

MINUTES OF THE PETERSBURG BOROUGH ASSEMBLY MEETING, REGULAR SESSION, HELD MONDAY, APRIL 1, 2013 AT 12:00 P.M. IN THE ASSEMBLY CHAMBERS OF THE MUNICIPAL BUILDING

1. **CALL TO ORDER/ROLL CALL** Vice Mayor Flint called the meeting to order at 12:00 p.m. Present: Vice Mayor Flint; Mayor Jensen (by telephone); and Assembly Members Lagoudakis, Hoag, Strand, Havrilek and Wohlhueter.
2. **VOLUNTARY PLEDGE** The Pledge was recited.
3. **APPROVAL OF MINUTES** There are no minutes available for approval.
4. **AMENDMENT AND APPROVAL OF MEETING AGENDA** The meeting agenda was amended to include 16B, a discussion on supporting the Sealaska Institute's position on sea otter use. The agenda, as amended, was approved.
5. **PUBLIC HEARINGS AND BID AWARDS**
Protest Denial and Appeal
A. Tamico, Inc. Appeal of the Borough Manager's Denial of Protest to the Borough's Notice of Intent to Award the North Harbor Reconstruction Project to Western Dock and Bridge. Vice Mayor Flint read the hearing process that would be used.
 1. **The appellant, Tamico** Jim Martinsen, Vice President of Tamico, on Oath, presented his grounds for appeal of the manager's protest denial. Martinsen contended the Borough should award the construction of the North Harbor Project to Tamico. He provided several reasons for making such award. If not awarded to Tamico, the project should be re-bid.
 2. **Borough Manager grounds for denying the Tamico protest** Borough Manager Giesbrecht, on Oath, provided his reasons for denying the Tamico protest.
 3. **Appellant allowed final argument time** Martinsen provided a rebuttal.
 4. **Borough Manager allowed final argument time** Giesbrecht provided a brief final statement.
 5. **Assembly deliberation** The Assembly was provided a chronology of events, plans & specifications for the project; the Borough's current Standard Specifications; the 1997 Standard Specifications, bid documents and correspondence to aid in deliberation. A vote on a motion to deny the Tamico appeal was postponed until the Assembly could meet with legal counsel to discuss legal ramifications. By a unanimous Roll Call Vote, the Assembly recessed to Executive Session to consult with legal counsel concerning the issues on appeal.

Assembly to Executive Session at 1:45 p.m.

Regular Session was reconvened at 2:01 p.m.

6. Assembly's formal action to grant or deny the appeal The motion made prior to Executive Session to deny the Tamico appeal was withdrawn. By a unanimous Roll Call Vote, a motion was passed to deny the Tamico appeal on the same factual grounds and legal basis as set forth in the Manager's decision in the denial of the protest.

B. Award of North Harbor Reconstruction Project By a unanimous Roll Call Vote, the Assembly accepted the engineer's recommendation and awarded the North Harbor Reconstruction Project to low responsive bidder Western Dock & Bridge in an amount not to exceed \$7,090,670.

6. **VISITORS' VIEWS RELATED TO AGENDA** No comments.
7. **VISITORS' VIEWS UNRELATED TO AGENDA** None.
8. **BOARD, COMMISSION AND COMMITTEE REPORTS** None.
9. **CONSENT AGENDA** No Items
10. **REPORT OF OTHER OFFICERS**
 - A. **Finance Director - FY 2014 Budget Timetable** Finance Director Tow reviewed the upcoming budget process and provided a budget calendar.
Budget schedule
11. **MAYOR'S REPORT**
 - A. **Appointments to Ad Hoc Sea Otter Management Committee** The following individuals were appointed to the committee: Assembly Member Wohlhueter (chairman); Joan Koutzer; Mike Bangs, Andy Knight, Frank Neidiffer, Dave Somerville, Jason Duggen, Brenda Louise, Brian Lynch, John Jensen and Dave Beebe.
12. **MANAGER'S REPORT** Manager Giesbrecht reviewed his written report.
Mgr Report
13. **UNFINISHED BUSINESS**
 - A. **Borough**
 1. **Juneau Appeal** The Attorney General's Office, representing the LBC, has utilized an automatic thirty day extension provision to respond to Juneau's appeal. Since the Borough wants to coordinate with the State, our argument brief will be filed at about the same time as the AG's. Briefs are now due May 6.
 2. **Future Transition Items** None.
 - B. **Redistricting** No new information. No need for action per legal counsel.
 - C. **SEAPA and D. Hittle & Associate's O & M Report** No new information.
14. **NEW BUSINESS**
 - A. **Ordinance #2013-5: An Ordinance Adjusting the FY 2013 Budget to Address Known Changes** By a unanimous Roll Call Vote, the Ordinance was approved, as amended, in its first reading.
Ord 5
 - B. **Resolution #2013-10: A Resolution Authorizing a Grant Application and Acceptance of Federal Funds for Purchase of an ADA Complaint Vehicle** Resolution #2013-10 was unanimously approved by Roll Call Vote. The Resolution gave consent to the Borough Manager to apply for and administer grant funds for the purchase of an ADA compliant vehicle. The Borough's Motor Pool Committee has recommended to budget matching funds in the FY 2014 budget in the amount of \$27,925.
Res 10
 - C. **Authorization to Amend Assessor's Professional Services Contract** By unanimous Roll Call Vote, the Assembly authorized the Professional Services contract be amended by \$30,000 to include the cost of beginning assessment work for borough areas outside of service area one.
Agreement
15. **COMMUNICATIONS**
 - A. **Notice of State Land Sale - Lots at Frederick Point North** Vice Mayor Flint acknowledged receipt of notice from the State of Alaska, Department of Natural Resources informing that four lots at Frederick Point North are available for sale by public auction.

16. ASSEMBLY DISCUSSION ITEMS

A. Recognitions

1. Thank yous Assembly Member Hoag extended appreciation to Manager Giesbrecht for the extra work and time he has placed into looking for alternatives in a police building. Assembly Member Strand thanked and recognized all those courteous drivers who use their vehicle turn signals. Assembly Member Havrilek thanked the Parks & Rec and Library departments for the excellent programming offered to our residents.

B. Sealaska Heritage Institute Assembly Member Wohlhueter introduced a resolution for consideration at the next meeting that would support State funding toward Sealaska's sustainable arts project that reintroduces skin sewing to produce and market sea otter handicrafts.

- 17. EXECUTIVE SESSION** The assembly voted unanimously to recess to Executive Session to meet with the borough's negotiating team for the IBEW contract to discuss the negotiation status.

Assembly to Executive Session at 2:30 p.m.

- Regular Session was reconvened at 2:41 p.m.

- 18. ADJOURN** The meeting adjourned at 2:41 p.m.

Date Approved
