



City of Gustavus
P.O. Box 1
Gustavus, AK 99826
Phone: (907) 697-2451

COUNCIL PACKET
August 11, 2011 GENERAL MEETING



**CITY COUNCIL MEETING AGENDA
GENERAL MEETING
AUGUST 11, 2011
7:00PM @ CITY HALL**

Jim Mackovjak

Mayor

mayor@gustavus-ak.gov

Mayor Term Expires 2011

Council Seat Term Expires 2013

Lou Cacioppo

Vice Mayor

lou.cacioppo@gustavus-ak.gov

Vice Mayor Term Expires 2011

Council Seat Term Expires 2013

Joe Lassiter

Council Member

joe.lassiter@gustavus-ak.gov

Term Expires 2011

Melanie Lesh

Council Member

melanie.lesh@gustavus-ak.gov

Term Expires 2012

John Nixon

Council Member

john.nixon@gustavus-ak.gov

Term Expires 2011

Tim Sunday

Council Member

tim.sunday@gustavus-ak.gov

Term Expires 2012

Karen Taylor

Council Member

karen.taylor@gustavus-ak.gov

Term Expires 2012

COUNCIL MEETINGS:

Work Sessions:

1st & 3rd Thursdays

General Meeting:

2nd Thursday

1. Call to Order
2. Roll Call
3. Approval of Minutes:
 - A. July 5, 2011 Special Meeting
 - B. July 14, 2011 General Meeting
 - C. July 21, 2011 Special Meeting
4. Mayor's Request for Agenda Changes
5. Committee Reports:
 - A. GVFD
 - B. Lands
 - C. Borough/Annexation
6. Public Comment on Non-Agenda Items
7. Consent Agenda:
 - A. Wayne Howell – Appoint to GCN Committee
 - B. John Scott – Appoint to GCN Committee
 - C. PLA Grant Acceptance & Authorize Mayor to Sign
 - D. Ordinance for Publication: FY12-04NCO
– Amending GCN Budget
8. Ordinance for Public Hearing:
 - A. FY12-01NCO Amend DRC FY12 Budget
 - B. FY12-02NCO VPSO Advisory Question
 - C. FY12-03NCO Amend GVFD FY12 Budget
9. Unfinished Business:
10. New Business
 - A. Resolution 2011-19 – GCN Sole Source Contract
 - B. Resolution 2011-20–Direction to MFC Committee on Title 8
11. Staff Reports: None
12. City Council Reports
 - A. Mayor's report
 - B. City Clerk report
13. City Council Questions and Comments
14. Public Comments on Non-Agenda Items
15. Executive Session
16. Adjournment

**NOT YET APPROVED
City Council Minutes
City of Gustavus, Alaska**

**City Council Special Meeting
July 5, 2011**

1. Call to Order: A Special Meeting of the Gustavus City Council was held on July 5, 2011 at 7:00PM.

Vice Mayor Cacioppo called the meeting to order at 7:00PM.

2. Roll Call:

Comprising a quorum of the Council the following were present:

Acting Mayor Cacioppo
Council Member Lassiter
Council Member Lesh
Council Member Nixon
Council Member Sunday
Council Member Taylor

Council Members not in attendance:

Mayor Mackovjak

(Clerk's Note: The City Attorney Paul Grant was in attendance via teleconference.)

3. Approval of Minutes: None

4. Mayor's Request For Agenda Changes: None

5. Committee Reports: None

6. Public Comment On Non-Agenda Items: None

7. Consent Agenda: None

8. Ordinances for Public Hearing: None

9. Unfinished Business: None

10. New Business:

A. City Attorney Direction & Approval of Research

(Clerk's Note: Agenda Item 10A was addressed during Agenda Item 15.)

11. Staff Reports: None

12. City Council Reports

A. Mayor's Report: None

B. City Clerk's Report: None

13. City Council Questions & Comments

- Council Member Lassiter gave comments.

14. Public Comment on Non-Agenda Items:

1. Lin Levitt
2. Dick Levitt
3. Louis Nixon
4. Carolyn Edelman

15. Executive Session

A. City Attorney Direction & Approval of Research

Public Comment: None

Motion:	Council Member Taylor moved to go into executive session to discuss matters with our attorney that could involve litigation.
Seconded by:	Council Member Sunday

ROLL CALL VOTE ON MOTION:
Yes: Cacioppo, Lassiter, Sunday, Taylor
No: Lesh, Nixon

Motion Passes 4/2

(Clerk's Note: A recess occurred during the executive session from 7:40PM to 8:30PM.)

Motion:	Council Member Nixon moved to adjourn the executive session and reconvene into the regular meeting.
Seconded by:	Council Member Lesh

ROLL CALL VOTE ON MOTION:
Yes: Lesh, Nixon
No: Cacioppo, Lassiter, Sunday, Taylor

Motion Defeated 2/4

Motion:	Council Member Lesh moved to rescind the vote on
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	executive session and reconvene into the regular meeting.
Seconded by:	Council Member Nixon

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Lesh, Nixon

No: Lassiter, Sunday, Taylor

Motion Defeated 3/3

Motion:	Council Member Taylor moved to reconvene into the regular meeting.
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Seconded by:	Council Member Lesh
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ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Lassiter, Lesh, Nixon, Sunday, Taylor

No: None

Motion Passes 6/0

Motion:	Council Member Taylor moved that we authorize our attorney to conduct up to 20 hours of research, as necessary, on all documents related to the Gustavus Bulk Fuel Facility, including grant agreements, leases, business and operating plans, in order to clarify the rights and responsibilities of all concerned.
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Seconded by:	Council Member Lassiter
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ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Lassiter, Lesh, Nixon, Sunday, Taylor

No: None

Motion Passes 6/0

16. Adjournment:

With no further business before the Council the meeting was adjourned at 9:15PM.

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City Council Minutes
City of Gustavus, Alaska

City Council General Meeting
July 14, 2011

1. Call to Order: A General Meeting of the Gustavus City Council was held July 14, 2011 at 7:00PM.
Mayor Mackovjak called the meeting to order at 7:00PM.

2. Roll Call:

Comprising a quorum of the Council the following were present:

Mayor Mackovjak
Vice Mayor Cacioppo
Council Member Lassiter
Council Member Lesh -Via Teleconference & then absent
Council Member Nixon
Council Member Sunday
Council Member Taylor

3. Approval of Minutes

A. June 9, 2011 General Meeting
Minutes of the June 9, 2011 General Meeting were approved by unanimous consent.

B. June 16, 2011 Special Meeting
Minutes of the June 16, 2011 Special Meeting were approved by unanimous consent.

C. June 30, 2011
Minutes of the June 30, 2011 Special Meeting were approved by unanimous consent.

4. Mayor's Request For Agenda Changes: None

5. Committee Reports:

- A. DRC Committee report given by Mike Taylor.
- B. Road Committee report given by Ed Bond.
- C. Marine Facilities Committee report given by Tim Sunday.

6. Public Comment on Non Agenda Items:

- 1. Bruce Tedtsen
- 2. Jim Scholl
- 3. Ed Bond

(Clerk' Note: The teleconference connection with Council Member Lesh was lost during Public Comment on Non Agenda Items and was not reestablished.)

7. Consent Agenda:

- A. Hire Daniel Glasmann as DRC Assistant Operator @ \$15.00 per hour
- B. Ordinance for Publication: FY12-01NCO Amending DRC FY12 Budget
- C. ~~Berry Driveway Fish Passage RFQ~~

Motion:	Council Member Lassiter moved the City adopt the Consent Agenda as amended.
Seconded by:	Council Member Sunday

ROLL CALL VOTE ON MOTION:
Yes: Cacioppo, Lassiter, Mackovjak, Nixon, Sunday, Taylor
No: None
Motion Passes 6/0

(Clerk's Note: Item 7C was requested to be removed and is now New Business Item 10C.)

8. Ordinances for Public Hearing: None

9. Unfinished Business:

- A. Resolution 2011-17 GVFD Fire Hall Remodel

Council Member Sunday read Resolution 2011-17.

Public Comment:

- 1. Paul Berry

Motion:	Council Member Taylor moved the City Council adopt Resolution 2011-17.
Seconded by:	Vice Mayor Cacioppo

CONFLICT OF INTEREST: Council Member Nixon declared a conflict of interest due to the fact that there is a fire suppression system and there is a possibility that he would bid on it. Council Member Nixon would like to be able to ask questions.

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RULING: Mayor Mackovjak ruled that there is a conflict. Council Member Nixon should not vote, but may ask questions.

ROLL CALL VOTE ON MOTION: Yes: Cacioppo, Lassiter, Mackovjak, Sunday, Taylor No: None Recused: Nixon Motion Passes 5/0 with 1 Recused

10. New Business:

A. DRC Facilities Improvement Scoping Form

Public Comment:

1. Jim Martell

Motion:	Council Member Taylor moved the City Council approve the facility improvement concept in the July 2011 DRC scoping form.
Seconded by:	Vice Mayor Cacioppo

ROLL CALL VOTE ON MOTION: Yes: Cacioppo, Lassiter, Mackovjak, Nixon, Sunday, Taylor No: None Motion Passes 6/0

B. Ordinance for Publication: FY12-02NCO An Ordinance of the City of Gustavus Placing an Advisory Ballot Question on the October 4, 2011 General Election Ballot - VPSO

Public Comment: None

Motion:	Council Member Sunday moved to adopt for publication FY12-02NCO.
Seconded by:	Council Member Nixon

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ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Mackovjak, Nixon, Sunday, Taylor

No: Lassiter

Motion Passes 5/1

C. Berry Driveway Fish Passage RFQ

Public Comment:

1. Mike Taylor

Motion: Council Member Taylor moved that we approve the Berry Driveway Fish Passage RFQ.

Seconded by: Vice Mayor Cacioppo

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Nixon, Sunday, Taylor

No: Lassiter, Mackovjak

Motion Passes 4/2

11. Staff Reports:

1. DRC staff report given by Paul Berry

12. City Council Reports

A. Mayor's Report

- The Mayor stated that John Conway had stated the Tank Farm is completed save some paperwork.
- In communication with Sally Smith.

B. City Clerk's Report:

- Ferry Winter Schedule will be out on Monday.
- AMH is working on beginning draft of 2012 summer schedule.

13. City Council Questions & Comments

- Council Member Sunday wanted to find out if we had news from the attorney.
- Council Member Taylor thanked the Committees for the good reports tonight.
- Council Member Nixon hoped we can have a meeting with the VPSO in August or early September.
- Vice Mayor Cacioppo wanted to find out when the airport expansion project would be occurring.

14. Public Comment on Non-Agenda Items:

1. Jim Scholl & John Kajpan

15. Executive Session: None

16. Adjournment:

With no further business before the Council the meeting was adjourned at 9:43PM.

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City Council Minutes
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**City Council Special Meeting
July 21, 2011**

1. Call to Order: A Special Meeting of the Gustavus City Council was held on July 21, 2011 at 6:45PM.
Mayor Mackovjak called the meeting to order at 6:45PM.

2. Roll Call:

Comprising a quorum of the Council the following were present:

Mayor Mackovjak
Vice Mayor Cacioppo
Council Member Lassiter
Council Member Nixon -Via Teleconference
Council Member Taylor

Council Members not in attendance:

Council Member Lesh (Arrived during Item 10A)
Council Member Sunday

3. Approval of Minutes: None

4. Mayor's Request For Agenda Changes: None

5. Committee Reports: None

6. Public Comment On Non-Agenda Items: None

7. Consent Agenda: None

8. Ordinances for Public Hearing: None

9. Unfinished Business: None

10. New Business:

(Clerk's Note: The agenda order of items 10A and 10B were switched in order to accommodate the Alaska State Library participant.)

B. Ordinance FY12-03NCOGVFD – FY12 CIP

Public Comment: None

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Motion:	Council Member Lassiter moved the Council publish Fy12-03NCO for GVFD.
Seconded by:	Council Member Taylor

ROLL CALL VOTE ON MOTION:
Yes: Cacioppo, Lassiter, Mackovjak, Nixon, Taylor
No: None

Motion Passes 5/0

A. Library/Alaska State Library MOU for OWL

The agenda item was described by Librarian Sylvia Martinez and the Alaska State Library OWL representative.

(Clerk's Note: Council Member Lesh arrived while the agenda item was being described.)

Public Comment: None

Motion:	Council Member Lesh moved to authorize the Mayor to sign the MOU between the Alaska State Library and the Gustavus City Library pending recommendations from the City Attorney.
Seconded by:	Vice Mayor Cacioppo

ROLL CALL VOTE ON MOTION:
Yes: Cacioppo, Lassiter, Lesh, Mackovjak, Nixon, Taylor
No: None

Motion Passes 6/0

11. Staff Reports: None

12. City Council Reports

A. Mayor's Report: None

B. City Clerk's Report: None

13. City Council Questions & Comments

- Council Member Lesh gave comment about the Fish Box Stickers.

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14. Public Comment on Non-Agenda Items: None

15. Executive Session: None

16. Adjournment:

With no further business before the Council the meeting was adjourned at 7:16PM.



Date Received:

APPLICATION FOR APPOINTMENT/REAPPOINTMENT TO BOARDS & COMMITTEES
CITY OF GUSTAVUS

Board/Committee Name: GCN Position: Member

Name: Howell Wayne K.
Last First MI

Residence Address: ~~28 Box 32~~ 007 Rutabaga

Mailing Address: P.O. Box 32, Gustavus

Home Phone: 907-697-2423

E-Mail Address: wkhowell@gmail.com

Can you regularly attend meetings? ☒ YES ☐ NO
(Committee and Board by-laws may have attendance requirements)

Are you currently affiliated with the City in any way? (For example emergency responder, employee)
☐ YES ☒ NO

If yes, please list positions: _____

Have you been a member of this board/committee before? No

Reason for interest in committee/board membership: I believe GCN is entering a critical phase and I want to contribute as I can.

Brief background of experience that would qualify you for the position: Experience as City Council member, + Road & Planning committee member.

Wayne K. Howell Wayne K. Howell 7/12/11
Signature Printed Name Date



Date Received:

7-26-11

**APPLICATION FOR APPOINTMENT/REAPPOINTMENT TO BOARDS & COMMITTEES
CITY OF GUSTAVUS**

Board/Committee Name: Broadband (GCN) Position: Advisor/Reviewer

Name: SCOTT John T
Last First MI

Residence Address: 4002 Mtn. View Rd.

Mailing Address: Box 98

Home Phone: 697-2217

E-Mail Address: _____

Can you regularly attend meetings? ☒ YES ☐ NO

(Committee and Board by-laws may have attendance requirements)

Are you currently affiliated with the City in any way? (For example emergency responder, employee)

☐ YES ☒ NO

If yes, please list positions: _____

Have you been a member of this board/committee before? No

Reason for interest in committee/board membership: Desire to assist City
create Broadband Internet Access for residents

Brief background of experience that would qualify you for the position: Civil Eng'r

Signature

JOHN T. SCOTT

Printed Name

7-26-11

Date

Staff Request for Agenda Item

CITY OF GUSTAVUS

Staff Name: Sylvia Martinez

Explanation of Request:

The "Public Library Assistance Grant" is our expected, non-competitive grant we have received for many years. This is the Agreement, for FY2012, needed to accept this years grant. It already exists in the library FY12 budget so no NCO is needed.

Request for Council Work Session & General Meeting attention: Work Session:

Month: 8/4 **1st Thursday** 8/11 **3rd Thursday** _____

General Meeting Date: _____

Action Staff would like City Council to take:

Please sign the attached form for approval of this grant.

Supporting Documents Attached

☒ **Yes**

☐ **No**

If supporting documents are not attached date that they will be supplied (Deadline is Monday before General Meeting):

Contact Person: Sylvia Martinez

Please tell me if I can supply more information or attend meeting to allow questions.

Thank you, Sylvia

Council Action Taken: _____ Date: _____

Alaska Public Library Assistance Grant Agreement FY2012

This agreement made and entered into this twenty-eighth day of June 2011, by and between the **Alaska State Library**, hereafter referred to as the Grantor; and the **Gustavus Public Library**, hereafter referred to as the Grantee.

Whereas, the State of Alaska has appropriated funds for public library assistance; and whereas, the application of the Grantee for a grant for public library assistance has been approved. NOW THEREFORE, for and in consideration of the mutual covenants herein contained the parties hereto agree as follows:

The Grantor will agree to:

1. Furnish funds in the amount of **\$6,500**.
2. Provide advisory services in furtherance of the grant project.

The Grantee will agree to:

1. Expend local funds of at least **\$7,000** for project purposes. Funds may be expended only for public library purposes and must be clearly attributable to public library services and operations.
2. Provide at least the following services free to residents of the municipality or community:
 - Establish and maintain a collection of books and other materials for loan;
 - Provide access to interlibrary loans;
 - Provide reading or other educational programs for children; and
 - Provide reference information.
3. Abide by the conditions set forth in its application and approved by the Grantor, including:
 - The number and timing of open hours;
 - The existing and ongoing educational requirements for the library director.
4. Expend at least \$3,500 on library materials and online services for each outlet.
5. Have trained staff on duty in the library during the scheduled open hours.
6. Submit a Final Grant and Technology Report and Public Library Annual Report by September 1, 2012.
7. Maintain accurate records for auditing purposes.
8. Return any grant funds unexpended or unencumbered by June 30, 2012, and all funds for which there is no proper accounting.
9. Repay any portion of grant funds that have not actually been matched by local funds over the course of the grant period.
10. Receive prior approval from the Grantor for any line item change that exceeds 10% of the line item, except that no prior approval is required for:
 - Line item changes of less than \$100; or
 - Line item changes that add funds to library materials and online services.

The source of funding for this agreement is as follows:

State Sources

\$6,500

By accepting this award or agreement, the grantee may become subject to the audit requirements of State of Alaska Administrative code 2 AAC 45.010. As a result, the grantee may be required to provide for an audit and to permit independent auditors to have access to their records and financial statements. The grantee should consult with an independent auditor for assistance in determining audit requirements for each fiscal year.

The undersigned understands and agrees to the conditions of this agreement.

Both Signatures Are Required.

For the Library

For the Legal Entity

Signature

Signature

Title

Date

Title

Date

**PLEASE MAKE A PHOTOCOPY OF THE SIGNED AGREEMENT FOR YOUR RECORDS
RETURN BY SEPTEMBER 1, 2011 TO: GRANTS ADMINISTRATOR, ALASKA STATE LIBRARY,
344 WEST THIRD AVENUE, SUITE 125, ANCHORAGE, AK 99501**

**City of Gustavus, Alaska
Ordinance No. FY12-04NCO**

**AN ORDINANCE FOR THE CITY OF GUSTAVUS PROVIDING FOR THE
AMENDMENT OF THE GUSTAVUS COMMUNITY NETWORK (GCN)
BUDGET FOR FISCAL YEAR 2012**

BE IT ENACTED BY THE GUSTAVUS CITY COUNCIL AS FOLLOWS:

Section 1. Classification. This is a **Non-Code Ordinance**

Section 2. For the Fiscal Year of 2012, estimated expenditures have changed from the estimates in the approved budget.

Section 3. For the current fiscal year the budget is amended to reflect the changed estimates as follows:

Budget Category	Amounts		
	Original Budget	Amended Budget	Change
INCOME			
State CIP Grant	\$0	\$235,000	+\$235,000
TOTAL INCOME	\$38,911	\$273,911	+\$235,000
EXPENSE			
Contractual Services	\$13,171	\$248,171	+\$235,000
TOTAL EXPENSE	\$38,911	\$273,911	+\$235,000

Section 4. The budget is hereby amended as indicated and any portion of the approved budget inconsistent with this amendment is repealed.

Section 5. Effective Date. This ordinance becomes effective upon its adoption by the Gustavus City Council.

DATE INTRODUCED: August 11, 2011

DATE OF PUBLIC HEARING: September 8, 2011

PASSED and APPROVED by the Gustavus City Council this _____
day of _____, 2011.

Jim Mackovjak
Mayor

Attest: Kapryce Manchester, CMC
City Clerk

**City of Gustavus, Alaska
Ordinance No. FY12-01NCO**

**AN ORDINANCE FOR THE CITY OF GUSTAVUS PROVIDING FOR THE AMENDMENT OF
THE DISPOSAL & RECYCLING CENTER (DRC) BUDGET FOR FISCAL YEAR 2012**

BE IT ENACTED BY THE GUSTAVUS CITY COUNCIL AS FOLLOWS:

Section 1. Classification. This is a **Non-Code Ordinance**

Section 2. For the Fiscal Year of 2012 estimated expenditures have changed from the estimates in the approved budget.

Section 3. For the current fiscal year the budget is amended to reflect the changed estimates as follows:

Budget Category	Amounts		
	Original Budget	Amended Budget	Change
EXPENSE			
Training	\$ 950.00	\$ 1,115.00	+\$ 165.00
Travel	\$2,500.00	\$ 2,335.00	- \$ 165.00

Section 4. The budget is hereby amended as indicated and any portion of the approved budget inconsistent with this amendment is repealed.

Section 5. Effective Date. This ordinance becomes effective upon its adoption by the Gustavus City Council.

DATE INTRODUCED: July 14, 2011

DATE OF PUBLIC HEARING: August 11, 2011

PASSED and APPROVED by the Gustavus City Council this ____ day of _____, 2011.

Jim Mackovjak
Mayor

Attest: Kapryce Manchester, CMC
City Clerk

**CITY OF GUSTAVUS, ALASKA
ORDINANCE NO. FY12-02NCO**

ADVISORY QUESTION NO. 1

Should the City of Gustavus pursue a VPSO position for our community to enhance public safety as well as to facilitate enforcement of City ordinances?

BE IT ENACTED BY THE GUSTAVUS CITY COUNCIL AS FOLLOWS:

SECTION 1. CLASSIFICATION. This non-code ordinance is of a permanent nature.

SECTION 2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected thereby.

SECTION 3. PURPOSE AND FINDINGS. The purpose of this advisory question is to solicit public opinion regarding the establishment of a VPSO position in our community to enhance public safety as well as to facilitate enforcement of City ordinances.

SECTION 4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Gustavus City Council that the following advisory ballot question be placed on the October 4th, 2011 General Election Ballot and shall read substantially as follows:

ADVISORY QUESTION NO. 1

Should the City of Gustavus pursue a VPSO position for our community to enhance public safety as well as to facilitate enforcement of City ordinances?

YES ☐ NO ☐

Section 5. EFFECTIVE DATE. This non-code ordinance becomes effective upon its adoption by the Gustavus City Council.

DATE INTRODUCED: July 8th, 2010

DATE OF PUBLIC HEARING: August 12th, 2010

PASSED and APPROVED by the Gustavus City Council this 12th day of August, 2011.

Jim Mackovjak, Mayor

**Attest: Kapryce Manchester
CMC, City Clerk**

**City of Gustavus, Alaska
Ordinance No. FY12-03NCO**

**AN ORDINANCE FOR THE CITY OF GUSTAVUS PROVIDING FOR THE AMENDMENT OF
GVFD BUDGET FOR FISCAL YEAR 2012**

BE IT ENACTED BY THE GUSTAVUS CITY COUNCIL AS FOLLOWS:

Section 1. Classification. This is a **Non-Code Ordinance**

Section 2. For the Fiscal Year of 2012, estimated expenditures have changed from the estimates in the approved budget.

Section 3. For the current fiscal year the budget is amended to reflect the changed estimates as follows:

Budget Category	Amounts		Change
	Original Budget	Amended Budget	
INCOME			
Grants- RFA/VFA	\$ 0.00	\$ 4,450.00	+\$ 4,450.00
Grants – CIP Grant FY12	\$ 0.00	\$ 28,220.00	+\$28,220.00
Fundraising	\$ 2,000.00	\$ 4,629.00	+\$ 2,629.00
EXPENSE			
Equipment	\$ 3,000.00	\$ 35,670.00	+\$32,670.00
Training	\$ 4,500.00	\$ 7,129.00	+\$ 2,629.00

Section 4. The budget is hereby amended as indicated and any portion of the approved budget inconsistent with this amendment is repealed.

Section 5. Effective Date. This ordinance becomes effective upon its adoption by the Gustavus City Council.

DATE INTRODUCED: July 21, 2011

DATE OF PUBLIC HEARING: August 11, 2011

PASSED and APPROVED by the Gustavus City Council this _____ day of _____, 2011.

Jim Mackovjak, Mayor

Attest: Kapryce Manchester, CMC
City Clerk

City of Gustavus, Alaska

Resolution 2011-19

A RESOLUTION FOR A SOLE SOURCE CONTRACT WITH CORVID COMPUTING TO SERVE AS PROJECT MANAGER ON BEHALF OF THE CITY OF GUSTAVUS TO ADMINISTER THE LEGISLATIVE GRANT TO PLAN AND DESIGN A LAST-MILE COMMUNITY BROADBAND NETWORK FOR GUSTAVUS

WHEREAS, the City of Gustavus has been awarded a Legislative grant in FY2012 from the Alaska Legislature to develop a two-phase project to 1) Plan and 2) Design a last-mile community broadband system (Gustavus Broadband Project); and

WHEREAS, the Gustavus Broadband Project is a complex, multi-year undertaking that is beyond the capacity of the GCN Board to manage as volunteers; and

WHEREAS, it is in the public interest to complete the project in two years rather than three in order to provide the citizens and businesses of Gustavus improved access to the internet in a challenging and changing economic and technological environment; and

WHEREAS, in order for the City of Gustavus to develop a Plan and submit a final Design for consideration before the Alaska Legislature within a two-year timeframe - for consideration in the FY2014 funding cycle - the Gustavus Broadband Project must be initiated at the earliest possible opportunity in FY12 in order to meet that objective; and

WHEREAS, professionally qualified project manager with proven experiences, skills, competencies, capacities and knowledge of Gustavus and its unique characteristics is needed; and

WHEREAS, persons who are uniquely qualified with the needed experiences, skills, competencies, capacities and knowledge currently reside full or part-time in Gustavus; and

WHEREAS, the Gustavus City Council has the authority to enter into sole source contracts under Title 4.17.030(b) if competitive bids are considered impractical, and for professional services in unique situations under Title 4.17.120(b); and

WHEREAS, a competitive bid is impractical because the process is time consuming within the timeframe for submitting a design for the Gustavus Broadband Project to the Alaska Legislature for consideration in FY2014; and

WHEREAS, a competitive bid is impractical because it would be unlikely to acquire the services of a project manager more highly qualified than those who already reside in Gustavus and who, because of their long tenure involved in creating GCN since inception are familiar with the needs and idiosyncrasies of Gustavus; and

WHEREAS, Corvid Computing is a business licensed in the State of Alaska and Gustavus for providing the full range of computer and information technology services,

and has on staff or can contract with persons uniquely qualified with the requisite experiences, skills, competencies and knowledge, and has the capacity to begin management of the Gustavus Broadband Project at the earliest possible opportunity and is capable of meeting the deadline for submitting a design to the Alaska Legislature for consideration in the FY2014 budget; and

WHEREAS, No conflict of interest exists with Corvid Computing administering the Gustavus Broadband Project, as Corvid Computing will not submit bids for developing the Plan or Design, and have stated so in writing;

THEREFORE BE IT RESOLVED, the Gustavus City Council, in order to effectively achieve the goal of submitting a CIP request to the Alaska Legislature for consideration in FY2014 for construction funding for the Gustavus Broadband System, has chosen to enter into a sole source contract with Corvid Computing as Project Manager for the Gustavus Broadband Project; and

BE IT FURTHER RESOLVED, the Mayor, as the City's purchasing agent, will enter into a sole source contract with Corvid Computing as Project Manager for the Gustavus Broadband Project at the earliest possible date following adoption of this resolution, with the contract amount not to exceed 10% of the project funding total. The contract will be a yearly contract.

PASSED and APPROVED by the Gustavus City Council this 11th day of August, 2011

Jim Mackovjak, Mayor

Louis Cacioppo, Vice Mayor

Melanie Lesh, Council Member

Tim Sunday, Council Member

John Nixon, Council Member

Joe Lassiter, Council Member

Karen Colligan-Taylor, Council Member

Attest: Kapryce Manchester, CMC

City Clerk

Wayne Howell
August 11, 2011
Gustavus

To: Gustavus City Council

I am writing as an incoming member of the Gustavus Community Network Board to encourage the Council to support a resolution to award a sole-source contract to Corvid Computing to serve as project manager for the Gustavus Broadband Project. I base my position on the fact that as I have familiarized myself with the information on the Legislative discretionary grant (all background documents are posted online and available to the public), it has become apparent that the most expeditious and effective way to accomplish the project is to hire Corvid Computing to manage the project. I base this on the fact that a sole-source contract would be a one step administrative process, rather than a multi-step process if we were to hire a city employee or do an open-source RFP, which could take some months to achieve.

Also, personnel associated with Corvid are intimately familiar with our current internet service, and with the future needs of the community. They would not face a learning curve and have the need to expend any time or energy to learn background information and would be able to begin immediately to move the project forward. This is of particular importance since the project already faces a very tight timeline to accomplish the object of submitting a CIP proposal to the Legislature in time for consideration in the FY2014 budget cycle. The loss of a month or two now could move the project from a two-year to a three-year timeline.

The City Council has the authority to do a sole-source contract based on existing ordinance. The process promises to be transparent and fair, and I believe in the best interest of the public. I do not believe that any other process of securing the services of a project manager would produce a more qualified and capable manager than Corvid.

I very much look forward to serving as a member of the GCN Board. The Board is currently in the process of a complete turnover, with two new members coming onto board in August, and two more who are submitting forms for consideration by the Council in September. The prior GCN Board did a great job getting us to this point, and now it is time to move the project forward with a new group of volunteers. A sole-source contract with Corvid is the first step to get the project moving forward.

Regards,

\s\ Wayne Howell

City of Gustavus, Alaska

Resolution 2011-20

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF GUSTAVUS (CoG) DIRECTING THE MARINE FACILITIES COMMITTEE TO REVIEW AND DRAFT UPDATES OF THE CoG MUNICIPAL CODE TITLE 8, HARBOR FACILITIES, FOR CONSIDERATION BY THE CITY COUNCIL BY NOVEMBER 1, 2011.

WHEREAS, the Gustavus Dock Replacement Project, No. 67599 (Gustavus Multi-Modal Marine Facility), was substantially completed in 2010, and

WHEREAS, a Memorandum of Understanding was signed between the State of Alaska Department of Transportation and Public Facilities (DOT&PF), the Southeast Region Alaska Marine Highway System (AMHS), the United States Department of Interior National Park Service, and the City of Gustavus in 2010 regarding uses, regulations, and responsibilities pertaining to the Gustavus Multi-Modal Marine Facility, and

WHEREAS, in the above-mentioned MOU the City of Gustavus agrees to adopt harbor regulations specifying rules governing the use of the Facility and Float System, and

WHEREAS, the new breakwater float and expanded mooring float, known in the MOU as the Small Vessel Harbor Float System, have an expected completion date of May 2012, and

WHEREAS, the DOT&PF will transfer ownership of the Float System to the City of Gustavus by separate bill of sale and accompanying memorandum of agreement, and

WHEREAS, the City of Gustavus submitted a petition to the Local Boundary Commission to annex territory that includes the waters between the City's original boundary and Pleasant Island, and

WHEREAS, pending the Local Boundary Commission's decision and the Legislature's approval on the CoG annexation petition, the City may need to exercise powers and provide facilities and services in the above waters through "extraterritorial jurisdiction" as provided under AS 29.35.020; and

WHEREAS, the City Council intends to amend the CoG Code and take such additional steps necessary to regulate and control the Gustavus Multi-Modal Marine Facility and related waters on or before the May 2012 estimated completion date for the Small Vessel Harbor Float System.

AND NOW THEREFORE BE IT RESOLVED, that the Gustavus City Council directs its Marine Facility Committee to:

1. Review CoG Title 8, Harbor Facilities, to identify necessary or desirable amendments pertaining to access, use, regulation and control of the City's Small Vessel Harbor System, and recommend those amendments to the City Council for action;
2. Consult with concerned state and federal agencies to determine whether existing regulations, controls and cooperative agreements are adequate to facilitate safe and efficient access to the dock by the AMHS, fuel barges, emergency response vessels and others; and, based upon those consultations, make recommendations to the City Council regarding necessary or appropriate regulations, controls or cooperative agreements necessary to facilitate safe and efficient access to the dock by the AMHS, fuel barges, emergency response vessels and others;
3. Identify and recommend to the City Council those facilities, services, regulations and controls that the City of Gustavus will provide in waters under its jurisdiction either by the CoG or through one or more multi-agency management agreements, and recommend those steps necessary for the CoG to provide those facilities, services, regulations and controls on a timely basis;
4. Identify and recommend to the City Council any other changes deemed necessary or appropriate to offer municipal facilities and services, and to exercise municipal powers at the Gustavus Multi-Modal Marine Facility and in adjacent waters;
5. Report on its progress on this assignment at each regular meeting of the City Council until completed; and
6. Complete this assignment not later than November 1, 2011.

PASSED and APPROVED by the Gustavus City Council this 11th day of August 2011.

Jim Mackovjak, Mayor

Louis Cacioppo, Vice Mayor

Melanie Lesh, Council Member

Tim Sunday, Council Member

John Nixon, Council Member

Joe Lassiter, Council Member

Karen Colligan-Taylor, Council Member

Attest: Kapryce Manchester, CMC
City Clerk