

## WORK SESSIONS

- I. 5:00 – 6:00 PM  
SIRE TRAINING
- II. 6:00 - 7:00 PM  
2013 LEGISLATIVE PRIORITIES

## REGULAR AGENDA - 7:00 PM

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL

Council Members Present: *Mayor Dave Cobb*  
*Council Member Karen Ables*  
*Council Member Jeremy Miner*  
*Council Member Dorothy Moore*  
*Council Member Christopher Moulton*  
*Council Member Donna Schantz*  
*Council Member Mike Wells*

Council Members Absent: None

Also Present: *City Manager John Hozey*  
*City Clerk Sheri Pierce*  
*City Attorney Bill Walker*  
*Deputy City Clerk Holly Powers*

- IV. APPROVAL OF MINUTES OF THE REGULAR MEETING OF  
NOVEMBER 5, 2012

The minutes from the regular meeting of November 5, 2012 were approved as presented.

- V. PUBLIC APPEARANCES
- VI. PUBLIC BUSINESS FROM THE FLOOR

James (Hotai) Williams addressed the Council regarding the current C & D pit issues and assured the public that what is going on there is not the fault of Larry Weaver, Public Works Director. He indicated that Mr. Weaver is doing the best he can with what he has been handed.

He then expressed his disappointment with what has transpired when his nephew, Pat Gunion, who recently purchased a trailer hoping to put it on his father's lot. Mr. Williams explained that Mr. Gunion's father, Don Gunion, owns three lots and was told by the Planning Department that the property lines on those three lots had been erased without him knowing it was being done. Consequently, he continued, they were told that Pat Gunion may not put his trailer on the property as planned. They have since been forced to live together in Don Gunion's home which has created an uncomfortable situation for everyone. Mr. Williams asked that Mr. Hozey prove that the property lines have been erased legally. He felt that they should be allowed to put their trailer house where they originally planned. He asked that the City Council step up to the plate and help this family.

Mr. Williams then accused the Planning Department of abusing senior citizens. He used the example of what happened to Dr. Houseman. He explained that Dr. Houseman had to tear down half of the structure he built on his property and that in Mr. Williams' opinion, was not at all warranted. Mr. Williams gave other examples of how he felt that the Planning Department has harassed senior citizens and he asked that the Council look into it. He felt that we should take care of our elders and also stated that many of them do not have the wherewithal or energy to fight wrong doing.

## **VII. CITY MANAGER/CITY CLERK/CITY ATTORNEY/MAYOR REPORTS**

### CITY MANAGER

#### Senior Center Carport

Mr. Hozey reported that Phase I is almost complete. They have trim and some electrical work to complete as well as work needed on the temporary walk way.

#### Kelsey Dock Mooring Dolphin

Mr. Hozey explained that steel piles are in and they are now working on guide piles and anchors and hope to be finished within the next two weeks, weather permitting.

#### New Harbor Planning

Mr. Hozey explained that the Ports and Harbor Commission has taken this on and

there will be Public Hearings during the next two commission meetings on the proposed new harbor concepts. He encouraged the public to attend and offer their thoughts on this process. He stated that they now had rough drawings from the consultant that will hopefully spark public comment.

#### Beautification Task Force

Mr. Hozey explained that the task force has continued to meet. They have been working to consolidate the original beautification plan drafted in the 90s with the current work done by the task force and consultant. He indicated that they have made significant progress but have a ways yet to go.

#### Area Inundation Mapping

Mr. Hozey stated that they have been working on this for many years and they finally have the models and all of the information that show how inundation could occur during worst case scenarios approaching the 1964 event. He indicated that they are using that information to re-evaluate their emergency operation plans and how they might do things differently.

#### Hermon Hutchins Elementary School HVAC Project

He stated that they executed the contract and design has begun on the project.

#### Medical Campus Master Plan Task Force

He stated that they met and finalized the final form of the plan and the task force will brief the Council on their progress at a work session on December 17, 2012.

#### Community Strategic Planning

He stated that the meeting scheduled for that week is going to have to be postponed due to other pressing issues. He indicated that at the last meeting the Planning Core took a pretty significant change in direction in the form of the plan and stated that that process required a great deal of work. He said that he needed more time to sit down with the consultants and work through those changes. Mr. Hozey indicated that the next meeting was scheduled for on January 9, 2013.

#### Benefits Committee

Mr. Hozey stated that the committee had been meeting to come up with a plan to hopefully reduce the cost of benefits. He reported that a lot of work had been done but there was quite a bit of work left to do. He stated that he would need to

meet with the committee for at least the next 4-6 months before he would be ready to bring anything back to Council.

#### New Middle School Project

Mr. Hozey explained that this project has been incredibly time consuming. He indicated that they would be having a building committee meeting coming up to re-engage the design team now that they have a project manager on board. He explained that they will close on the bonds on December 14th and that he, the City Clerk, and Finance Director will travel to Anchorage to complete the closing.

#### CITY CLERK

Ms. Pierce thanked the Council for their participation in the electronic agenda training prior to the meeting.

Ms. Pierce announced that the City Council had decided to change the order of the agenda for all future City Council meetings. *Public Business from the Floor* will now be located at the end of the agenda following written reports. This is being done, she explained, so that the Council can take care of regularly scheduled agenda items first. She stated that this change would also affect the reports presented by the City Manager, City Clerk, Mayor and the City Attorney which will now follow *Public Business from the Floor*. *Public Appearances* will remain in its current location. This change will take place starting with the first meeting in January 2013.

#### CITY ATTORNEY

Mr. Walker stated that he spent the majority of the day with the Attorney General discussing TAPS issues and that discussion will be presented to Council during Executive Session.

He reminded Council that oral arguments to the Supreme Court will be heard on the TAPS 2006 Judge Gleason decision on December 12th.

He stated that since the LNG Summit held in Valdez in September he has completed 13 presentations in different parts of Asia. He stated that he hoped to convey this information to the public so that they understand what kind of reception he is receiving. He indicated that many of the presentations he was asked to do were a direct result of the LNG Summit held in Valdez. He hoped to explore the possibility of getting this information out to the public in 2013.

**VIII. CONSENT AGENDA**

1. **Approval to go into Executive Session regarding TAPS Valuation/Litigation.**

**MOTION: Council Member Dorothy Moore moved, seconded by Council Member Mike Wells, to approve going into Executive Session regarding TAPS Valuation/Litigation..**

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

**IX. NEW BUSINESS**

1. **Approval of Audit Engagement Letter for The 2012 Audit with Altman Rogers & Co.**

Council member Moore asked why the dollar amount was not included on the agenda statement. Mr. Hozey stated that the dollar amount is in the body of the agenda statement but is not included at the top of the agenda statement where it normally goes. He explained that since this was the first time using the electronic agenda software that it was over looked. He assured Council member Moore that he would try to catch that in the future.

Ms. Pierce asked Council member Moore to read into the motion what the amount is.

**MOTION: Council Member Mike Wells moved, seconded by Council Member Dorothy Moore, to Approve the Audit Engagement Letter for The 2012 Audit with Altman Rogers & Co. in the amount of \$59,819. .**

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

2. **Approval of Write-offs Greater than \$500**

**MOTION: Council Member Dorothy Moore moved, seconded by Council Member Mike Wells, to Approve Write-offs Greater than \$500.**

Council member Wells asked if the City would continue to collect the debts. Mr. Hozey replied in the affirmative stating that collection efforts continue and that this action just clears the City's books.

Council member Miner asked if the City has any recourse if the debt is not paid. Mr. Hozey replied that the City ceases to provide the service the customer owes money for and they are turned over to collections. He also indicated that if they

sign up for the Energy Assistance Program, or provide an invoice to the City for any type of payment, there will be an offset and the money they owe the City is taken for that amount. He stated that just fining someone that owes money does not usually help. He explained that if they already owe the City money they are very unlikely to pay an additional fine on top of that. Council member Miner asked if we could put a lien on their property. Mr. Walker replied that in order to do that you would have to obtain a judgment such as in small claims court or a default judgment and once it was recorded it would be attached to the property. He stated that this process can be expensive and agreed with Mr. Hozey that a better use of money would be to send them to collections.

Council member Schantz asked if the debt owed by Larry Reynolds for almost \$10,000 was for costs associated with removing the collapsed Three Bears Building. Lisa Von Barga, Community and Economic Director, replied in the affirmative.

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

**3. Discussion Item: Disposition of the 2012 General Fund Contribution from the Valdez Permanent Fund**

Mr. Hozey explained that every year the City takes the money that is required by charter to be automatically transferred to the General Fund, and appropriate it into the budget, but do not plan to spend it. They hold on to it until the end of the year just in case their budgeted revenues do not come in. At the end of the year, if they do not need it, Administration goes to Council for direction on what to do with the money. He explained that money has not yet been liquidated from the permanent fund holdings so should they chose to return it to the fund, then no assets actually change hands. He stated that if the Council wanted to retain access to the money then they would liquidate those assets and move them to where desired. The difference is that if it stays in the permanent fund the Council will lose access to it again without voter action. If they want to retain access to it but not spend it then they would accept the appropriation and move it to a reserve fund until a decision is made on what to do with it. He stated that if that was their choice he recommended putting it in the Major Renovation Reserve account.

Council member Moulton asked why that account was recommended as opposed to any other. Mr. Hozey explained that this account is used for major renovations and replacement for major maintenance and capital projects and that is where the current budget places excess revenues over expenditures. Another option would be to place it in the debt service fund.

Council member Moore stated that they managed to balance the budget in 2012

and that they were presented with a balanced budget for 2013 and she would like to see it stay in the permanent fund. She asked the Council to remember that when they put this to the voters the assessment of the pipeline and the terminal was very low. They did not know where money would be coming from. A year later the assessment drastically changed and they have managed to keep it up ever since. She felt that they did not need it this year and she wanted to save it for future generations.

Council member Wells seconded Council member Moore's position. Council member Ables stated that she did not want the money to stay in the permanent fund. She felt that they should hold on to it for a while stating that the Energy Assistance Program is still up in the air. Mayor Cobb reiterated what Council member Moore stated; when it went to the voters the money was to be used to balance the budget. Using it for anything else is going against the voter intent. Therefore, Mayor Cobb, strongly urged the Council to agree to leave the money in the permanent fund.

Council member Ables stated that she felt that they could make that decision later, that it did not have to be decided until it is clear that the money is not needed. Mayor Cobb stated that the money coming out in 2013 could be used if there is a need. Council member Moore stated that it has stayed in the permanent fund until this point in time. If it is taken out then it ceases to accrue interest at the rate the permanent fund is. She stated that at the recent permanent fund meeting it was determined that the diversification of the fund is what is making the City money.

Council member Schantz stated that she agreed with Council member Ables that it was really difficult to bring a balance budget for 2013 and once it is left in the permanent fund it will take a vote of the people to get it back. She stated that she would like to see the actual ballot language because she does not remember that specifically. She felt that it would be helpful to have that in front of them to assist in this decision. She stated that if they did take it out of the permanent fund that it should be put in a specific account that is designated as such so that it would need a specific motion to use the money. She stated that they may need the money unexpectedly. Mayor Cobb stated that they have a budget reserve that can be used in the event of an emergency. Council member Wells echoed Mayor Cobb's view stating that they also have money in other reserves they could access in an emergency. He stated that he did not see the need to pull it out of the permanent fund.

Council member Moulton agreed that the money should stay in the permanent fund considering the other reserves available if the need arises. Council member Miner agreed to that as well. Council member Ables stated that she would like to

think about it more before making a final decision. Mr. Hozey stated that they would have to make the decision by the end of the year which means that he needs consensus from Council on what they wish so he can bring a resolution back to them at the following meeting. It was the consensus of Council to leave the money in the permanent fund.

**X. ORDINANCES**

- 1. #12-02 - Repealing and Reenacting Chapter 15.04 of the Valdez Municipal Code Titled Building Code by Adopting the 2009 Edition of the International Building Code, Certain Appendices and Local Amendments. First Reading. Public Hearing.**

**MOTION: Council Member Dorothy Moore moved, seconded by Council Member Mike Wells, Motion to Approve #12-02 - Repealing and Reenacting Chapter 15.04 of the Valdez Municipal Code Titled Building Code by Adopting the 2009 Edition of the International Building Code, Certain Appendices and Local Amendments. First Reading. Public Hearing..**

Lisa Von Bargaen, Community and Economic Development Director, explained the purpose of the ordinances on the agenda that evening stating that this adoption would be taking place after the state has already adopted these codes. The codes will get them current up to 2009 and they will be adopting them with local amendments. Mayor Cobb explained how this process works in that if a person wanted to build something they would be asked to build it according to what the city had adopted as their code. Currently, the city is at the year 2000 code level and until now the state fire marshal is at 2006. Now, if the City adopts this it will bring them to the 2009 code.

Council member Moore stated that she is not against adopting the code as long as they take into consideration what is needed for Valdez's unique weather issues. She stated that she was a bit frustrated that this all came up so quickly and they do not have the proper time to review the codes in full. She stated though that if they did not pass them by the 20th of December, that our Insurance Services Organization (ISO) rating could be affected which would lead to higher insurance premiums. So, she stated that she did not want that to happen but was upset with the state for giving such little time to properly review the proposed codes.

Ms. Von Bargaen stated that she needed to defend the state in that the City of Valdez has not kept up with adopting new versions of the code when the state has adopted them and it is not the fire marshal that has put us in the situation with the ISO rating. She indicated that the City is at fault for not adopting more recent versions of the code. She explained that the ISO is a completely separate



organization from the fire marshal that is funded by insurance companies. She stated that last year they had their ISO audit and at that time they assumed that the state would pass the codes last year. They did not in fact pass them until now and the City has been waiting for them to pass them so they could adopt the most recent version. She explained that part of the issue is the City's fault for not adopting more recent versions of the code before now and part of it is the state's fault for taking so long to adopt the 2009 codes. She felt that they were not in an ideal situation by any means. She stated that since ISO gave the City a deadline of December 20th and since the state took so long to adopt the 2009 codes they are in a bit of a bind. She indicated she wished they had the time to have a more appropriate public hearing process and to also solicit the input of contractors and interested home and building owners. She stated that if anyone from the public wants to come in and discuss any amendment to the code they are more than welcome to do so. If a change to the code is desired then they could make that change by ordinance at a future date.

Mayor Cobb asked if the Planning and Zoning Commission had been given the opportunity to look at the codes. Ms. Von Bargaen replied in the negative stating that historically the Planning and Zoning Commission has had nothing to do with the building codes. The City Council has by code been the appeal body and that is one thing ISO marked them down on. That is why, she explained, that they have since changed the appeal process to include the Planning and Zoning Commission, the Board of Adjustment and the Court System. So, going forward they would be involved but up until now they have not.

Council member Wells stated that he agreed with Council member Moore in that they are in a position to have to pass these codes that evening due to the extremely tight deadline. However, he proposed that they go ahead and send them to Planning and Zoning for an official public hearing even though they will be adopted at that time. What comes out of that, he stated, could come back to Council for review. He stated that he would just feel more comfortable with a public hearing process where people could come in and voice their opinions. Mr. Hozey and Ms. Von Bargaen agreed that this would be a great idea and that it would be scheduled through the Planning and Zoning Commission as soon as possible.

Ms. Pierce stated that the titles of the ordinances would go into the newspaper the following day. However, she agreed that a better public process would be served in an official public meeting. Mr. Hozey suggested that that meeting be held after the first of the year so that proper notification to facilitate a decent response to a public hearing could occur. If changes were requested then they could look at making those changes by ordinance in 2013.

Council member Ables asked if the risk in not adopting the codes is just in the possibility of increased homeowner's insurance rates. Ms. Von Bargaen replied in the affirmative and also explained that ISO ratings are only reviewed once every 5 years. So, if our rating went up, she clarified, then it would be another five years before it might go back down.

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

- 2. #12- 03 - Creating Chapter 15.06 of the Valdez Municipal Code Titled Residential Code by Adopting the 2009 Edition of the International Residential Code, Certain Appendices and Local Amendments. First Reading. Public Hearing.**

**MOTION: Council Member Dorothy Moore moved, seconded by Council Member Karen Ables, to Approve #12- 03 - Creating Chapter 15.06 of the Valdez Municipal Code Titled Residential Code by Adopting the 2009 Edition of the International Residential Code, Certain Appendices and Local Amendments. First Reading. Public Hearing.**

Council member Moulton asked why the city's ISO rating is currently at 8. Ms. Von Bargaen replied that it has been that way for the last two audits. She stated that she believes that one of the reasons the rating is at an 8 is because they have only one building inspector who is responsible for knowing all of the codes and the fact that she is responsible for far too many inspections and plan reviews. Another reason the score took a hit was because the most recent code adopted by the City of Valdez is more than five years older than the most recent version of the current code that is available. Finally, she said another factor was the appeal process and how it was currently set up to only be heard by the City Council.

Council member Moulton asked what the difference would be on insurance rates between our score and a higher one. Ms. Von Bargaen stated that she did not have that information but would try and find out.

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

- 3. #12- 04 - Amending Chapter 15.08 of the Valdez Municipal Code Titled Electrical Code by Adopting the 2011 Edition of the National Electrical Code, Certain Appendices and Local Amendments. First Reading. Public Hearing.**

**MOTION: Council Member Dorothy Moore moved, seconded by Council**

**Member Christopher Moulton, to Approve #12- 04 - Amending Chapter 15.08 of the Valdez Municipal Code Titled Electrical Code by Adopting the 2011 Edition of the National Electrical Code, Certain Appendices and Local Amendments. First Reading. Public Hearing..**

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

- 4. #12-05 - Amending Chapter 15.12 of the Valdez Municipal Code Titled Plumbing Code by Adopting the 2009 Edition of the Uniform Plumbing Code, Certain Appendices and Local Amendments. First Reading. Public Hearing.**

**MOTION: Council Member Dorothy Moore moved, seconded by Council Member Christopher Moulton, to Approve #12-05 - Amending Chapter 15.12 of the Valdez Municipal Code Titled Plumbing Code by Adopting the 2009 Edition of the Uniform Plumbing Code, Certain Appendices and Local Amendments. First Reading. Public Hearing. .**

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

- 5. #12-06 - Amending Chapter 15.16 of the Valdez Municipal Code Titled Mechanical Code by Adopting the 2009 Edition of the International Mechanical Code, Certain Appendices and Local Amendments. First Reading. Public Hearing.**

**MOTION: Council Member Dorothy Moore moved, seconded by Council Member Christopher Moulton, to Approve #12-06 - Amending Chapter 15.16 of the Valdez Municipal Code Titled Mechanical Code by Adopting the 2009 Edition of the International Mechanical Code, Certain Appendices and Local Amendments. First Reading. Public Hearing. .**

Council member Moore asked when the City would need to adopt another code revision.

Ms. Von Barga explained that it is a slightly complicated issue. She stated that the state only adopts certain codes within the international family including the international building, international mechanical and international fuel/gas code. However, they have stuck with the uniform code when it comes to plumbing and have gone with the national code with electrical. So, she reported, the uniform codes and international codes are on the same year for renewal where the national codes are on a completely different year. So, she concluded that there is already a 2012 edition for international codes. However, the state just adopted the 2009 codes.

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

- 6. #12-07 - Amending Chapter 15.20 of the Valdez Municipal Code Titled Fuel Gas Code by Adopting the 2009 Edition of the International Fuel Gas Code, Certain Appendices and Local Amendments. First Reading. Public Hearing.**

**MOTION: Council Member Dorothy Moore moved, seconded by Council Member Christopher Moulton, to Approve #12-07 - Amending Chapter 15.20 of the Valdez Municipal Code Titled Fuel Gas Code by Adopting the 2009 Edition of the International Fuel Gas Code, Certain Appendices and Local Amendments. First Reading. Public Hearing..**

Council member Ables asked for clarification on how this ordinance will affect Valdez differently than the previously discussed ordinances. The state of Alaska only adopts two chapters of the fuel gas code and it was the recommendation from our code consultants rather than just those two chapters since that is what we have done before. Since adopting it last time they have had no issues so they felt like it would be beneficial to again adopt the entire chapter.

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

- 7. #12-08 - Amending Chapter 8.12 of the Valdez Municipal Code Titled Fire Code by Adopting the 2009 Edition of the International Fire Code, Certain Appendices and Amendments as Adopted by the Alaska State Fire Marshal. First Reading. Public Hearing.**

**MOTION: Council Member Christopher Moulton moved, seconded by Council Member Dorothy Moore, to Approve #12-08 - Amending Chapter 8.12 of the Valdez Municipal Code Titled Fire Code by Adopting the 2009 Edition of the International Fire Code, Certain Appendices and Amendments as Adopted by the Alaska State Fire Marshal. First Reading. Public Hearing..**

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

- 8. #12-09 - Amending Chapter 2.80 of the Valdez Municipal Code Titled Procurement Policy. First Reading. Public Hearing**

**MOTION: Council Member Christopher Moulton moved, seconded by Council Member Dorothy Moore, to Approve #12-09 - Amending Chapter 2.80 of the Valdez Municipal Code Titled Procurement Policy. First Reading. Public Hearing.**

Mr. Hozey explained that this is the ordinance change requested by Council at the previous meeting regarding procurement construction delivery methods. When they discussed the possible procurement methods for the middle school the GC/CM Model was discussed which the City Council endorsed. However, the City Code is very specific in its use of the term "bid". So, Administration has since worked with the City Attorney and the City Clerk and rather than adopt an entire lengthy procedure that defining the term "bid" more broadly would be a simpler and flexible solution. This will allow them to evaluate multiple pre-defined criteria and not just price alone.

Council member Moulton asked if this would allow us to go with any potential bidder in the future. Mr. Hozey replied in the affirmative.

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

#### **XI. RESOLUTIONS**

##### **1. #12-63 - Adopting the 2013 Budget for the City of Valdez, Alaska and Appropriating Monies for that Budget**

**MOTION: Council Member Mike Wells moved, seconded by Council Member Dorothy Moore, to Approve #12-63 - Adopting the 2013 Budget for the City of Valdez, Alaska and Appropriating Monies for that Budget.**

Council member Moore stated that she would support the motion though she may not agree with every single thing in the budget but that she felt that a lot of work went into the effort and she would support it. It is a balanced budget and a plan for them to move forward, she said.

Council member Moulton stated that he would support it as well. He noted that there were some tense moments but that they got through it. He also felt that since there were not public comments against the budget that he should support it.

Council member Schantz stated that she would support it as well especially since if they vote it down then it defaults to the presented budget. She indicated that changes that were made to the budget were positive however one of her biggest issues is that she does not feel the budget is truly reflective of the money that is really available for Capital Improvement Projects and Major Maintenance. She concluded that those issues would hopefully be worked out in an upcoming work session.

Council member Wells stated that he would support it. He felt that Administration

did a good job in trying to hold the line as best they could. There were some increases in there that are beyond Administration's control. He commended Mr. Hozey and his staff for working within the directive given.

Council member Moulton asked what the newly hired snow shovelers would do if there is no snow. Mr. Hozey stated that they have a few weeks of work for them but if it does not snow they can be laid off since they are temporary workers.

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

- 2. #12-64-Amending the 2012 Budget in The Capital Facilities Fund and the Reserve Fund by Authorizing the Transfer in the Amount of \$18,124.04 from the Reserve Fund To The Capital Facilities Fund and Increasing the Appropriation in the Senior Center Carport Project and Reducing the Appropriation in the City Hall Waterline Project in the Amount of \$18,124.04 and Authorizing the Expenditure**

**MOTION: Council Member Christopher Moulton moved, seconded by Council Member Dorothy Moore, to Approve #12-64-Amending the 2012 Budget in The Capital Facilities Fund and the Reserve Fund by Authorizing the Transfer in the Amount of \$18,124.04 from the Reserve Fund To The Capital Facilities Fund and Increasing the Appropriation in the Senior Center Carport Project and Reducing the Appropriation in the City Hall Waterline Project in the Amount of \$18,124.04 and Authorizing the Expenditure.**

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

- 3. #12-65 - Amending the 2012 City Budget by Accepting Book Basket Auction Proceeds in the Amount of \$873.00 to the Valdez Consortium Library and Authorizing Expenditure**

**MOTION: Council Member Christopher Moulton moved, seconded by Council Member Karen Ables, to Approve #12-65 - Amending the 2012 City Budget by Accepting Book Basket Auction Proceeds in the Amount of \$873.00 to the Valdez Consortium Library and Authorizing Expenditure.**

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

- 4. #12-66 - Repealing Resolution 11-70 and Establishing the 2013 Fee for Business Registrations**

**MOTION: Council Member Mike Wells moved, seconded by Council Member Christopher Moulton, to Approve #12-66 - Repealing Resolution 11-70 and Establishing the 2013 Fee for Business Registrations.**

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

- 5. #12-67 - Adopting an Alternate Allocation Method for the State of Alaska FY13 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Prince William Sound Fisheries Management Area**

**MOTION: Council Member Dorothy Moore moved, seconded by Council Member Karen Ables, to Approve #12-67 - Adopting an Alternate Allocation Method for the State of Alaska FY13 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Prince William Sound Fisheries Management Area.**

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

Council member Wells asked if this is in support of an equal split between the three communities. Mr. Hozey replied in the affirmative stating that they do not know if they have an agreement on this but in the event they do get an agreement then the City will be ready to move forward.

Council member Ables asked what the Cordova City Clerk's opinion on the situation is. Ms. Von Barga stated that she had contacted her after the last City of Valdez Council meeting and let her know that our preference was to do a three way split between the three communities but if that agreement could not be made, then we would be prepared to go through the long form process. The Clerk's response was to ask the City of Valdez to hold off on requesting an extension until she could brief her Council on what Valdez is doing. She did not indicate her position one way or the other but just asked for Valdez to wait until she gets their feedback.

## **XII. REPORTS**

- 1. Abatement Report Lot 11, Block 11, Robe River Subdivision (3208 Falcon)**
- 2. Building Permit & Inspection Report**
- 3. Central Treasury Report**
- 4. Write-offs of Less than \$500 Report**

### **XIII. COUNCIL BUSINESS FROM THE FLOOR**

#### **COUNCIL MEMBER SCHANTZ**

Council member Schantz commended Mr. Hozey's effort with the budget recognizing the tremendous amount of work that went into it. She also mentioned that she had met with Mr. Hozey during the previous week about abatement issues and stated that in looking through the November 5th meeting minutes it was clear that Mayor Cobb had requested a work session on the issue. Council member Schantz wanted to make sure that that request for a work session was not overlooked.

#### **COUNCIL MEMBER MOORE**

Council member Moore stated that she appreciated the mention of upcoming Public Hearings as that is the appropriate place to be doing business rather than after the fact. She also stated that she walked through the high school with the school principal and came away with a lot of admiration for her and her staff. She reported that the principal is using excellent information to make decisions for her students. She encouraged anyone interested take a opportunity to stop by the school to learn more about education in Valdez. She concluded by reminding residents to keep water running as the frost levels are a concern with the recent cold temperatures.

### **XIV. COUNCIL TRAVEL**

### **XV. EXECUTIVE SESSION**

### **XVI. RETURN FROM EXECUTIVE SESSION**

### **XVII. ADJOURNMENT**

There being no further business Mayor Cobb adjourned the meeting at 10:00 PM.

### **XVIII. APPENDIX**