXEMPTIONS AND DEFERRALS”, AND CHAPTER 5.07 “PROPERTY TAX EXEMPTION AND DEFERRAL CRITERIA”.**

**WHEREAS**, the City of Cordova has not substantively revised its property taxation provisions in over 30 years; and

**WHEREAS**, the City has experienced numerous requests regarding interpretation and scope of certain property tax exemptions and deferrals provided for in State statute and Code in the last several years and has determined it is in the City’s best interest to revise the Code to ensure clear provisions governing the City’s property tax regime; and

**WHEREAS**, the City Administration, in collaboration with the City Attorney, after several work sessions with City Council, submitted a memorandum summarizing the revisions to the Code and the reasons for those revisions and that memorandum accurately reflects Council’s purpose, intent, and scope of this Ordinance.

**NOW, THEREFORE**, it is ordained as follows:

**Section 1.** Cordova Municipal Code Chapter 5.36 “Property Tax” is hereby repealed.

**Section 2.** Cordova Municipal Code Title 5 “Revenue and Finance” is amended through the adoption of the following chapters:

Chapters

- 5.05 Property Tax
- 5.06 Property Tax Exemptions and Deferrals
- 5.07 Property Tax Exemption and Deferral Criteria

**Section 3.** Cordova Municipal Code Chapter 5.05 “Property Tax” is adopted to read as follows:

**Chapter 5.05 PROPERTY TAX**

Sections

- 5.05.010 Established.
- 5.05.020 Mobile homes subject to provisions.
- 5.05.030 Applicability of provisions.
- 5.05.040 Determination of true value.
- 5.05.050 Determination of true value of contaminated property.
- 5.05.060 Assessment roll.
- 5.05.070 Assessment roll—Determination of property owner.
- 5.05.080 Assessment roll—Property description.
- 5.05.090 Assessment roll—Basis of computation.
- 5.05.100 Assessment notice—Information required.
- 5.05.110 Assessment roll—Corrections.
- 5.05.120 Equalization hearings—Notice required.
- 5.05.130 Appeal—Grounds.
- 5.05.140 Appeal—Filing of notice.
- 5.05.150 Appeal—Recordation.

- 5.05.160 Appeal—Hearing—Notice.
- 5.05.170 Appeal—Hearing—Conduct.
- 5.05.180 Appeal—Hearing—Record of proceedings.
- 5.05.190 Appeal—Notice of decision.
- 5.05.200 Appeal—Entry of changes by assessor.
- 5.05.210 Appeal—To court.
- 5.05.220 Supplementary assessment rolls.
- 5.05.230 Assessment roll—Validity.
- 5.05.240 Delivery of statement to council.
- 5.05.250 Amount set by resolution.
- 5.05.260 Mailing of tax statements.
- 5.05.270 Lien.
- 5.05.280 Payment by installment—Delinquency.
- 5.05.290 Nonpayment—Penalties and interest.
- 5.05.300 Treasurer’s duties.
- 5.05.310 Right of entry for inspection—Examination under oath.

**5.05.010 Established.**

There shall be assessed, levied, and collected a general tax for school and municipal purposes upon all real properties within the City.

**5.05.020 Mobile homes subject to provisions.**

- A. Mobile homes, trailers, house trailers, trailer coaches and similar property used or intended to be used for residential, office or commercial purposes and attached to the land or connected to water, gas, electric or sewage facilities are classed as real property for tax purposes. This subsection does not apply to house trailers and mobile homes which are unoccupied and held for sale by persons engaged in the business of selling mobile homes.
- B. The City shall enforce taxes levied on mobile homes by a personal action against the owner, instead of by annual foreclosure. Such action may be commenced as of November 1st, the date the property taxes become delinquent.

**5.05.030 Applicability of provisions.**

All real property in the City is subject to taxation, except real property exempt under the constitution of the State, the applicable laws of the State, including all properties listed in AS 29.45.030, the City Charter or the ordinances of the City.

**5.05.040 Determination of true value.**

The assessor shall assess property at its full and true value as of January 1st of the assessment year, except as otherwise provided by law. The full and true value is the estimated price that the property would bring in an open market and under the then prevailing market conditions in a sale between a willing seller and a willing buyer both conversant with the property and with prevailing general price levels.

**5.05.050 Determination of true value of contaminated property.**

Unless otherwise required by law, the assessor shall determine the full and true value of contaminated real property in accordance with the following:

- A. In this section:
  - 1. “Contaminated real property” means real property that on the assessment date is: (1) on the National Priority List of the Environmental Protection Agency; or (2) included by the Department of Environmental Conservation on its Contaminated Site List; or (3) is shown, through the

submission of reliable, objective information such as engineering studies, environmental audits, laboratory reports, or historical records, to have had a release of a hazardous substance or oil which release is shown to have been reported to the Department of Environmental Conservation; but shall not include any real property on which hazardous substances or oil may be legally stored, disposed or released or which has been contaminated as a result of a release from or in connection with the use of a residential fuel tank.

2. "Cost to cure" means the estimated after-tax cost of the remaining remedial work specific to the subject property to remove, contain or treat the hazardous substance or oil. Cost to cure may include the cost of environmental audits, surety bonds, insurance, monitoring costs and engineering and legal fees. The costs must be directly related to the clean up or containment of a hazardous substance or oil.
3. "Hazardous substance" and "oil" have the meanings ascribed in AS 46.08.900(6) and (7), respectively.

B. In determining the full and true value of contaminated real property, the assessor shall apply any reasonable appraisal approach. Where appropriate, the assessor may limit the assessment to the value of improvements and may make adjustments in valuation for the cost to cure to the extent that such cost will be borne by the owner of record.

#### **5.05.060 Assessment roll.**

The assessor shall complete reevaluations of all real property within the limits of the City at least sixty days before the Board of Equalization (or the "Board") meets each year. Separate field cards shall be kept on each piece of property. From these field cards an assessment roll shall be prepared and completed at least forty-five days prior to the board of equalization meeting. The assessment roll shall be open for inspection by the public. The roll must contain:

- A. The names and last known addresses of all persons with real property liable to assessment and taxation;
- B. A description of all taxable real property;
- C. The assessed value of said property.

#### **5.05.070 Assessment roll—Determination of property owner.**

Real property is assessed to the owner of record as shown in the records of the recorder for the Cordova Recording District; provided, however, that any other person having an interest in the property may be listed on the records with the owner. The person in whose name property is listed as owner is conclusively presumed to be the legal record owner. If the property is unknown, the property may be assessed to "unknown owner" or "unknown owners." No assessment shall be invalidated by a mistake, omission, or error in the name of the owner, if the property is correctly described.

#### **5.05.080 Assessment roll—Property description.**

The assessor may list real property located in the City and any addition thereto by lot and block number, and similarly for any subdivided property. Unsubdivided property may be listed according to survey description, or by giving the boundaries thereof, or by reference to the book and page of the records of the Cordova Recording District where recorded, or by designation of a tax parcel number referring to a public record of descriptions of real property kept by the assessor, or by such other manner as to cause the description to be made certain. Initial letters, abbreviations, fractions, and exponents to designate any lot or block or part thereof, or any distance, course, bearing or direction, may be employed in any such description of real property.

#### **5.05.090 Assessment roll—Basis of computation.**

All taxes to be levied or collected, except as otherwise provided, shall be calculated, levied, and collected upon the assessed values entered in the assessment roll and certified by the assessor as correct, subject to the taxpayer's rights to appeal and to the correction made in the rolls pursuant to this Chapter.

#### **5.05.100 Assessment notice—Information required.**

The assessor shall give to every owner, or his authorized agent named in the assessment roll, a notice of assessment showing the assessed value of his property. On the back of each assessment notice shall be printed a summary for the information of the taxpayer of the date when the taxes are payable, delinquent, and subject to penalty and interest, dates when the City Council will sit as a Board of Equalization for equalization purposes, and any other particulars specified by the Council. The assessment notice shall be directed to the person to whom it is to be given and shall be sufficiently given if it is mailed by first class mail addressed to, or is delivered at, his address as last known to the assessor, or, if the address is not known to the assessor, the notice may be addressed to the person at the post office nearest to the place where the property is situated. The assessor shall, on or prior to thirty days before the meeting of the Board of Equalization each year, mail or deliver the assessment notices and the date when mailed or delivered shall be deemed to be the date on which the notice was given for purposes of this Chapter.

**5.05.110 Assessment roll—Corrections.**

A person receiving an assessment notice shall advise the assessor in writing of errors or omissions in the assessment of the person's property. The assessor may correct errors or omissions in the roll before the Board of Equalization hearing. If errors found in the preparation of the assessment roll are adjusted, the assessor shall mail a corrected notice allowing thirty days for appeal to the Board of Equalization.

**5.05.120 Equalization hearings—Notice required.**

When all assessment notices have been mailed, the assessor shall cause to be published at least once each week for two successive weeks a notice that the assessment rolls have been completed, which notice shall state when and where the equalization hearings shall be held by the City Council sitting as a Board of Equalization. The Board shall meet on the third Monday each April and continue each day thereafter as it may deem necessary.

**5.05.130 Appeal—Grounds.**

Any person who receives notice or whose name appears on the assessment roll may appeal, as hereinafter provided, to the Board with respect to any alleged error in the valuation, overcharge, or omission of the assessor, not adjusted to the taxpayer's satisfaction.

**5.05.140 Appeal—Filing of notice.**

Notice of appeal, in writing, specifying the grounds for appeal and provided on the form provided by the City, shall be filed with the assessor not later than thirty days after the date of mailing of notice of assessment. If notice of appeal is not given within that period, the right of appeal shall cease as to any matter within the jurisdiction of the Board, unless it is shown to the satisfaction of the Board that the taxpayer was unable to appeal within the time so limited. The only grounds for adjustment of assessment are proof of unequal, excessive, improper, or under valuation based on facts that are stated in a valid and timely written appeal or proven at the appeal hearing.

**5.05.150 Appeal—Recordation.**

Upon receipt of the notice of appeal, the assessor shall make a record of the same in such form as the Board may direct, which record shall contain all the information shown on the assessment roll in respect of the subject matter of the appeal, and the assessor shall place the same before the Board from time to time as may be required by the Board.

**5.05.160 Appeal—Hearing—Notice.**

The assessor shall cause a notice of the time and place of the appeal hearing to be mailed to the person by whom the notice of appeal was given, and to every other person in respect of whom the appeal is taken, to their respective addresses as last known to the assessor.

**5.05.170 Appeal—Hearing—Conduct.**

A. At the time appointed for the hearing of the appeal or as soon thereafter as the appeal may be heard, the Board shall hear the appellant, the assessor, other parties to the appeal and their witnesses, and consider

the testimony and evidence adduced, and shall determine the matters in question on the merits and render its decision accordingly.

- B. If any party to whom notice was mailed as set forth in Section 5.05.150 fails to appear, the Board may proceed with the hearing in their absence.
- C. The burden of proof in all cases shall be upon the party appealing.

**5.05.180 Appeal—Hearing—Record of proceedings.**

The City Clerk shall be Ex Officio Clerk of the Board of Equalization on appeals and shall record the minutes of all proceedings before the Board, the name of all persons appealing assessments, and all changes, revisions, corrections, and orders relating to claims or adjustment.

**5.05.190 Appeal—Notice of decision.**

The City Clerk shall mail a copy of the decision of the Board on an appeal to the appellant and shall certify the decision to the assessor within seven days. The decision shall state whether the appeal is granted or denied in whole or in part, and the reasons therefor. The decision shall state that it is the final decision by the Board, and that the appellant and the assessor have thirty days to appeal the decision to the Superior Court.

**5.05.200 Appeal—Entry of changes by assessor.**

Except as to supplementary assessments, the assessor shall enter the changes so certified upon his records and certify the final assessment roll by June 1st.

**5.05.210 Appeal—To court.**

An appellant to the Board of Equalization or the assessor may appeal a determination of the Board of Equalization to the Superior Court as provided by rules of court applicable to appeals from the decisions of administrative agencies. Appeals are heard on the record established before the Board of Equalization.

**5.05.220 Supplementary assessment rolls.**

The assessor shall include property omitted from the assessment roll on a supplementary roll, using the procedures set out in this Chapter for the original roll.

**5.05.230 Assessment roll—Validity.**

Every assessment roll as completed and certified by the assessor in conformity with this Chapter shall be valid and binding on all persons, notwithstanding any defect, error, omission or invalidity in the assessment roll or proceedings pertaining thereto.

**5.05.240 Delivery of statement to council.**

When the final assessment records have been completed by the assessor as provided in this Chapter, the assessor shall certify and deliver to the City Council on or before June 1st of each year a statement of the total assessed valuation of all real property within the City.

**5.05.250 Amount set by resolution.**

The City Council shall thereupon by resolution annually before June 15th fix a rate of tax levy and designate the number of mills upon each dollar of value of assessed taxable real property that shall be levied.

**5.05.260 Mailing of tax statements.**

By July 1st, the City Clerk shall prepare and mail tax statements to the person listed as the owner on the tax rolls. A tax statement shall set out the levy, dates when taxes are payable and delinquent, and penalties and interest.

**5.05.270 Lien.**

All taxes levied by the City Council pursuant to this Chapter shall be a lien upon all real property assessed, and such lien shall be prior and paramount to all other liens or encumbrances against the property assessed.

**5.05.280 Payment by installment—Delinquency.**

Property tax, except as otherwise provided, may be paid in two equal installments. The first installment shall be delinquent if not received or postmarked on or before August 31st of the tax year and the second installment shall be delinquent if not received or postmarked on or before October 31st of the tax year. If an installment due date falls on a Saturday, Sunday, or a City holiday, the installment shall be delinquent if not received or postmarked on or before the next business day.

**5.05.290 Nonpayment—Penalties and interest.**

When the property tax provided for in this Chapter is not paid on or before the due date, penalties and interest will accrue as follows:

- A. If the first one-half installment is not paid when due, a penalty of ten percent together with interest at the rate of eight percent per year on the installment, not including penalty, from due date until paid in full, shall be added thereto.
- B. After the due date for the payment of the second one-half installment, a total penalty of not to exceed ten percent shall be added to all delinquent taxes, and interest at the rate of eight percent per year shall accrue, as provided in this Chapter, upon all unpaid taxes, not including the penalty, from due date until paid in full.

**5.05.300 Treasurer’s duties.**

- A. The City Treasurer shall collect all taxes levied hereunder and shall receive all tax payments during regular business hours and issue receipts therefor.
- B. In the event the City Treasurer notes the existence of error, omission or double assessment of any property at any time after certification of the assessment roll, application shall be made by the City Treasurer for the adjustment and correction of such error to the City Council.

**5.05.310 Right of entry for inspection—Examination under oath.**

- A. For the purposes of making investigations, the assessor, or their designated deputy, shall have the right of access to the premises and may examine all property records involved, and any person shall, upon request, furnish to the assessor, or his designated deputy, every facility and assistance for the purpose of the investigation.
- B. The assessor may examine a person on oath or otherwise, and upon request of the assessor, the person shall present himself for examination by the assessor.

**Section 4.** Cordova Municipal Code Chapter 5.06 “Property Tax Exemptions and Deferrals” is adopted to read as follows:

**Chapter 5.06 PROPERTY TAX EXEMPTIONS AND DEFERRALS**

Sections

- 5.06.010 Purpose and authority.
- 5.06.020 Applications – Initial review.
- 5.06.030 Notice and hearing.
- 5.06.040 Annual assessments.
- 5.06.050 Review of exemptions.
- 5.06.060 Emergency waiver.
- 5.06.070 Transfer of ownership or change of use – Penalty.
- 5.06.080 Criteria.
- 5.06.090 Appeals.

**5.06.010 Purpose and authority.**

The granting of property tax exemptions and deferrals is one of the primary tools available to the City to achieve its objectives, including those regarding economic development, housing, and community resources. The City’s

authority and discretion to grant property tax exemptions and deferrals is subject to the limitations of this Chapter, Chapter 5.07, and any applicable state or federal laws. The City Clerk, assessor, and City Council may:

- A. Require the applicants for any exemption and/or deferral to provide information in support of their application;
- B. Require applicants to pay property taxes on a percentage of assessed valuation, a fixed property tax payment of any amount, or any other fraction of property taxes that would otherwise be due to the City; and
- C. Require the payment of initial application and annual review fees reasonably necessary to cover the costs of administration.

The grant or denial of a tax exemption or deferral under this Chapter, or Chapter 5.07, is a discretionary act by the City. The completion of an application for a tax exemption or deferral shall not give rise to any right or claim against the City for its failure to grant the application.

#### **5.06.020 Applications – Initial review.**

- A. Applications for exemptions and deferrals must be submitted by January 15 of the year in which they are sought, unless a different application deadline is specified in Chapter 5.07 of this code. The City will not consider the granting of any tax exemption or deferral under Chapter 5.07 until the applicant submits a full and complete application and provides such additional information as may be requested by the City Clerk, assessor, and City Council. The assessor may make an independent investigation of the application or property in making a determination under this section. The City Clerk shall notify the applicant, in writing, of the City Clerk's completeness determination on the application for exemption.
- B. The City Clerk may prepare a standard application form that upon completion will provide adequate and sufficient information to determine whether any tax exemption or deferral should be granted. The accuracy of the information provided in the application must be verified by oath of the applicant or an authorized officer of the applicant.
- C. If the applicant fails or refuses to provide information required or requested by the City within the time period established by the City, the exemption shall be denied.
- D. An applicant delinquent in the registration for, filing of a return, or payment of, any City property or sales tax, City special assessment, or City utility bill may not be granted an exemption and/or deferral under this section.
- E. Any person requesting a tax exemption or deferral pursuant to this Chapter and Chapter 5.07 shall pay to the City an initial application fee which must be submitted at the same time the application form is submitted. In addition, any entity that has been granted a tax exemption or deferral under this Chapter and Chapter 5.07 shall pay an annual review fee at a date specified by the City. Application and annual review fees shall be set forth in the City's fee schedule.
- F. If any person knowingly makes any false representations in any submission to the City related to an initial application for or review of a tax exemption or deferral under this Chapter or Chapter 5.07, that person shall be punishable by a fine as set forth in Chapter 1.28. Any misstatement of or error in fact may render an application null and void and may be cause for the revocation of any tax exemption or deferral adopted in reliance on such information.
- G. Exemptions claimed under Section 5.07.010 are governed by the process and timeline mandated by the State as set forth in that section.

#### **5.06.030 Notice and Hearing.**

After the City Clerk determines that the application is complete and the City Clerk and/or assessor determine that the applicant is eligible for a tax exemption and/or deferral, the City Clerk and/or assessor shall submit a copy of the application with a written recommendation to the City Council. No tax exemption or deferral under this section shall be granted by the City Council prior to a public hearing thereon. The City Clerk shall notify the applicant of the public hearing. If an application is incomplete or clearly ineligible, the City Clerk shall issue a determination denying the application.

**5.06.040 Annual assessments.**

All property receiving a tax exemption or deferral under this Chapter or Chapter 5.07 shall be annually assessed by the assessor in the same manner as if it were not exempt.

**5.06.050 Review of exemptions.**

- A. Any tax exemption or deferral granted under this Chapter or Chapter 5.07 shall be subject to annual review by the City Clerk and/or assessor to ensure that the ownership and use of the property and any other qualifying criteria for the tax exemption or deferral continue to exist. Information justifying the continued exemption or deferral shall be submitted annually to the City Clerk at the same time the review fee required under CMC 5.06.020(E) is due. If the City Clerk and/or assessor determine that the property no longer qualifies for an existing exemption or deferral, the City Clerk and/or assessor’s determination may be reversed by a majority vote of Council.
- B. Upon the failure of any person to fully and timely pay the taxes due as may be required by any ordinance or to provide reports or other information requested by the City, the assessor shall immediately revoke and not renew any exemptions or deferrals under this Chapter or Chapter 5.07 to which such person would otherwise be entitled and shall require immediate payment of the pro-rata share of taxes thereby due for any portion of the year remaining and any previously deferred taxes.

**5.06.060 Emergency waiver.**

The City reserves the right to grant or not to grant a tax exemption or deferral under circumstances beyond the scope of this Chapter or Chapter 5.07, or to waive any other requirement not mandated by state law. However, no such action or waiver shall be taken or made except upon a finding by the City that an extraordinary circumstance or emergency exists, and that such action or waiver is found and declared to be in the vital public interest.

**5.06.070 Transfer of ownership or change of use – Penalty.**

As of the date of any change in majority ownership, sale, or substantive change in use of any property subject to a tax exemption or deferral under this Chapter or Chapter 5.07, the City shall revoke such tax exemption or deferral and provide notice of the property taxes due (which taxes are due within 60 days of such notice). Any property owner who fails to notify the assessor of any such change in ownership, use or sale by the date of such change in ownership, use or sale shall be subject to a fine as set forth in Chapter 1.28.

**5.06.080 Criteria.**

Criteria for specific tax exemption and deferrals are set forth in Chapter 5.07, Property Tax Exemption and Deferral Criteria.

**5.06.090 Appeals.**

An applicant for exemption or deferral under Chapters 5.06 and 5.07 may appeal a determination of the City directly to the superior court as provided by rules of court applicable to appeals from the decisions of administrative agencies or may first appeal to the Board of Equalization as provided by law.

**Section 5.** Cordova Municipal Code Chapter 5.07 “Property Tax Exemption and Deferral Criteria” is adopted to read as follows:

**Chapter 5.07 PROPERTY TAX EXEMPTION AND DEFERRAL CRITERIA**

Sections

- 5.07.010 Senior Citizen and Disabled Veteran Exemptions.
- 5.07.020 Non-Profit Exemption.
- 5.07.030 Low-Income Housing Exemption.
- 5.07.040 Temporary Subdivision Exemption.
- 5.07.050 Temporary Landscape Exemption.
- 5.07.060 Economic Development Property Exemption.



5.07.070 Leased exempt property – Taxes due.

5.07.080 Definitions.

**5.07.010 Senior Citizen and Disabled Veteran Exemptions.**

- A. The real property owned and occupied as the primary residence and permanent place of abode by a: (1) resident sixty-five years of age or older; (2) disabled veteran; or (3) resident at least sixty years old who is the widow or widower of a person who qualified for an exemption under subsection (A)(1) or (2) of this section, is exempt from taxation on the first one hundred fifty thousand dollars of the assessed value of the real property. Only one exemption may be granted for the same property and, if two or more persons are eligible for an exemption for the same property, the parties shall decide between or among themselves who is to receive the benefit of the exemption. Real property may not be exempted under this subsection if the assessor determines, after notice and hearing to the parties, that the property was conveyed to the applicant primarily for the purpose of obtaining the exemption. The determination of the assessor may be appealed under AS 44.62.560—44.62.570.
- B. To be eligible for an exemption under subsection (A) of this section for a year, the individual applying for an exemption must also be eligible for a permanent fund dividend under AS 43.23.005 for that same year or for the immediately preceding year.
- C. An exemption may not be granted under subsection (A) of this section, except upon written application for the exemption on a form approved by the State Assessor. An applicant who qualifies for the exemption under this section need not file an application for successive tax years if there is no change in ownership, in residency or permanent place of abode, or other factor affecting qualification for the exemption. Applications must be filed no later than January 15 of the first year for which the exemption is sought. The City Council, for good cause shown, may authorize the assessor to accept as timely filed an application filed after January 15 and before May 1 of the assessment year for which the exemption is sought. An application received after May 1 will be accepted as an application for the following assessment year. If the application is filed within the required time and is approved by the assessor, the assessor shall allow an exemption in accordance with the provisions of this section. The assessor shall require proof in the form they consider necessary of the right to, and amount of an exemption claimed under subsection (B) of this section and shall require a disabled veteran claiming an exemption under subsection (B) of this section to provide evidence of the disability rating. The assessor may require proof under this subsection at any time.
- D. If property is occupied by a person other than the eligible applicant and his/her spouse and minor children, an exemption applies only to the portion of the property permanently occupied by the eligible applicant and his/her spouse and minor children as a permanent place of abode.
- E. It shall be the responsibility of every person who obtains an exemption under this section to notify the assessor of any change in ownership, residency, permanent place of abode or status of disability. A disabled veteran who has less than a permanent disability must submit an official disability percentage letter each year prior to January 15 showing a fifty percent or greater disability.

**5.07.020 Non-Profit Exemption.**

- A. Property used exclusively for nonprofit religious, charitable, cemetery, hospital, or educational purposes is exempt from taxation under this Chapter.
- B. Property or a part of the property exempt under this section but from which rentals or income are derived is not exempt from taxation unless the income derived from the rentals does not exceed the actual cost to the owner of the use by the renter.
- C. If the application is filed within the required time and is approved by the assessor, the assessor shall allow an exemption in accordance with the provisions of this section.
- D. An application for an exemption claimed under this section must include:
  - 1. Evidence of the applicant's nonprofit status;
  - 2. A detailed description of the applicant's planned or current use of the property;

3. Records showing any rental or other income derived from the property and the comparative cost to the owner for such rental or use, to include: documentation of utility payments and other maintenance and financing costs associated with the rented space.
- E. A non-profit exemption claimed under this section may only be granted if the property for which the exemption is sought is in use for the purposes set forth in subsection (A) of this section as of January 1 of the year for which the exemption is claimed.
- F. The City Clerk and/or assessor shall require proof in the form they consider necessary of the right to, and amount of an exemption claimed under subsections (A) and (B) of this section. The City may require such proof under this subsection at any time to ensure ongoing compliance with the eligibility requirements of subsection (A) and (B). It shall be the responsibility of every person who obtains an exemption under this section to notify the City of any change in use, ownership, or rental income.

#### **5.07.030 Low-Income Housing Exemption.**

Interests other than record ownership in real property that has been developed, improved, or acquired with federal funds for low-income housing and is owned or managed as low-income housing by the Alaska Housing Finance Corporation under AS 18.55.100 - 18.55.960 or by a regional housing authority formed under AS 18.55.996 are exempt from City taxes as to the individual residing on the property. However, the corporation may make payments to the City for improvements, services, and facilities furnished by it for the benefit of a housing project, and this subsection does not prohibit the City from receiving those payments or any payments in lieu of taxes authorized under federal law.

#### **5.07.040 Temporary Subdivision Exemption.**

The portion of the increase in assessed value directly attributable to the subdivision of a single parcel of property into three or more parcels and any improvements made to the property necessitated by its subdivision is exempt from City taxes for up to five years. The exemption is terminated when a lot in the subdivision is sold, or a residential or commercial use is established on a lot in the subdivision.

#### **5.07.050 Temporary Landscape Exemption.**

- A. There is an exemption from taxation for the increase of assessed value that is directly attributable to landscaping, or new exterior maintenance or repair of an existing structure, and if the landscaping, exterior maintenance, or repair, when completed, enhances the exterior appearance or aesthetic quality of the land or structure. An exemption may not be allowed under this subsection for the construction of an improvement to a structure if the principal purpose of the improvement is to increase the amount of space for occupancy or nonresidential use in the structure or for landscaping as a consequence of construction activities. An exemption under this subsection continues for three years commencing with the year in which the exemption is approved by the assessor.
- B. An application for exemption under this subsection shall be filed with the assessor no later than March 1 of the year immediately following the year in which the landscaping, or exterior maintenance or repair of an existing structure, that is the subject of the application in whole or in part, may be appealed to the Board of Equalization, as provided in Section 5.06.090 of this Chapter.
- C. An exemption granted under this subsection expires at the end of three years and cannot be renewed. The granting of an exemption under this subsection does not affect changes in the assessed value of property that are attributable to causes other than the landscaping or exterior maintenance or repair of an existing structure that is the basis for the exemption. A reappraisal will be required prior to granting of a subsequent exemption.

#### **5.07.060 Economic Development Property Exemption.**

- A. The assessed value of property used for economic development, as defined in this Chapter, may be exempt from City property taxes or receive a deferral from City property taxes under the conditions listed in this section.

- B. “Property used for economic development” as used in this section, means that part of real or personal property, as determined by the assessor, that is being developed or redeveloped in a manner intended to result in an outcome that causes an increase in, or avoids a decrease of, economic activity, gross domestic product, or the City tax base in such a manner that City Council has determined an exemption or deferral from property tax is in the best interest of the Cordova community.
- C. Property used for economic development may be:
  1. Exempted from property taxes on up to one hundred percent of the assessed value of the property for up to five consecutive years;
  2. Deferred from payment of taxes for up to five years; or
  3. Deferred from payment of property taxes until substantial completion of construction if a property owner is in the process of developing or building property used for economic development but has not yet completed construction on such property.
- D. City Council shall approve the economic development exemption and deferral application form, and any substantive changes to that application, by ordinance. The application shall specify the specific types of land use that causes an increase in or avoids a decrease of economic activity, gross domestic product, or City tax base in such a manner that an exemption or deferral from property tax is in the best interest of the Cordova community. The application shall specify the terms and conditions of an exemption or deferral. The approved application form and any changes to the form shall be published at least 30 days before taking effect. Except as otherwise provided in this section, an application under this section shall be processed in the same manner as all applications under this Chapter and Chapter 5.06.
- E. In addition to the application requirements and specifications adopted in the application itself or otherwise specified in this Chapter or Chapter 5.06, an applicant seeking a construction deferral must also submit a development plan to be approved by the city assessor. Upon construction of the economic development property satisfactory to the City, the City may change deferral under this subsection into an exemption which shall not exceed the remainder of the five-year period from the date the deferral was approved.
- F. If the property to be used for economic development is not developed or created within the time specified in the application, the City may immediately terminate the deferral and take any other action permitted by law including, but not limited to, collecting all property taxes accrued on the property during the construction deferral, collecting penalties and interest on the taxes owed from the date such taxes would have been due if no deferral had been granted, and attaching a tax lien to the property.

**5.07.070 Leased exempt property – Taxes due.**

When any real property exempt from taxation is leased, loaned, or otherwise made available to or used by a person, such person’s interest shall be taxable. Taxes shall be assessed to such person and collected in the same manner as taxes assessed to owners of real property, except that taxes assessed shall be a lien only on the interest of such person in the property. When due, taxes so assessed shall constitute a debt due from such person to the City and shall be recoverable by an action against such person. This remedy is available as an alternative to or as addition to the remedy of foreclosure of the interest of the person in the property.

**5.07.080 Definitions.**

In this Chapter:

- A. “Disabled veteran” means a disabled person:
  1. Separated from the military service of the United States under a condition that is not dishonorable, who is a resident of the state, whose disability was incurred or aggravated in the line of duty in the military service of the United States, and whose disability has been rated as fifty percent or more by the branch of service in which that person served or by the veterans' administration; or
  2. Who served in the Alaska territorial guard, is a resident of the state, whose disability was incurred or aggravated in the line of duty while serving in the Alaska territorial guard, and whose disability has been rated as fifty percent or more;
- B. “Own and occupy” means:

1. Possession of an interest in real property, which interest is recorded in the office of the district recorder, or if unrecorded, is attested by a contract, bill of sale, deed of trust, or other proof in a form satisfactory to the assessor; and
  2. Living on that property as one’s primary residence;
- C. “Permanent place of abode” means a dwelling in which the person resides at least one hundred eighty-five days in the year prior to the exemption year and when absent, the dwelling is not leased or rented to another. This includes, but is not limited to, a mobile home or condominium and includes lots or outbuildings, or an appropriate portion thereof, which is necessary to convenient use of the dwelling unit;
- D. “Property used for economic development” as used in this section, means that part of real or personal property, as determined by the assessor, that is being developed or redeveloped in a manner intended to result in an outcome that causes an increase in, or avoids a decrease of, economic activity, gross domestic product, or the city tax base.
- E. “Resident” means an applicant who has a fixed habitation in the state of Alaska for at least one hundred eighty-five days per calendar year, and, when absent, intends to return to the state of Alaska;
- F. “Senior citizen” means one who is sixty-five years of age or older before January 1 of the exemption year.

**Section 6.** Section 1.28 “Minor Offense Schedule” is amended to add the following violations and fines:

CODE REF	CODE TITLE	FINE PER DAY
<b><u>5.06.020(F)</u></b>	<b><u>False application for exemption.</u></b>	<b><u>\$1,000</u></b>
<b><u>5.06.020(F)</u></b>	<b><u>False representation regarding tax exemption or deferral.</u></b>	<b><u>\$1,000</u></b>
<b><u>5.06.070</u></b>	<b><u>Failure to notify Assessor of change in ownership, use, or sale.</u></b>	<b><u>\$300.00</u></b>

**Section 7.** This ordinance shall be effective January 1, 2025, and in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska.

1st reading: June 5, 2024

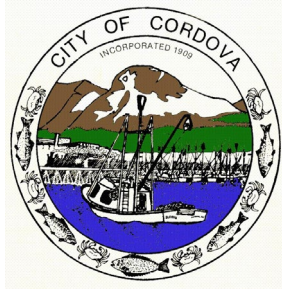
2nd reading and public hearing: July 3, 2024

**PASSED AND APPROVED THIS 3<sup>rd</sup> DAY OF JULY 2024.**

ATTEST:

\_\_\_\_\_  
David Allison, Mayor

\_\_\_\_\_  
Susan Bourgeois, CMC, City Clerk



**AGENDA ITEM # 7**  
**Regular Meeting Date: 07/03/24**  
**CITY COUNCIL COMMUNICATION FORM**

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**FROM:** Susan Bourgeois, City Clerk

**DATE:** 6/6/24

**ITEM:** Ordinance 1218 changing code to match the charter which was changed via prop one at March 5, 2024, election

**NEXT STEP:** Roll Call Vote of consent calendar adopts the ordinance on second reading

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ORDINANCE  
 MOTION

RESOLUTION  
 INFORMATION

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**I. REQUEST OR ISSUE:** Ordinance 1218

**II. RECOMMENDED ACTION:** Approval of consent calendar which would adopt this ordinance on second reading. If a member wants to discuss the ordinance, they should pull this item from the consent calendar. Then suggested motion would be to approve ordinance 1218.

**III. BACKGROUND:** City Council approved Resolution 05-23-16 in May of 2023 placing a ballot prop before the voters to change charter to make Council seats non-designated and to eliminate the 40% threshold required to elect Council members and the Mayor. Proposition 1 was approved by the voters at the March 5, 2024, Regular Election. City Code specifically portions of Title 2 – Elections, now requires changes to eliminate conflict with the newly amended charter. The 40% threshold will be removed from City Code and the language concerning run-offs will be removed since run-offs will no longer be required.

**IV. LEGAL ISSUES:** City Attorney has reviewed the ordinance.

**V. SUMMARY AND ALTERNATIVES:** If Council does not want to approve this ordinance then Council would have to consider an alternative because charter and code cannot conflict.

**CITY OF CORDOVA, ALASKA  
ORDINANCE 1218**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA, AMENDING  
CORDOVA MUNICIPAL CODE SECTION 2.18.040 - DETERMINATION OF ELECTED  
CANDIDATES AND PASSAGE OF PROPOSITIONS, AND REPEALING SECTION 2.20.100 -  
RUN-OFF ELECTIONS, TO PREVENT CONFLICT WITH CHARTER WHICH WAS  
CHANGED WITH VOTER APPROVAL OF PROPOSITION ONE AT THE MARCH 5, 2024,  
REGULAR CITY ELECTION**

**WHEREAS**, the Council of the City of Cordova approved Resolution 05-23-16 on May 3, 2023, placing proposition one before the voters at the March 5, 2024, Regular City Election; and

**WHEREAS**, the voters approved proposition one at the March 5, 2024, Regular City Election; and

**WHEREAS**, proposition one effectuated non-designated Council seats and removed the 40% vote threshold for prevailing Mayoral and City Council candidates; and

**WHEREAS**, the 40% vote threshold remains in Title 2 of City Code in 2 locations and it is in the City's best interest to change Code to prevent conflict between Charter and Code.

**NOW, THEREFORE**, it is ordained as follows:

**Section 1.** Cordova Municipal Code Section 2.18.040 Determination of elected candidates and passage of propositions, is hereby amended as follows:

2.18.040 Determination of elected candidates and passage of propositions.

- A. Except as provided otherwise in this Code, the candidate receiving the greatest number of votes cast for an office ~~and not less than forty percent of the total votes cast for that office~~ shall be elected.
- B. If the number of "yes" votes on any proposition exceeds the number of "no" votes, the proposition shall be considered approved. The proposition shall become effective immediately upon certification of the election results.

**Section 2.** Cordova Municipal Code Chapter 2.20 Election Contests, Recounts, and Run-Offs, is hereby amended as follows:

Chapter 2.20 - ELECTION CONTESTS, **AND** RECOUNTS, ~~AND RUN-OFFS~~

...

~~2.20.100 Run-off elections.~~

~~A run-off election shall be held within three weeks after the date of certification of the election if no candidate for a given seat on council or for the office of mayor receives at least forty percent of the votes cast for that seat. Notice of the run-off election shall be published at least twenty days before the run-off election. The run-off election shall be between the two candidates receiving the highest number of votes for the office or council seat. The candidate receiving the greatest number of votes in the run-off election shall be elected.~~

Deleted language is stricken through and **added language is bold and underlined**

**Section 3.** This ordinance shall be effective thirty (30) days after its passage and publication. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska, within ten (10) days after its passage.

1st reading: June 5, 2024

2nd reading and public hearing: July 3, 2024

**PASSED AND APPROVED THIS 3<sup>rd</sup> DAY OF JULY 2024.**

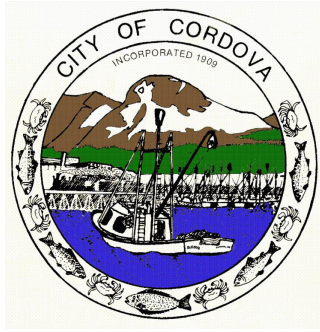
\_\_\_\_\_  
David Allison, Mayor

ATTEST:

\_\_\_\_\_  
Susan Bourgeois, City Clerk

DRAFT

~~Deleted language is stricken through~~ and **added language is bold and underlined**



**AGENDA ITEM 8**  
**City Council Meeting Date: 7/3/24**  
**CITY COUNCIL COMMUNICATION FORM**

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**FROM:** Susan Bourgeois, City Clerk  
**DATE:** 06/25/24  
**ITEM:** Council option to protest/waive protest for renewal of Liquor License #2587  
**NEXT STEP:** Motion to waive protest via approval of consent calendar

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ORDINANCE  
 MOTION

RESOLUTION  
 INFORMATION

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**I. REQUEST OR ISSUE:** A Cordova business, Copper River and Northwest Limited, Inc., dba The Moose Caboose, has applied for a Liquor License Renewal (Beverage Dispensary, Seasonal) with the State through the AMCO (Alcohol and Marijuana Control Office).

**II. RECOMMENDED ACTION / NEXT STEP:** Council action to waive right to protest the renewal.

**III. FISCAL IMPACTS:** none, staff sees no reason to protest see background

**IV. BACKGROUND INFORMATION:** Finance Staff has determined this business to be current in all financial obligations to the City. Police Department has no public safety concerns with this business.

**V. LEGAL ISSUES:** The local governing body's right to protest is defined in AS 04.11.480, attached.

**VI. SUMMARY AND ALTERNATIVES:** Council approval of the consent calendar would constitute approval of this motion:

***Council motion to waive it's right to protest the renewal of liquor license #2587, Copper River and Northwest Limited, Inc., dba, The Moose Caboose, Seasonal Beverage Dispensary License.***





June 11, 2024

From: [Alcohol.licensing@alaska.gov](mailto:Alcohol.licensing@alaska.gov) ; [amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)

Licensee: Copper River & Northwest Limited, Inc.

DBA: The Moose Caboose

VIA email: [beckychapek@gmail.com](mailto:beckychapek@gmail.com)

Local Government 1: Cordova

Local Government 2: N/A

Via Email: [cityclerk@cityofcordova.net](mailto:cityclerk@cityofcordova.net); [cityclerk3@cityofcordova.net](mailto:cityclerk3@cityofcordova.net)

Community Council: N/A

Via Email: N/A

RE: Beverage Dispensary - Seasonal License #2587 Combined Renewal Notice

<b>License Number:</b>	2587
<b>License Type:</b>	Beverage Dispensary – Seasonal
<b>Licensee:</b>	Copper River & Northwest Limited, Inc.
<b>Doing Business As:</b>	The Moose Caboose
<b>Physical Address:</b>	Lot 1 Block 88 Cordova Airport
<b>Designated Licensee:</b>	Rebekah Chapek
<b>Phone Number:</b>	907-253-5356
<b>Email Address:</b>	<a href="mailto:beckychapek@gmail.com">beckychapek@gmail.com</a>

License Renewal Application

Endorsement Renewal Application

**Dear Licensee:**

Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **June 25<sup>th</sup>, 2024**, board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The

board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the [Alcohol.licensing@alaska.gov](mailto:Alcohol.licensing@alaska.gov) email address if you have any questions.

**Dear Local Government:**

We have received completed renewal applications for the above listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsement, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

To protest any application(s) referenced above, please submit your written protest for each within 60 days to AMCO and provide proof of service upon the applicant and proof that the applicant has had reasonable opportunity to defend the application before the meeting of the local governing body.

If you have any questions, please email [amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov).

**Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)**

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body.

If you have any questions, please email [Alcohol.licensing@alaska.gov](mailto:Alcohol.licensing@alaska.gov)

Sincerely,

A handwritten signature in blue ink that reads "Joan M. Wilson". The signature is written in a cursive style with a large initial "J".

Joan M. Wilson, Director  
907-269-0350



Alaska Alcoholic Beverage Control Board

AMCO  
DEC 26 2023

## Form AB-17: 2024/2025 General Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than January 2, 2024 per AS 04.11.270, 3 AAC 305.050, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any complete application for renewal or any fees for renewal that have not been postmarked by February 28, 2024 will be expired per AS 04.11.540, 3 AAC 305.050(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the mandatory fees and all documents required, or the application will be returned without being processed, per AS 04.11.270.
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

### Section 1 - Establishment Contact Information

Doing Business As:	The Moose Caboose	License #:	2587
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If your mailing address has changed, write the NEW address below:

Mailing Address:	P.O. Box 1564		
City:	Cordova	State:	AK
ZIP:	99574		

### Section 2 - Licensee Contact Information

Contact Licensee: The individual listed below must be part of the ownership structure of the licensee listed in Section 1. This person will be the designated point of contact regarding this license unless the Optional contact is completed.

Contact Licensee:	Becky Chapek	Contact Phone:	907-253-5356
Contact Email:	beckychapek@gmail.com		

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee (such as legal counsel) about your license, list their information below:

Name of Contact:		Contact Phone:	
Contact Email:			

### Section 3 - for Package Stores ONLY: Written Order Information

Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2024 and/or 2025? If so, you will need to apply for a Shipping Endorsement here:  
<https://accis.elicense365.com/#>

YES  NO

### Section 4 - Ownership Structure Certification

Did the ownership structure of the licensed business change in 2022/2023? YES  NO

If Yes, and you have NOT notified AMCO, list the updated information on form AB-39: Change of Officers and submit with your renewal application. If No, certify the statement below by initialing the box to the right of the statement:

I certify that the ownership structure of the business who owns this alcohol license did not change in any way during the calendar years 2022 or 2023.





AMCO  
DEC 26 2023

Section 5 – License Operation

Unless you operated more than 240 hours in 2022 or 2023, check ONE BOX for EACH CALENDAR YEAR that best describes how this alcoholic beverage license was operated as set forth in AS 04.11.330:

- |   | 2022                                | 2023                                |
|---|-------------------------------------|-------------------------------------|
| 1. The license was <b>only operated during a specified time</b> each year. (Not to exceed 6 months per year)<br><i>If your operation dates have changed, list them below:</i><br>_____ to _____   | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.<br><i>A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.</i>  | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. <i>A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated.</i> | <input type="checkbox"/>            | <input type="checkbox"/>            |

Section 6 - Violations and Convictions

- |   | YES                      | NO                                  |
|---|--------------------------|-------------------------------------|
| Have any Notices of Violation been issued for this license in 2022 or 2023?<br>—  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Has any person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2022 or 2023? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2). If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.*

Section 7 – Certifications

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 305, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license and have provided all required documents for any new or changes of officers.
- I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 305.700.
- I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.



# Form AB-17: 2024/2025 License Renewal Application

AMCO  
DEC 26 2023

**Rebekah A. Chapek**

Printed name of licensee

*Rebekah A. Chapek*

Signature of licensee

**Restaurant and Eating Place** applications must include a completed AB-33: Restaurant Receipts Affidavit

**Recreational Site** applications must include a completed AB-36: Recreational Site Statement

**Tourism** applications must include a completed AB-37: Tourism Statement

**Wholesale** applications must include a completed AB-25: Supplier Certification

**Common Carrier** applications must include a current safety inspection certificate

All renewal and supplemental forms are available online:

<https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx>

**FOR OFFICE USE ONLY**

License Fee:	\$1250.00	Application Fee:	\$ 300.00	Misc. Fee:	\$	
					Total Fees Due:	\$1550.00

*# 100739995*

## Alaska Statutes

### **Sec. 04.11.480. Protest.**

(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application. The board shall consider a protest and testimony received at a hearing conducted under [AS 04.11.510\(b\)\(2\)](#) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under [AS 04.11.510\(b\)\(2\)](#) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

(b) If the permanent residents residing outside of but within two miles of an incorporated city or an established village wish to protest the issuance, renewal, or transfer of a license within the city or village, they shall file with the board a petition meeting the requirements of [AS 04.11.510\(b\)\(3\)](#) requesting a public hearing within 30 days of the posting of notice required under [AS 04.11.310](#), or by December 31 of the year application is made for renewal of a license. The board shall consider testimony received at a hearing conducted under [AS 04.11.510\(b\)\(3\)](#) when it considers the application, and the record of a hearing conducted under [AS 04.11.510\(b\)\(3\)](#) shall be retained as part of the board's permanent record of its review of the application.

(c) A local governing body may recommend that a license be issued, renewed, relocated, or transferred with conditions. The board shall consider recommended conditions and testimony received at a hearing conducted under [AS 04.11.510\(b\)\(2\)](#) or (4) when it considers the application or continued operation, and the recommended conditions and the record of the hearing conducted under [AS 04.11.510\(b\)\(2\)](#) or (4) shall be kept as part of the board's permanent record of its review. If the local governing body recommends conditions, the board shall impose the recommended conditions unless the board finds that the recommended conditions are arbitrary, capricious, or unreasonable. If a condition recommended by a local governing body is imposed on a licensee, the local governing body shall assume responsibility for monitoring compliance with the condition, except as otherwise provided by the board.

(d) In addition to the right to protest under (a) of this section, a local governing body may notify the board that the local governing body has determined that a licensee has violated a provision of this title or a condition imposed on the licensee by the board. Unless the board finds that the local governing body's determination is arbitrary, capricious, or unreasonable, the board shall prepare the determination as an accusation against the licensee under [AS 44.62.360](#) and conduct proceedings to resolve the matter as described under [AS 04.11.510\(c\)](#).

**Article 7. Board Procedures.**

**Sec. 04.11.510. Procedure for action on license applications, suspensions, and revocations.**

(a) Unless a legal action relating to the license, applicant, or premises to be licensed is pending, the board shall decide whether to grant or deny an application within 90 days of receipt of the application at the main office of the board. However, the decision may not be made before the time allowed for protest under AS 04.11.480 has elapsed, unless waived by the municipality.

(b) The board may review an application for the issuance, renewal, transfer of location, or transfer to another person of a license without affording the applicant notice or hearing, except

(1) if an application is denied, the notice of denial shall be furnished the applicant immediately in writing stating the reason for the denial in clear and concise language; the notice of denial must inform the applicant that the applicant is entitled to an informal conference with either the director or the board, and that, if not satisfied by the informal conference, the applicant is then entitled to a formal hearing conducted by the office of administrative hearings (AS 44.64.010); if the applicant requests a formal hearing, the office of administrative hearings shall adhere to AS 44.62.330 — 44.62.630 (Administrative Procedure Act); all interested persons may be heard at the hearing and unless waived by the applicant and the board, the formal hearing shall be held in the area for which the application is requested;

(2) the board may, on its own initiative or in response to an objection or protest, hold a hearing to ascertain the reaction of the public or a local governing body to an application if a hearing is not required under this subsection; the board shall send notice of a hearing conducted under this paragraph 20 days in advance of the hearing to each community council established within the municipality and to each nonprofit community organization entitled to notification under AS 04.11.310(b);

(3) if a petition containing the signatures of 35 percent of the adult residents having a permanent place of abode outside of but within two miles of an incorporated city or an established village is filed with the board, the board shall hold a public hearing on the question of whether the issuance, renewal, or transfer of the license in the city or village would be in the public interest;

(4) if a protest to the issuance, renewal, transfer of location or transfer to another person of a license made by a local governing body is based on a question of law, the board shall hold a public hearing.

(c) Unless the grounds for the suspension or revocation are under AS 04.11.370(a)(4), board proceedings to suspend or revoke a license shall be conducted in accordance with AS 44.62.330 — 44.62.630 (Administrative Procedure Act), except that the licensee is entitled to an opportunity to informally confer with the director or the board within 10 days after the accusation is served upon the licensee. Notice of the opportunity for an informal conference shall be served upon the licensee along with the accusation. If an informal conference is requested, the running of the period of time specified in AS 44.62.380 for filing a notice of defense is tolled from the date of receipt of the request for the conference until the day following the date of the conference unless extended by the board. After the conference, the licensee, if not satisfied by the results of the conference, may obtain a hearing by filing a notice of defense as provided in AS 44.62.390. If the grounds for suspension or revocation are under AS 04.11.370(a)(4), the licensee is not entitled to notice and hearing under AS 44.62.330 — 44.62.630 on the merits of the suspension or revocation. However, the board shall afford the licensee notice and hearing on the issue of what administrative sanction to impose under AS 04.16.180.

## **Alaska Administrative Code**

### **3 AAC 304.145. Local governing body protest**

(a) To protest an application or the continued operation of a license, a local governing body must set out its reasons in a written protest filed with the board and copied to the applicant. The reasons stated by a local governing body must be logical grounds for opposing the application or continued operation of the license and have a reasonable basis in fact.

(b) The board will not take final action upon an application until at least

(1) 60 days after the receipt of the notice required by [AS 04.11.520](#) by a local governing body unless it advises the director in writing before the end of the 60 days that it is waiving its right to protest the application; and

(2) 15 days after completion of public notice of the application.

(c) Repealed 5/11/96.

(d) A local governing body that protests an application shall allow the applicant a reasonable opportunity to defend the application before a meeting of the local governing body.

(e) A local governing body protest may be based upon facts that render the particular application objectionable to the local body, or may be based upon a general public policy. If based on a general public policy, the policy must have a reasonable basis in fact, may not be contrary to law, and may not be patently inapplicable to the particular application being protested. The board will not substitute its judgment for that of the local governing body on matters of public policy that have reasonable factual support.

(f) If the application is denied because of the protest, and the applicant requests a hearing, the local governing body must, at the board's request, appear or otherwise meaningfully participate in the hearing and must assist in or undertake the defense of its protest.

(g) In addition to the other grounds for protest set out in this section, a local governing body may protest the

(1) renewal or transfer of a license based on nonpayment of delinquent taxes of at least \$200 arising in whole or in part from the conduct of the licensed business; and

(2) transfer of a license if the

(A) local governing body has adopted an ordinance under which it may estimate the amount of taxes due in the tax year of the proposed transfer and arising in whole or in part from the conduct of the licensed business, and require the licensee to pay the estimated amount; and

(B) licensee fails to pay that amount or give security under [AS 04.11.360](#).

(h) The board may uphold a protest of an application or continued operation with a single abeyance period not to exceed 180 days if the local governing body indicates that the protest is subject to rescission and that it will be withdrawn if the applicant meets conditions set by the local governing body. If the local governing body notifies the board within the period of the abeyance that the protest has been removed, the application or continued operation is approved when all other applicable requirements have been met. If the local governing body has not notified the board within the period of the abeyance that it has removed the protest, the application or continued operation is denied. The period of abeyance may not be extended or renewed.



## South Harbor Construction Update 6/27/24

To date floats H, I, J & K are open. Parking and the eastern access gangway are still closed for construction.

Currently, water is only available at J & K floats with electricity and remaining water service being activated as soon as possible. G float, while structurally complete needs electrical and water services. More slips will be opened and assigned as construction progresses.

All floats, gangways, sea wall, drive down dock and bridge are in place. Remaining work is parking, safety railings, utilities and finish concrete remain.

Concrete work is scheduled to begin 1 July to complete the eastern access. Parking will be completed and opened shortly after concrete work is finished.

Substantial completion inspections took place from 24-26 June with City of Cordova Project Manager, Consultants and Turnagain Marine. Acceptance documents are being drafted and are scheduled to be complete by mid-July. Electrical services will take longer to complete due to supply chain delays and difficulty of wiring harbor floats. Subcontractor leadership is now on sight and working to speed completion.

Nicholoff is still closed for construction but will be reopened in phases as contractors complete work and begin demobilization.

To date Cordova has paid \$36.5 million to Turnagain Marine with \$3.4 million remaining on the contract and \$7.2 million remaining in grant funds to be reimbursed.

## **Council Packet Correspondence Primer: Communicating with Your Elected Cordova Officials**

This primer provides an overview of City of Cordova policies regarding the submission of correspondence to the City Clerk's office for distribution to City Council. These policies are general in nature and do not preempt the application of relevant laws to correspondence distribution. To the extent you have questions regarding the distribution of specific correspondence, please contact the City Clerk's office.

### **What gets published in Council packets as Correspondence?**

- Letters, emails, cards, or other written or electronic mail addressed to City Council, any individual member of City Council or the Mayor, regardless of whether or not the sender has requested inclusion of the correspondence in a City Council packet.
- Letters, emails, cards, or other written or electronic mail written by the Mayor, individual City Council members in their capacity as elected officials, or the Council as a body
- Letters, emails, cards, or other written or electronic mail by agencies/entities that are pertinent to Council and the citizens of Cordova (e.g. population determination, full value determination, open comment periods for projects/leases in and around Cordova, etc.)
- Only correspondence received by the Clerk's Office on or before noon on the Wednesday before a regular Council meeting is eligible for inclusion in the packet for that meeting. Correspondence eligible for inclusion received after that date and time will be included in the next regularly scheduled Council meeting packet. (See CMC 3.12.035).

### **What does not get published in Council packets as Correspondence?**

- Letters, emails, cards, or other written or electronic mail that are disparaging to individuals or entities
- Letters, emails, cards, or other written or electronic mail that have been sent anonymously
- Letters, emails, cards, or other written or electronic mail that contain confidential information or information that would warrant a constitutional violation of privacy or could potentially violate an individual's or an entity's constitutional rights.

### **More information about items not subject to publication:**

- Correspondence that is not subject to publication in a Council packet will, however, be forwarded to the Mayor and City Council members with notification that the communication will not be included in the Council packet and the reasons for the exclusion.
- The City will attempt to contact the writer of the correspondence to inform them that the City has determined not to publish what they have sent. Notifications will be sent to the return address on the communication if one has been provided. (the best way to ensure the City is able to reach the writer is if the correspondence has been emailed through the City Clerk [cityclerk@cityofcordova.net](mailto:cityclerk@cityofcordova.net))
- A person who submits a communication that is not subject to publication in a Council packet, may still attend a meeting and read the communication during audience comments (if it is about an agenda item) or during audience participation, if it is not about an agenda item. Oral comments during a Council meeting will not be monitored or limited for content unless the comments made incite or promote violence against a person or entity. The City is not responsible or liable for the comments, thoughts, and/or opinions expressed by individuals during the public comment period at a Council meeting.

### **Suggestions concerning correspondence:**

- Correspondence intended for all Council members should be emailed to the City Clerk at [cityclerk@cityofcordova.net](mailto:cityclerk@cityofcordova.net), hand-delivered or sent via U.S. mail to the Clerk's office. Correspondence should be clearly addressed to "Cordova City Council." Unless clearly stated otherwise, the City Clerk will presume that all correspondence addressed to City Council is intended for inclusion in the packet.

Councilmembers -

As complications arise concerning communication & in regard to Lot 6, cleanup, my status as citizen of Cordova with note to inherent proxy-like interactions on your behalf to transients & other matters; I now am certain of my position being best served in Cordova rather than elsewhere.

I may be unable to retain real estate.

My hopeful departure from California may take place as soon as June 20, 2024. Upon arrival I shall seek better understanding of status of Lot 6.

Dependant upon that information & leaning toward loss - due - to relinquishment (caveat upon caveat) I intend to dwell & thrive more permanently & visibly than before within a ~~bit~~ human-powered pico-shelter on wheels.

Please consider promoting, rather than restricting use of such practical solution to "homelessness".

The undersheltered & unsheltered might mightily benefit from our Community taking a forthright stance that such personal property fulfills The Constitution of The United States of America by providing for the "huddled masses" via reasonable amenities.

Impact to the housing industry & positive impact to the Community can & shall (with your promotion) serve as a monitorable guide for larger Communities to consider.

In keeping with standards: Solid construction; lightweight. Designed for single-person use. Zero impound fees. & if my aptitude for matters becomes funded ~ P.A.C.E. Parks can own, maintain & distribute these "Hard-shelled-tents-on-wheels" to transients, rather than to anticipate the ghettoization of our woodlands.

J. Chancy H.  
"Chancy Soul"



May 28, 2024

P.O. Box 2314  
Cordova.

No toilet. No shower.

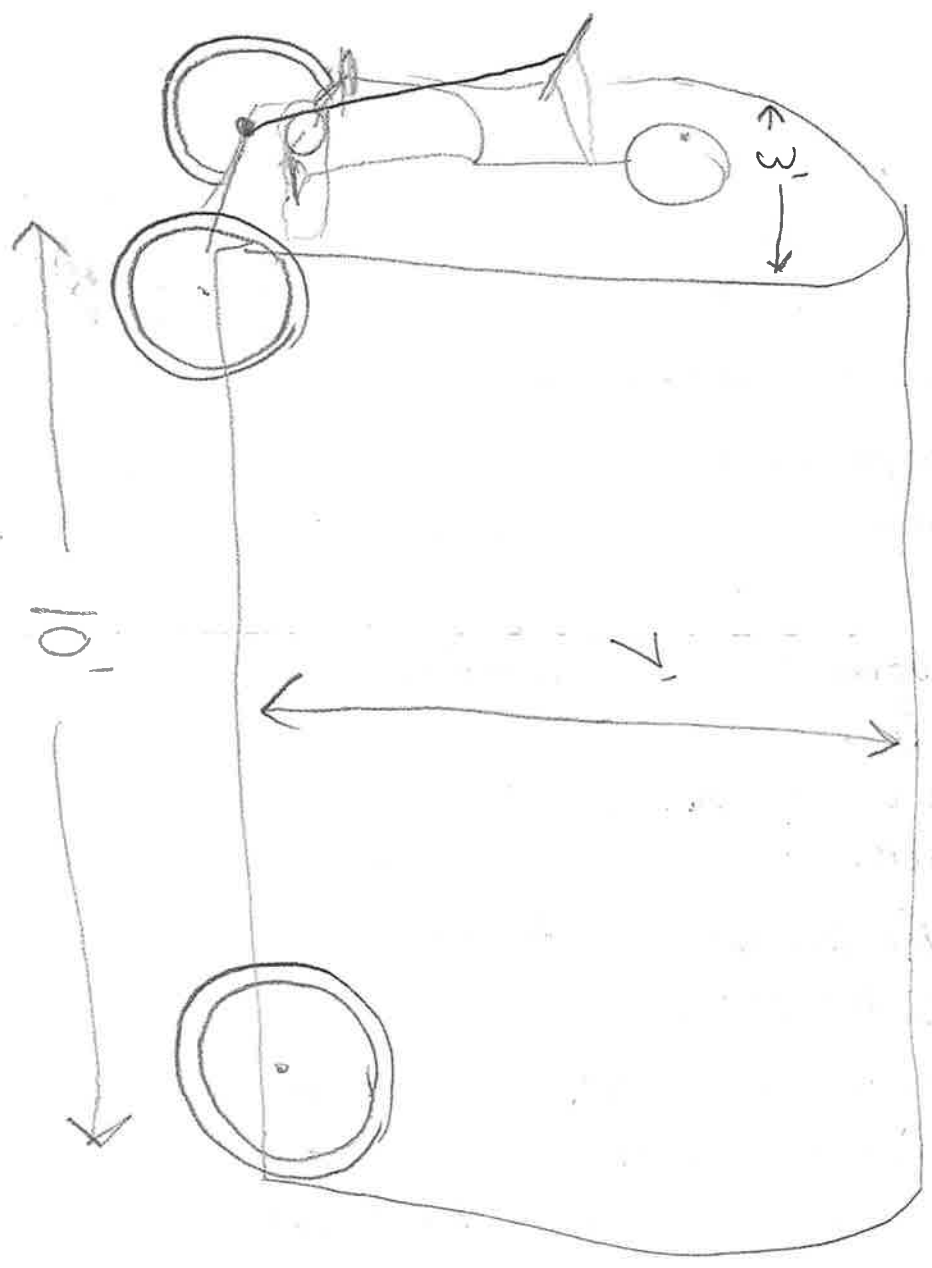
Bunk, storage & room to dress & room to cook food.

Requires municipal cooperation for maintenance of basic human comforts & protection of rights.

Might altogether fall outside of purview of law.

Street/sidewalk daytime parking.

• Winter time parking concerns



J. Charney Harmon  
 P.O. Box 2314  
 Cordova,



CORDOVA DISTRICT  
**FISHERMEN**  
— UNITED —

**Board of Directors**

**Ezekiel Brown**  
President  
*F/V Lucid Dream*

**Dennis Zadra**  
Vice-President  
*F/V Raging Bull*

**Michael Hand**  
Vice-President  
*F/V Bounty*

**Hayley Hoover**  
Treasurer  
*F/V Nellie Juan*

**Jeff Bailey**  
*F/V Odyssey*

**Ron Blake**  
*F/V Ace*

**Marc Carrel**  
*F/V Silver Moon*

**Darin Gilman**  
*F/V Redline*

**Forest Jenkins**  
*Eshamy Setnet*

**Makena O'Toole**  
*F/V Freyja Dawn*

**Phyllis Shirron**  
*F/V Cape Fear*

**Steven Swartzbart**  
*F/V Alpine*

**Executive Director**

**Jess Rude**

June 3, 2024

City Council Members,

CDFU wants to express full support for the council adopting *Resolution 06-24-26* in support of Amendment 123, which requires lower halibut bycatch limits at lower levels of halibut abundance in Bering Sea/Aleutian Islands (BSAI) groundfish fisheries. We also encourage the council to approve the accompanying request to join other Alaska fishing communities in filing an amicus brief to help defend critical halibut bycatch limits in the lawsuit against NMFS final rule A-123 brought by the A-80 sector bottom-trawl fleet that is responsible for significant halibut mortality.

A-123 specifically addresses BSAI fisheries, but it impacts healthy halibut stocks and conservation for all of Alaska. Juvenile halibut in the Bering Sea - the majority of BSAI trawl bycatch - migrate to become the healthy fish Cordovans set out to catch in Prince William Sound and the Gulf of Alaska. Defending NMFS and supporting A-123 ensures halibut conservation and future opportunities for fishing halibut. The outcome of this court case will inform the ability to enact bycatch reductions for any species.

CDFU has advocated for abundance-based halibut management alongside the organizations in the Halibut Defense Alliance group on this issue and year-round through IPHC workgroups. The Board of Directors voted unanimously to file its own amicus brief in support of NFMS and support halibut fishermen in 3A and beyond. Fishing communities joining in support will bear weight in this case.

Sincerely,

Jess Rude

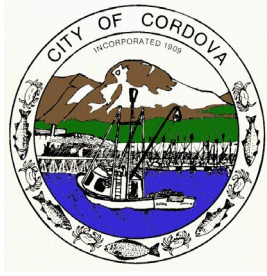
**From:** Gary Graham <[ggary8838@gmail.com](mailto:ggary8838@gmail.com)>  
**Sent:** Monday, June 10, 2024 12:27 PM  
**To:** David Allison <[mayor@cityofcordova.net](mailto:mayor@cityofcordova.net)>  
**Subject:** Additional secure storage at Bayside Storage.

Dear Mayor Allison and city council members

Libbie and I would like to voice our support of Bayside Storage being able to expand their storage units for rental. There is a critical shortage of storage space in this town as evidenced by the waiting list (that we are on by the way). We have been customers at Bayside for more years than I can count. Their units are clean, well kept/maintained, and definitely not an eyesore like the space they are trying to acquire. Their prices are fair and their units easily accessed. Snow removal in the winter is exceptional. We have never had a problem accessing our units. The only other storage units in the area are full, overly priced and totally painful to access. Also, the impound lot is not on the tax rolls. The additional sales tax revenue would also be a good thing. This project would make a significant addition to the property tax base which is always a good thing. We strongly support the council approving the sale to the Kellys ASAP. Their services and tax revenues are sorely needed.

Thank you for your attention to this request.

Gary and Libbie Graham



**AGENDA ITEM 16**  
**City Council Meeting Date: 07/3/2024**  
**CITY COUNCIL COMMUNICATION FORM**

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**FROM:** Samantha Greenwood, City Manager  
**DATE:** 06/28/24  
**ITEM:** Award of Sole Source Contract to GV Jones & Associates Inc.  
**NEXT STEP:** Council approval of a resolution authorizing City Manager to negotiate a sole source contract

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ORDINANCE  
 MOTION

RESOLUTION  
 INFORMATION

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**I. REQUEST OR ISSUE:** To approve a sole source contract with GV Jones & Associates Inc. to complete a Wastewater Master Plan.

*5.12.150 - Sole source procurements.*

*A. The City may procure supplies, services, or construction without competition where the city manager determines in writing that one of the following circumstances applies:*

- 1. Supplies, services or construction that reasonably meet the City's requirements are available from only one vendor;*
- 2. The supplies, services or construction have a uniform price wherever purchased;*
- 3. The supplies, services, or construction may be purchased from or through another governmental unit at a price lower than that obtainable from private vendors;*
- 4. The price of the supplies, services, or construction is fixed by a regulatory authority; or*
- 5. The contract is for professional services that the council by resolution determines to procure without formal competition.*

*B. The award of any contract under this section shall be subject to prior council approval in accordance with Section 5.12.040.*

This contract meets the requirements of 5.12.150 A5 above by providing professional services from a firm that has extensive experience of sewer treatment plant and the city's infrastructure. It is in the best interest of the city to incorporate their experience and knowledge into the wastewater master plan. This document is an evaluation of what the city has, what the city needs and projection of the future needs. The knowledge of our infrastructure and treatment process provides an efficiency in the time of

writing of the plan. The sooner we can have the plan in place, the sooner we can start including it in grant applications.

**II. RECOMMENDED ACTION / NEXT STEP:** Council suggested motion “to approve Resolution 07-24-27 a resolution of the Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a sole source contract GV Jones & Associates Inc. to complete a wastewater master plan not to exceed amount of Seventy-five Thousand Dollars (\$75,000)”.

**III. FISCAL IMPACTS:** This contract will be paid for the Alaska Department of Environmental Conservation (ADEC) State Revolving Fund (SRF) Program reimbursable grant for \$75,000.

**IV. BACKGROUND INFORMATION:** The city has not completed a wastewater master plan since the Smith and Loveless package plant was installed in 1975, with an estimated lifespan of 25 years. The last upgrades to the system occurred in 1999. The plant receives high flow and bypass occurs during Cordova’s storm events, especially extreme fall events. ADEC has questioned the city's side bypass side treatment system installed in the 80s. This may result in bypass violations for the city, requiring extensive upgrades. A sewer master plan will help to assess and prioritize upgrading the entire system. The document will be crucial for seeking grant funding.

The plan will provide cost estimates and priorities, allowing the city to address the I&I (inflow & infiltration) issues, aging distribution, and treatment infrastructure efficiently and strategically. The scope of work includes compiling and completing the city assessment data, and then prioritizing projects based on potential failures and regulatory violations. A rate study will be done to help the city understand and project rate increases, and our ability to incur debt. This plan will also provide an excellent support document for grant/loan applications.

**V. SUMMARY AND ALTERNATIVES:** The council could choose not to approve the contract.



**CITY OF CORDOVA, ALASKA  
RESOLUTION 07-24-27**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA,  
AUTHORIZING THE CITY MANAGER TO ENTER INTO A SOLE SOURCE CONTRACT  
WITH GV JONES & ASSOCIATES INC. TO COMPLETE A WASTEWATER MASTER  
PLAN.**

**WHEREAS;** the city has not completed a wastewater master plan since the Smith and Loveless package plant was installed in 1975, with an estimated lifespan of 25 years; and

**WHEREAS,** the last upgrades to the system occurred in 1999;and

**WHEREAS,** the plant receives high flow and bypass occurs during Cordova's storm events, especially extreme fall events and ADEC has questioned the city's side bypass side treatment system installed in the 80s; and

**WHEREAS,** this may result in bypass violations for the city, requiring extensive upgrades; and

**WHEREAS,** the plan will provide cost estimates and priorities, allowing the city to address the I&I issues, aging distribution, and treatment infrastructure efficiently and strategically; and

**WHEREAS,** the city has received from the Alaska Department of Environmental Conservation (ADEC) State Revolving Fund (SRF) Program a grant towards the completion of a Wastewater Master Plan; and

**WHEREAS,** it is in the best interest of the City to be timely and thorough, GV Jones knowledge of our infrastructure and treatment process provides an efficiency in the time and thoroughness of writing of the plan; and

**WHEREAS,** time is of the essence to complete a wastewater master plan for inclusion in grant applications; and

**WHEREAS,** continuing with professional services from GV Jones & Associates Inc. will allow a complete and timely wastewater master plan; and

**WHEREAS,** City Council does hereby approve the following as required in Cordova Municipal Code Section 5.12.040 Council approval of contracts:

**A. Contractor:** GV Jones & Associates Inc.

**B. Contract price:** \$75,000

**C. Nature and quantity of the performance that the City shall receive:**

*A wastewater master plan that will include but is not limited to cost estimates and priorities, allowing the city to address the I&I (inflow & infiltration) issues, aging distribution, and treatment infrastructure efficiently and strategically*

**D. Time for performance:** *Estimated completion work is October 2024.*

**WHEREAS**, pursuant to Cordova Municipal Code Section 5.12.150A, the City Manager has determined in writing that the services of GV Jones & Associates Inc. are essential and in the City's best interest to complete a Wastewater Master Plan. The City Council affirms by approving this resolution that the City Council agrees that the professional services contract with GV Jones & Associates Inc. should be procured without formal competition.

**NOW, THEREFORE BE IT RESOLVED THAT**, the Council of the City of Cordova, Alaska, hereby authorizes the City Manager to enter into a sole source contract with GV Jones & Associates Inc. to complete the Wastewater Master Plan.

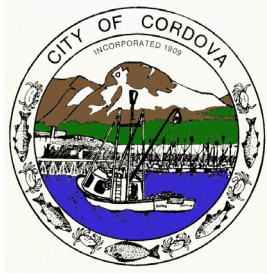
**PASSED AND APPROVED THIS 3rd DAY OF July 2024.**

ATTEST:

\_\_\_\_\_  
David Allison, Mayor

\_\_\_\_\_  
Susan Bourgeois, CMC, City Clerk

DRAFT



**AGENDA ITEM 17**  
**City Council Meeting Date: 07/3/2024**  
**CITY COUNCIL COMMUNICATION FORM**

**FROM:** Samantha Greenwood, City Manager  
**DATE:** 06/28/24  
**ITEM:** Award of Sole Source Contract to GV Jones & Associates Inc.  
**NEXT STEP:** Council approval of a resolution authorizing City Manager to negotiate a sole source contract

ORDINANCE                       RESOLUTION  
 MOTION                                 INFORMATION

**I. REQUEST OR ISSUE:** To approve a sole source contract with GV Jones & Associates Inc. to complete Water Master Plan.

*5.12.150 - Sole source procurements.*

*A. The City may procure supplies, services, or construction without competition where the city manager determines in writing that one of the following circumstances applies:*

- 1. Supplies, services or construction that reasonably meet the City's requirements are available from only one vendor;*
- 2. The supplies, services or construction have a uniform price wherever purchased;*
- 3. The supplies, services, or construction may be purchased from or through another governmental unit at a price lower than that obtainable from private vendors;*
- 4. The price of the supplies, services, or construction is fixed by a regulatory authority; or*
- 5. The contract is for professional services that the council by resolution determines to procure without formal competition.*

*B. The award of any contract under this section shall be subject to prior council approval in accordance with Section 5.12.040.*

This contract meets the requirements of 5.12.150 A5 above by providing professional services from a firm that has extensive experience of the city’s water treatment plant and the city’s infrastucutre. It is in the best interest of the city to incorporate their experience and knowledge into the water master plan. This document is an evaluation of what the city has, what the city needs and projection of the future needs. The knowledge of our infrastructure and treatment process provides an efficiency in the

time of writing of the plan. The sooner we can have the plan in place, we can start including it in grant applications.

**II. RECOMMENDED ACTION / NEXT STEP:** Council suggested motion “to approve Resolution 07-24-28 a resolution of the Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a sole source contract GV Jones & Associates Inc. TO COMPLETE water master plan not to exceed amount of Seventy-five Thousand Dollars (\$75,000)”.

**III. FISCAL IMPACTS:** This contract will be paid for the Alaska Department of Environmental Conservation (ADEC) State Revolving Fund (SRF) Program reimbursable grant for \$75,000.

**IV. BACKGROUND INFORMATION:** The existing 1987 master plan is obsolete. A new plan allows for consolidating existing data, collecting new data, and having a complete system overview, condition assessment, and implementation plan. The City must address the bottlenecks and aging infrastructure in the water distribution system; salmon processing requires 3.5 million gallons daily for multiple weeks. The fish tax collected from processed fish is essential to the City’s budget. The processor's use can impact our ability to deliver water to the citizens. Cordova relies on open water sources which are vulnerable to weather and our ability to store water. For our community to be resilient, we must plan.

The plan will provide cost estimates, solutions, and priorities, allowing the City to address distribution bottlenecks and an aging distribution system efficiently and strategically. The scope of work includes compiling and completing the city assessment data and prioritizing projects based on potential failures, increased distribution, and infrastructure conditions. A rate analysis is part of the plan to determine fiscal impacts. This plan will also provide an excellent support document for grant/loan applications. The product will be an overall direction on how to be resilient for the future.

**V. SUMMARY AND ALTERNATIVES:** The council could choose not to approve the contract.

**CITY OF CORDOVA, ALASKA  
RESOLUTION 07-24-28**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA,  
AUTHORIZING THE CITY MANAGER TO ENTER INTO A SOLE SOURCE CONTRACT  
WITH GV JONES & ASSOCIATES INC. TO COMPLETE A WATER MASTER PLAN.**

**WHEREAS;** the city has not completed a water master plan since 1987; and

**WHEREAS,** water usage for the public and salmon processing has increased and during pink salmon season can require up to 3.5 million gallons a day for multiple weeks; and

**WHEREAS,** the City must address the bottlenecks and aging infrastructure in the water distribution system; and

**WHEREAS,** the plan will enable the city to prepare and be proactive in dealing with potential water distribution issues; and

**WHEREAS,** the plan will provide cost estimates, solutions, and priorities, allowing the City to address distribution bottlenecks and an aging distribution system efficiently and strategically; and

**WHEREAS,** the city has received from the Alaska Department of Environmental Conservation (ADEC) State Revolving Fund (SRF) Program a grant towards the completion of a Water Master Plan; and

**WHEREAS,** it is in the best interest of the City to be timely and thorough, GV Jones knowledge of our infrastructure and treatment process provides an efficiency in the time and thoroughness; and

**WHEREAS,** time is of the essence to complete a water master plan for inclusion in grant applications; and

**WHEREAS,** continuing with professional services from GV Jones & Associates Inc. will allow a complete and timely water master plan; and

**WHEREAS,** City Council does hereby approve the following as required in Cordova Municipal Code Section 5.12.040 Council approval of contracts:

**A. Contractor:** GV Jones & Associates Inc.

**B. Contract price:** \$75,000

**C. Nature and quantity of the performance that the City shall receive:**

*A water master plan that will include but is not limited to cost estimates, solutions, and priorities, allowing the City to address distribution bottlenecks and an aging distribution system efficiently and strategically.*

**D. Time for performance:** *Estimated completion work is December, 2024.*

**WHEREAS,** pursuant to Cordova Municipal Code Section 5.12.150A, the City Manager has

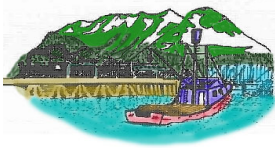
determined in writing that the services GV Jones & Associates Inc. are essential and in the City's best interest to Water Master Plan. The City Council affirms by approving this resolution that the City Council agrees that the professional services contract with GV Jones & Associates Inc. should be procured without formal competition.

**NOW, THEREFORE BE IT RESOLVED THAT**, the Council of the City of Cordova, Alaska, hereby authorizes the City Manager to enter into a sole source contract with GV Jones & Associates Inc. to complete the Water Master Plan.

**PASSED AND APPROVED THIS 3rd DAY OF July 2024.**

ATTEST: \_\_\_\_\_  
David Allison, Mayor  
\_\_\_\_\_  
Susan Bourgeois, CMC, City Clerk

DRAFT



**City Council of the City of Cordova, Alaska**  
**Pending Agenda**  
**July 3, 2024 Regular Council Meeting**

**A. Future agenda items - topics put on PA with no specific date for inclusion on an agenda** initially put on or revisited

- |  |           |
|--|-----------|
| 1) Public Safety Resources - discussion  | 1/20/2021 |
| 2) Ordinance change ( <b>Title 4</b> ) to ensure Council has a role in CBA approval process          | 9/6/2023  |
| 3) Council discussion about incentives for investment in Cordova                                     | 11/3/2021 |
| 4) Revenues (head tax, mv fees, airline landing tax, etal) - explore alternate revenues in '24       | 12/6/2023 |
| 5) Facility condition assessments part 2 work session (did P&R on 4-19-23) - <b>Oct '23</b>          | 9/6/2023  |
| 6) City Code re: procurement, Manager spending limit trigger in a code provision                     | 4/19/2023 |
| 7) Discuss/create a policy for established timeframes for review of City ongoing contracts           | 9/6/2023  |
| 8) Explore methods to capture tourism dollars by requiring arriving RVs to use paid facilities       | 9/6/2023  |
| 9) Strategic planning work session (goal setting), to include Permanent Fund and other priorities    | 2/21/2024 |
| 10) Bonding for City streets - explore for when asphalt plants will be in town during other projects | 4/3/2024  |

**B. Resolutions, Ordinances, other items that have been referred to staff** date referred

- |   |            |
|---|------------|
| 1) <b>Disposal of PWSSC Bldg</b> - referred until more of a plan for north harbor so the term of RFP would be known | 1/19/2022  |
| 2) <b>Res 12-18-36</b> re E-911, will be back when a plan has been made   | 12/19/2018 |

**C. Upcoming Meetings, agenda items and/or events: with specific dates**

- 1) Capital Priorities List, Resolution 01-24-01, is in each packet - if 2 council members want to revisit the resolution they should mention that at Pending Agenda and it can be included in the next packet for action
- 2) Staff quarterly reports will be in the following packets:
 

<b>7/17/2024</b>	<b>10/16/2024</b>	<b>1/15/2025</b>	<b>4/16/2025</b>
------------------	-------------------	------------------	------------------
- 3) Joint City Council and School Board Meetings - twice per year, May & October  
     before Council mtg in **May** 6pm @ CHS before Sch Bd mtg **Oct. or Nov. 2024**
- 4) Clerk's evaluation - each year in **Feb** (before Council changeover after Mar election) - next **Feb '25**
- 5) Manager's evaluation - each year in **Jan** - next one **Jan '25**
- 6) In **May** each year City will provide public outreach regarding beginning of bear season photo by Wendy Ranney
- 7) Code rewrite Titles 5 & 7 - first reading property tax portion on **6/5/24** 2nd reading **7/3**
- 8) Each year in **June** Council will approve by Resolution, the School's budget and City's contribution first work session to discuss economic dev exemptions & application forms **7/3/24**



8/3/2022

**D. Council adds items to Pending Agenda in this way:**

item for action	tasking which staff: Manager/Clerk?	proposed date
1) ...		
2) ...		
3) ...		

Mayor Allison or the City Manager can either agree to such an item and that will automatically place it on an agenda, or a second Council member can concur with the sponsoring Council member.



**City Council of the City of Cordova, Alaska**  
**Pending Agenda**  
**July 3, 2024 Regular Council Meeting**

**E. Membership of existing advisory committees of Council formed by resolution:**

- |   |   |  |
|---|---|--|
| <p><b>1) Fisheries Advisory Committee:</b><br/>         re-auth res 01-20-04 approved Jan 15, 2020<br/>         auth res 04-03-45 approved Apr 16, 2003</p>                     | <p>1-John Williams (fisheries educ/Mar Adv Prgm)<br/>         3-vacant (processor rep)<br/>         5-Chelsea Haisman (fish union/CDFU)</p> | <p>2-Jeremy Botz (ADF&amp;G)<br/>         4-Jim Holley (marine transportation/AML)<br/>         6-Tommy Sheridan (aquaculture)</p> |
| <p><b>2) Cordova Trails Committee:</b><br/>         re-auth res 11-18-29 app 11/7/18<br/>         auth res 11-09-65 app 12/2/09</p>   | <p>1-Elizabeth Senear<br/>         3-Dave Zastrow<br/>         5-Stormy Haught</p>  | <p>2-Toni Godes<br/>         4-Ryan Schuetze<br/>         6-Michelle Hahn</p>  |
| <p><b>3) Fisheries Development Committee:</b><br/>         authorizing resolution 12-16-43<br/>         reauthortrization via Res 11-19-51<br/>         approved 11/20/2019</p> | <p>1-Warren Chappell<br/>         4-Gus Linville<br/>         7- Ron Blake</p>  | <p>2-Andy Craig<br/>         5-vacant<br/>         8- John Whissel<br/>         3-Bobby Linville<br/>         6-Bob Smith</p>      |

**F. City of Cordova appointed reps to various non-City Boards/Councils/Committees:**

- |  |  |                                    |
|--|--|------------------------------------|
| <p><b>1) Prince William Sound Regional Citizens Advisory Council</b></p>         | <p><b>David Janka</b> appointed March 2024</p>   | <p>2 year term until May 2026</p>  |
| <p><b>2) Prince William Sound Aquaculture Corporation Board of Directors</b></p> | <p><b>Tommy Sheridan</b> appointed June 2024</p> | <p>3 year term until Sept 2024</p> |
| <p><b>3) Alaska Mariculture Alliance</b></p>                                     | <p><b>Sean den Adel</b> appointed March 2024</p> | <p>no specific term</p>            |



**CITY OF CORDOVA, ALASKA  
RESOLUTION 01-24-01**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA,  
DESIGNATING CAPITAL IMPROVEMENT PROJECTS**

**WHEREAS**, the Cordova City Council has identified several Capital Improvement projects that will benefit the citizens of Cordova, and in several cases the entirety of Prince William Sound; and

**WHEREAS**, the Council of the City of Cordova has identified the following Capital Improvement projects as being critical to the future well-being and economy of Cordova and the surrounding area:

**Port and Harbor**

- North Harbor Efficiency and Safety
  - Stabilize Breakwater Ave through sheet piling to create usable uplands for industrial, commercial, Harbor and associated uses.
  - Improve pedestrian safety by creating a sidewalk and boardwalk system to navigate between the north and south harbors.
  - Provide additional cranes, laydown areas, and in-harbor fuel services.
- Waste Oil/Maintenance Building
- Shipyard Expansion
- Harbor Basin Expansion

**Water Upgrades**

- Improve water delivery during peak water usage.
- Booster station at Murchison tank to improve water delivery during peak flow.
- Permanent siphon at Crater Lake to improve water delivery during peak flow.
- Upgrade Pipe Infrastructure.
- Upgrade pump stations and equipment.
- Feasibility Study services and Fire Protection (hydrants) to Outlying Areas
- Water distribution upgrades

**Sewer Upgrades**

- Replacement/upgrade of Wastewater plant and Scada.
- Replacement/Upgrades of Lift Stations.
- Replacement of Force main in Odiak Slough.
- Upgrade Pipe Infrastructure.

**Streets Infrastructure and Equipment**

- 6th and 7th Streets Upgrades
- Chase Avenue Upgrades
- Replace/Upgrade pedestrian walkways (4th and Adams) (Council Street), and (2nd Street to Main)
- Wheeled Loader
- Road Grader
- Backhoe

**Water Services and Fire Protection (hydrants) to Outlying Areas – Feasibility Study**

**Public Safety**

- E-911 Implementation
- Acquire and integrate new hardware to fully utilize the new E-911 addressing.
- Replace Failing RMS
- Replace Dispatch Console
- Replace Radio Structure on Ski Hill
- Engineering and Preliminary Design of Public Safety Building
- Prep Site

**Recreational Safety and Development**

- Pool Infrastructure
  - Door and Siding Replacements and CMU Joint Repairs
  - Pool Cover Replacement
  - Pool Roof Replacement
  - Ventilations Remodel/Replacement
  - Electrical Distribution System Replacement
  - ADA Compliance and Parking Area re-grade.

- Bidarki Recreation Center
  - Structural Repair
  - Code and Ada Compliance
  - Facility Improvements

- Eyak Lake Skater’s Cabin
  - Demolish and replace.

- Playground Renovations
  - Replacement of swing set at Noel Pallas Children’s Memorial Playground

- Parks Restrooms/Buildings/Structures
  - Ballfield/Cordova Municipal Park Restroom/Concession Stand – Code and ADA Compliance
  - Fleming Spit Restroom Replacement
  - Odiak Pond Boardwalk and Gazebo – Code and ADA Compliance
  - Odiak Camper Park Restrooms/Facility Improvements – Code and ADA Compliance.
  - Parks Maintenance Shop Facility Improvements – Code Compliance

- Ski Hill Improvements

**Land Development**

- Housing
- Cold Storage
- Harbor Basin Expansion

and;

**WHEREAS**, some or all of these projects will be submitted to State or Federal legislators and/or agencies as Capital Improvement projects for the City of Cordova, Alaska.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Council of the City of Cordova, Alaska, hereby designates and prioritizes the above listed projects as Capital Improvement projects.

**PASSED AND APPROVED THIS 17<sup>th</sup> DAY OF JANUARY 2024**



*[Handwritten signature of David Allison]*

David Allison, Mayor

ATTEST:

*[Handwritten signature of Susan Bourgeois]*

Susan Bourgeois, CMC, City Clerk

# City of Cordova, Alaska Elected Officials & Appointed Members of City Boards and Commissions

## Mayor and City Council - Elected

seat/length of term	email	Date Elected	Term Expires
<b>Mayor:</b> 3 years	<b>David Allison</b> <a href="mailto:Mayor@cityofcordova.net">Mayor@cityofcordova.net</a>	March 1, 2022	March-25
Council members:			
Seat A: 3 years	<b>Tom Bailer</b> <a href="mailto:CouncilSeatA@cityofcordova.net">CouncilSeatA@cityofcordova.net</a>	March 1, 2022 March 5, 2019	March-25
Seat B: 3 years	<b>Cathy Sherman</b> <a href="mailto:CouncilSeatB@cityofcordova.net">CouncilSeatB@cityofcordova.net</a>	March 7, 2023 March 3, 2020	March-26
Seat C: 3 years	<b>Kasey Kinsman, Vice Mayor</b> <a href="mailto:CouncilSeatC@cityofcordova.net">CouncilSeatC@cityofcordova.net</a>	March 7, 2023	March-26
Seat D: 3 years	<b>Wendy Ranney</b> <a href="mailto:CouncilSeatD@cityofcordova.net">CouncilSeatD@cityofcordova.net</a>	March 5, 2024 July 5, 2023	March-27
Seat E: 3 years	<b>David Zastrow</b> <a href="mailto:CouncilSeatE@cityofcordova.net">CouncilSeatE@cityofcordova.net</a>	March 5, 2024	March-27
Seat F: 3 years	<b>Kristin Carpenter</b> <a href="mailto:CouncilSeatF@cityofcordova.net">CouncilSeatF@cityofcordova.net</a>	March 1, 2022	March-25
Seat G: 3 years	<b>Ken Jones</b> <a href="mailto:CouncilSeatG@cityofcordova.net">CouncilSeatG@cityofcordova.net</a>	March 1, 2022	March-25

elected by encl

## Cordova School District School Board of Education - Elected

length of term		Date Elected	Term Expires
3 years	<b>Barb Jewell, president</b> <a href="mailto:bjewell@cordovasd.org">bjewell@cordovasd.org</a>	Mar 1, 2022, Mar 5, 2019, Mar 1, 2016, Mar 5, 2013	March-25
3 years	<b>Henk Kruithof</b> <a href="mailto:hkruithof@cordovasd.org">hkruithof@cordovasd.org</a>	March 5, 2024 March 2, 2021	March-27
3 years	<b>Terri Stavig</b> <a href="mailto:tstavig@cordovasd.org">tstavig@cordovasd.org</a>	March 1, 2022	March-25
3 years	<b>Peter Hoepfner</b> <a href="mailto:phoepfner@cordovasd.org">phoepfner@cordovasd.org</a>	Mar 5, 2024, Mar 2, 2021, Mar 6, 2018, Mar 3, 2015, Mar 6, 2012, Mar 3, 2009, Mar 7, 2006	March-27
3 years	<b>David Glasen</b>	March 7, 2023	March-26

seat up for re-election in Mar '25	<b>vacant</b>
board/commission chair/vice	
seat up for re-appt in Nov '24	

(updated 05-16-24)

# City of Cordova, Alaska Elected Officials & Appointed Members of City Boards and Commissions

## Hospital Services - Board of Directors - Elected

length of term		Date Elected	Term Expires
3 years	<b>Diane Ujioka</b> <a href="mailto:CCMCBoardSeatC@cdvcmc.com">CCMCBoardSeatC@cdvcmc.com</a>	March 5, 2024 December 19, 2023	March-27
3 years	<b>Ann Linville</b> <a href="mailto:CCMCBoardSeatA@cdvcmc.com">CCMCBoardSeatA@cdvcmc.com</a>	March 1, 2022	March-25
3 years	<b>vacant</b> <a href="mailto:CCMCBoardSeatB@cdvcmc.com">CCMCBoardSeatB@cdvcmc.com</a>	March 7, 2023 March 24, 2022	March-25
3 years	<b>Liz Senear</b> <a href="mailto:CCMCBoardSeatD@cdvcmc.com">CCMCBoardSeatD@cdvcmc.com</a>	March 5, 2024 March 2, 2021	March-27
3 years	<b>Kelsey Appleton Hayden, Chair</b> <a href="mailto:CCMCBoardSeatE@cdvcmc.com">CCMCBoardSeatE@cdvcmc.com</a>	March 7, 2023 March 3, 2020	March-26

## Library Board - Appointed

length of term		Date Appointed	Term Expires
3 years	<b>Mary Anne Bishop, Chair</b>	Nov '06, '10, '13, '16, '19, Dec '22	November-25
3 years	<b>Debra Adams</b>	Dec '21	November-24
3 years	<b>Sherman Powell</b>	June '18, Feb '20, Jan '23	November-25
3 years	<b>Mark Donachy</b>	Dec '23	November-26
3 years	<b>Krysta Williams</b>	Feb '18, Dec '20, Dec '23	November-26

## Planning Commission - Appointed

length of term		Date Appointed	Term Expires
3 years	<b>Kris Ranney</b>	Dec '22	November-25
3 years	<b>Mark Hall, Vice Chair</b>	Nov '19, Dec '22	November-25
3 years	<b>Sarah Trumblee</b>	Dec '20, Dec '23	November-26
3 years	<b>Tania Harrison, Chair</b>	Mar '22	November-24
3 years	<b>Gail Foode</b>	Dec '23	November-26
3 years	<b>Chris Bolin</b>	Sep '17, Nov '18 Dec '21	November-24
3 years	<b>Sean Den Adel</b>	Dec '23	November-26

seat up for re-election in Mar '25

**vacant**

board/commission chair

seat up for re-appt in Nov '24

(updated 05-16-24)

## City of Cordova, Alaska Elected Officials & Appointed Members of City Boards and Commissions

### Harbor Commission - Appointed

length of term		Date Appointed	Term Expires
3 years	<b>Ryan Schuetze</b>	Dec '23	November-26
3 years	<b>Andy Craig, Chair</b>	Nov '16, '19 & Dec '22	November-25
3 years	<b>Garrett Collins</b>	Dec '23	November-26
3 years	<b>Ken Jones</b>	Feb '13, Nov '16, Nov '19, Dec '22	November-25
3 years	<b>Christa Hoover</b>	Dec '21	November-24
3 years	<b>Hein Kruithof</b>	Dec '23	November-26
3 years	<b>Tommy Sheridan</b>	Sept '22	November-24

### Parks and Recreation Commission - Appointed

length of term		Date Appointed	Term Expires
3 years	<b>Jim Fritsch</b>	May '24	November-24
3 years	<b>Henk Kruithof</b>	Nov '19, Dec '22	November-25
3 years	<b>Aaron Hansen, Chair</b>	Dec '21	November-24
3 years	<b>Kara Rodrigues</b>	Dec '23	November-26
3 years	<b>Marvin VanDenBroek</b>	Feb '14, Nov '16, Nov '19, Dec '22	November-25
3 years	<b>Jason Ellingson</b>	Mar '23	November-25
3 years	<b>Erin Cole</b>	May '24	November-26

### Historic Preservation Commission - Appointed










length of term		Date Appointed		Term Expires
3 years	<b>Kris Ranney, PC member</b>	Mar '23	appt'd by PC	November-25
3 years	<b>Heather Hall, professional member</b>	Aug '16, Feb '20, Mar '23		November-25
3 years	<b>Sylvia Lange, NVE member</b>	Nov '22, Nov '19	appt'd by NVE	November-25
3 years	<b>Christy Mog, professional member</b>	Dec '23		November-26
3 years	<b>Ashley Bivin, historical society member</b>	Dec '23		November-24
3 years	<b>Nancy Bird, professional member</b>	Nov '17, Nov '18		November-24
3 years	<b>Jim Casement, public member</b>	Dec '21		
		Dec '23		November-26

seat up for re-election in Mar '24	<b>vacant</b>
board/commission chair	
seat up for re-appt in Nov '24	

(updated 05-16-24)

# July 2024

CALENDAR MONTH	JULY
CALENDAR YEAR	2024
1ST DAY OF WEEK	SUNDAY

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	1  8am-3pm	2	3  6:00 Council work session 6:45 Council public hearing 7:00 Council reg mtg CCAB	4 City Hall Closed Holiday 	5	6
7	8  8am-3pm	9	10  6:00 Harbor Cms CCAB 7:00 Sch Bd HSL	11	12	13
14	15  8am-3pm 	16 6:30 P&Z CCAB  5:30 CTC Board Meeting CCER	17 6:00 Harbor Cms CCAB 7:00 Sch Bd HSL  7:00 Council reg mtg CCAB	18  Cordova 4H Music Camp July 15-19	19  Hanseatic Spirit in Cdv 7/19 1-6pm	20  Alaska Salmon Run See you on the road!
21	22  8am-3pm	23	24  6:00 CEC Board Mtg CCER	25  6:00 Hosp Svc Bd HCR	26	27
28	29  8am-3pm	30  6:00 P&R CCM	31	1	2	3
4	5	<b>Notes</b>				

Legend:  
 CCAB-Community Rms A&B  
 HSL-High School Library  
 CCA-Community Rm A

CCB-Community Rm B  
 CCM-Mayor's Conf Rm  
 CCER-Education Room








LN-Library Fireplace Nook  
 CRG-Copper River Gallery  
 HCR-CCMC Conference Room

Cncl - 1st & 3rd Wed  
 P&Z - 2nd Tues  
 SchBd, Hrb Cms - 2nd Wed  
 CTC - 3rd Tues

P&R - last Tues  
 CEC - 4th Wed  
 Hosp Svcs Bd - last Thurs

# August 2024

CALENDAR MONTH	AUGUST
CALENDAR YEAR	2024
1ST DAY OF WEEK	SUNDAY

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	30	31	1	2	3
4	5  8am-3pm	6	7 7:00 Council reg mtg CCAB	8	9  Hanseatic Spirit in Cdv 7/19 1-6pm	10
11	12  8am-3pm	13 6:30 P&Z CCAB	14 6:00 Harbor Cms CCAB 7:00 Sch Bd HSL	15	16  ALASKA STATE FAIR AUGUST 16 - SEPTEMBER 2	17
18	19  8am-3pm	20 5:30 CTC Board Meeting CCER	21 CSD school year starts FIRST DAY OF SCHOOL	22 7:00 Council reg mtg CCAB	23	24
25	26  8am-3pm	27 6:00 P&R CCM	28 6:00 CEC Board Mtg CCER	29 6:00 Hosp Svc Bd HCR	30  ALASKA STATE FAIR AUGUST 16 - SEPTEMBER 2	31
1	2	Notes				

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 Hosp Svcs Bd - last Thurs