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| TRANSMITTAL MEMORANDUM |
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TO: The Honorable Mayor and City Council

FROM: Lacey G. Simpson, Acting City Manager

DATE: February 9, 2022

RE: **Approving the Ward Cove Shuttle Operation Plan**

At its meeting of February 3, 2022, the City Council received a presentation from Acting Port & Harbors Director Mark Hilson on a proposed shuttle operation plan for buses transporting cruise passengers originating from the Ward Cove cruise facility north of City limits into downtown Ketchikan. The plan was developed with representatives of Holland America Princess (HAP) Alaska-Yukon and the Ward Cove Dock Group (WCDG) and endorsed by the Port & Harbors Advisory Board. The proposed plan will utilize the block surrounding the Southeast Alaska Discovery Center along Bawden Street, Spruce Mill Way, and Main Street. In receiving the presentation, which is attached for review, the City Council heard from a few independent tour operators and dock vendors who requested the City give consideration to the operation being located on the Port as it was during the pilot effort in 2021. The City Council requested the operators gather their concerns and discuss the matter with Mr. Hilson.

Attached for City Council consideration is a memorandum from Mr. Hilson that conveys the conversations he most recently had with the tour operators and dock vendors as well as representatives of the WCDG and HAP. The tour operators and dock vendors are advocating for splitting the operation between the proposed Southeast Alaska Discovery Center location and the Port. Representatives of WCDG and HAP find that the proposed location is the best solution for their operations and visitors and minimizes the inherent issues and risks in locating the operation on the Port. Mr. Hilson continues to recommend that the 2022 shuttle operation be located at the Southeast Alaska Discovery Center as presented. I concur with Mr. Hilson's recommendation.

Given the limited time in which to implement this plan in advance of the start of the 2022 cruise visitor season, including hiring personnel, making the necessary improvements to the area, as well as the preparations that the Ward Cove Dock Group and Holland America Princess may need to undertake, time is of the essence. A decision by the City Council must be forthcoming for the above stated reasons and with acceptance that downtown Ketchikan's unique layout and limitations will not provide for the ideal solution for all parties in the 2022 season. Staff will continue to work with other shuttle and tour providers regarding locations for their operations as appropriate and allowable. This operation may need modifications through the season once more is understood and it will be reevaluated well in advance of the 2023 season.

Following City Council direction, an agreement including associated fees will need to be negotiated between the City and the Ward Cove Dock Group. This would be subject to City Council approval.

Corresponding motions have been prepared for City Council consideration.

RECOMMENDATION

It is recommended the City Council adopt the motions approving the proposed Ward Cove shuttle operation on Bawden Street, Spruce Mill Way, and Main Street and directing staff to proceed with this operation for the 2022 cruise season and directing the Acting City Manager to negotiate an agreement and associated fees for shuttle operations with the Ward Cove Dock Group.

Recommended Motion No. 1: I move the City Council approve the proposed Ward Cove shuttle operation on Bawden Street, Spruce Mill Way, and Main Street and direct staff to proceed with this operation for the 2022 cruise season.

Recommended Motion No. 2: I move the City Council direct the Acting City Manager to negotiate an agreement and associated fees for shuttle operations with the Ward Cove Dock Group.

MEMORANDUM

TO: Lacey Simpson, Acting City Manager
FROM: Mark Hilson, P.E., Acting Port & Harbors Director
DATE: February 9, 2022
SUBJECT: **Ward Cove Shuttle Operation**

At the City Council meeting of February 3, 2022, City Council received the attached presentation on how to best accommodate Ward Cove passengers who will be bussed to downtown Ketchikan for the 2022 cruise season. In discussing the Ward Cove shuttle operation with some of the local businesses and some of the previous Dock Vendor lease holders, although not unanimous, the majority of the Dock Vendors I was able to speak with wanted the Ward Cove shuttle operation to drop Ward Cove passengers on the Port. While dropping passengers on the Port is obviously financially advantageous to the Dock Vendors (and by extension to the City), some of the Dock Vendors went on to mention that it has the benefit of being in close proximity to the KVB and restrooms, and would provide more predictable and safe pedestrian flow. Some also expressed a safety argument that traffic is more limited on the Port than the streets surrounding the Discovery Center. In discussing the matter, I was clear that from the very beginning a key component as expressed by HAP Alaska-Yukon and Ward Cove Dock Group was that the pick-up and drop-off location must be the same, not only for all passengers but also for all busses. This would mean that the entire bussing operation must occur in one location. Nevertheless, in order to give the proposal due consideration, I reached out to John Binkley and Jennifer Black with Ward Cove Dock Group, and Kari Erickson with HAP Alaska-Yukon and asked if this proposed compromise was acceptable and if not, why not? Kari Erickson responded:

"My opinion is that splitting the shuttle will result in confusion for the guests and potential over-congestion at one or the other of the loading locations"

John Binkley stated that splitting the operation would result in degrading the guest experience and therefore, was not in favor of splitting the operation.

While I would like to be able to recommend the City Council accept the proposed compromise, I am very hesitant to risk setting up such an important operation that may not be

fully functional and as a result, negatively impacts the guest experience in the City. As it stands, we will need to be prepared to address unforeseeable issues that may occur with the shuttle operation and having it in one location will simplify the operation.

In my discussions with Dock Vendors, it was suggested that there could be room left for tour bus parking and potentially tour selling in the vicinity of the Discovery Center. The tour operations immediately adjacent to the Discovery Center property line would be prohibited by the 50 year Lease between the City and the Federal Government. I would not recommend mixing tour busses and the Ward Cove shuttle.

Motions have been prepared for City Council consideration.

RECOMMENDATION

It is recommended that the City Council adopt a motion directing staff to proceed with the Ward Cove shuttle operations on Bawden Street, Spruce Mill Way, and Main Street. It is further recommended that the City Council adopt a motion authorizing the Acting City Manager to negotiate an Agreement for shuttle operations including associated fees with the Ward Cove Dock Group.

Recommended Motion 1: I move the City Council direct staff to proceed with Ward Cove shuttle operations on Bawden Street, Spruce Mill Way, and Main Street.

Recommended Motion 2: I move the City Council authorize the Acting City Manager to negotiate an Agreement for shuttle operations, including associated fees with the Ward Cove Dock Group.

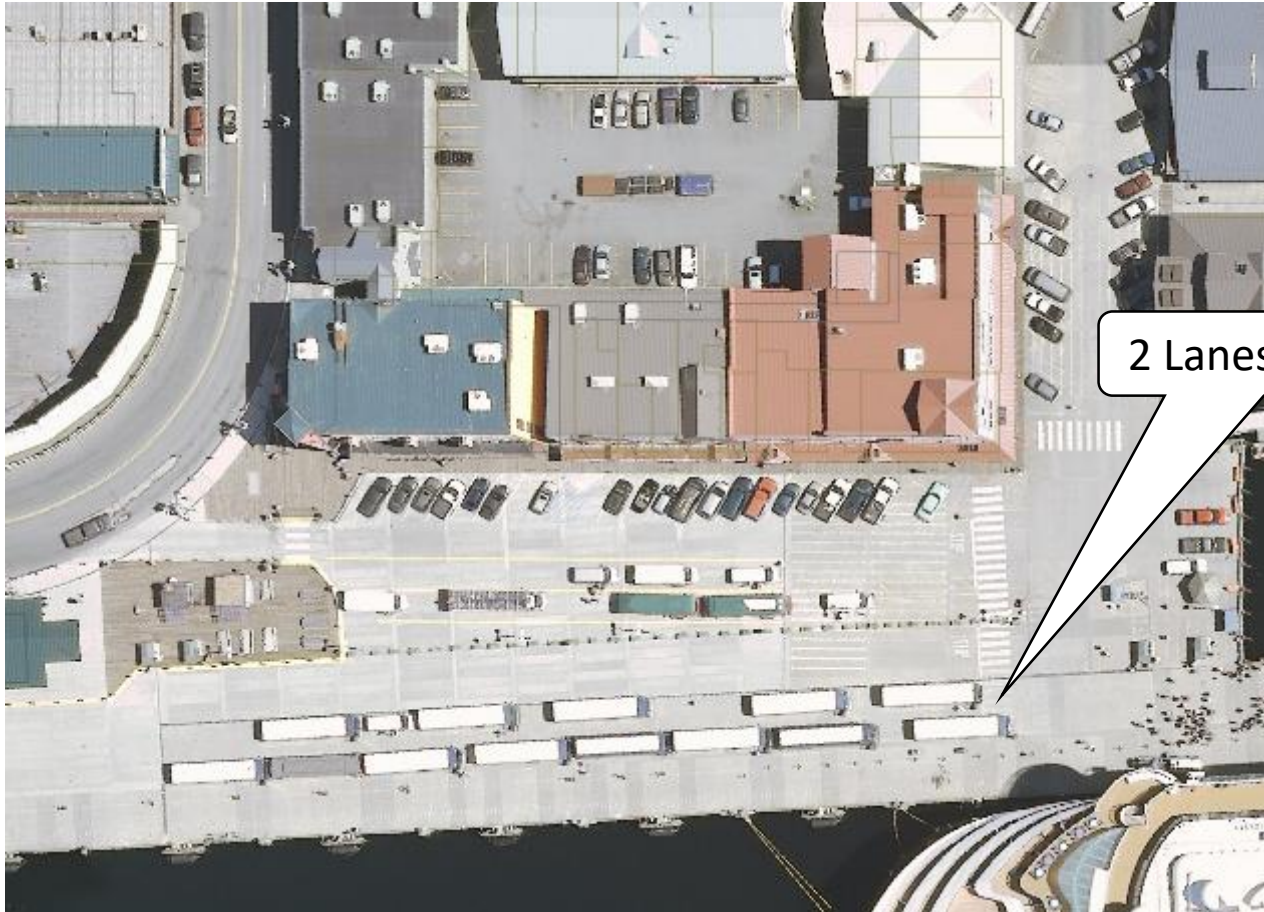
Ward Cove Shuttle



What is the Purpose of this Presentation?

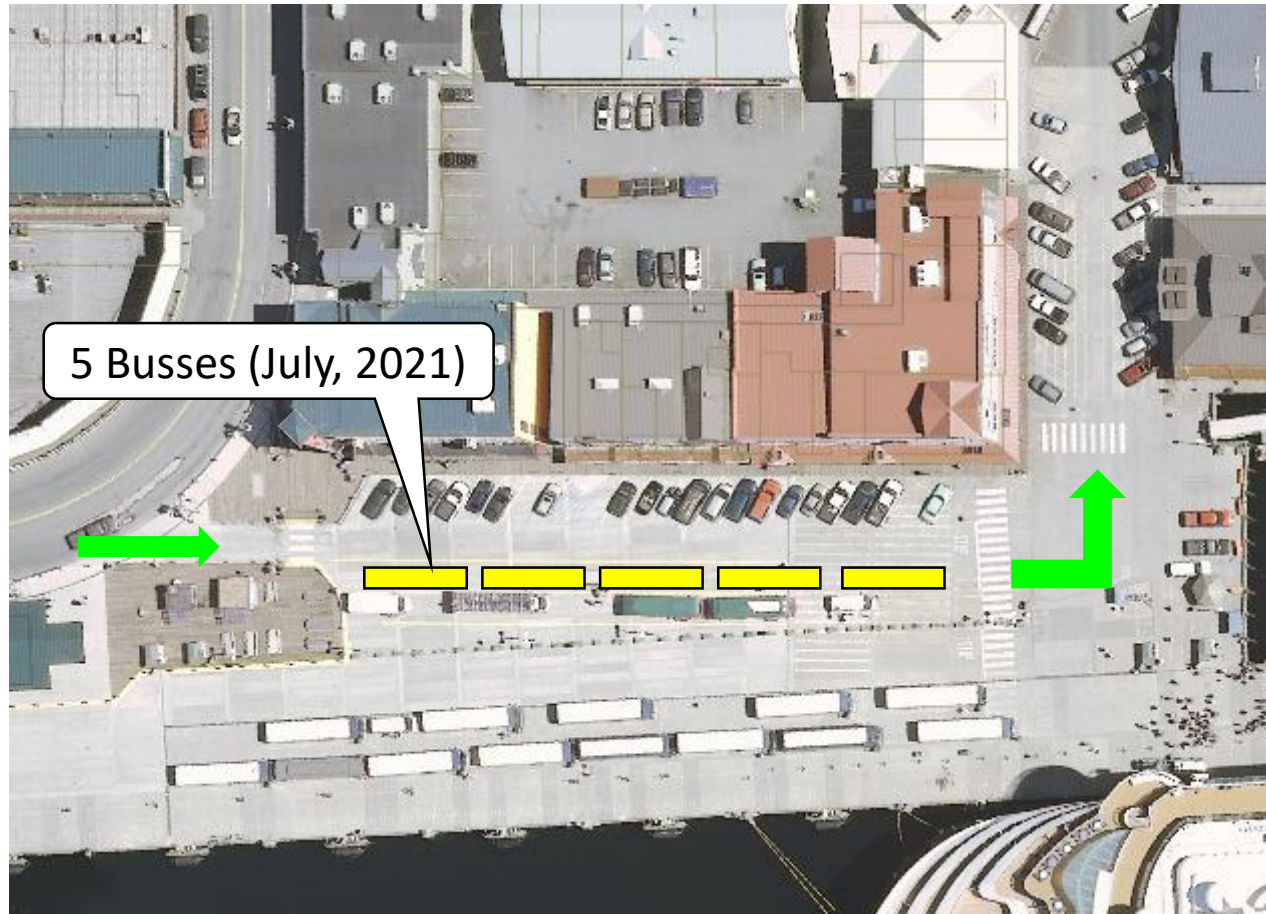
- To present past bus operations and lessons learned from 2021's shuttle operation
- To communicate the needs of a Ward Cove shuttle bus staging operation
- To identify challenges associated with shuttle operations on the port
- To identify non-port options for a Ward Cove shuttle bus staging operation
- To obtain City Council direction on the location of the shuttle operation

2019 Bus Operation – Tours from City Docks



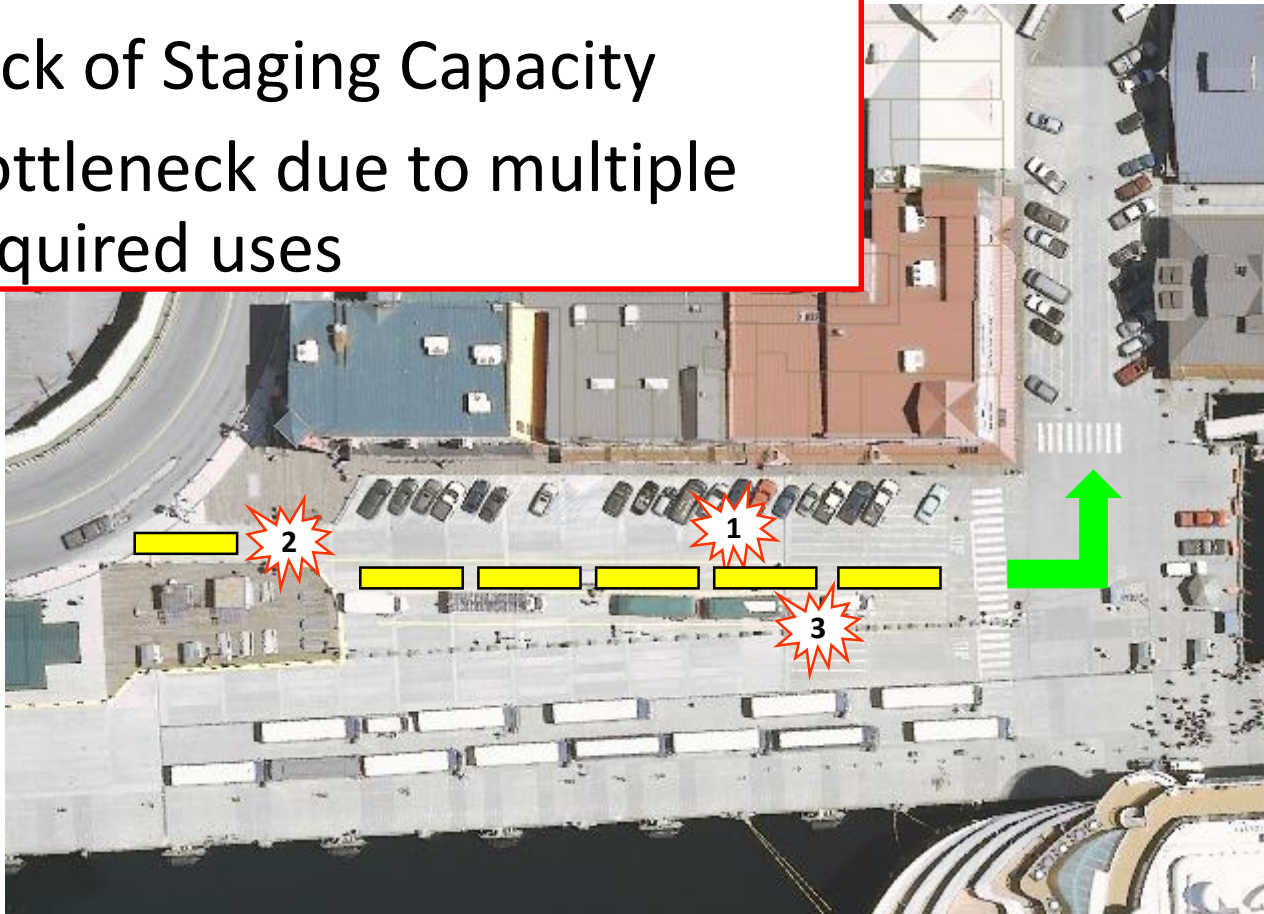
2 Lanes at Berth I

2021 – Front Street Extended

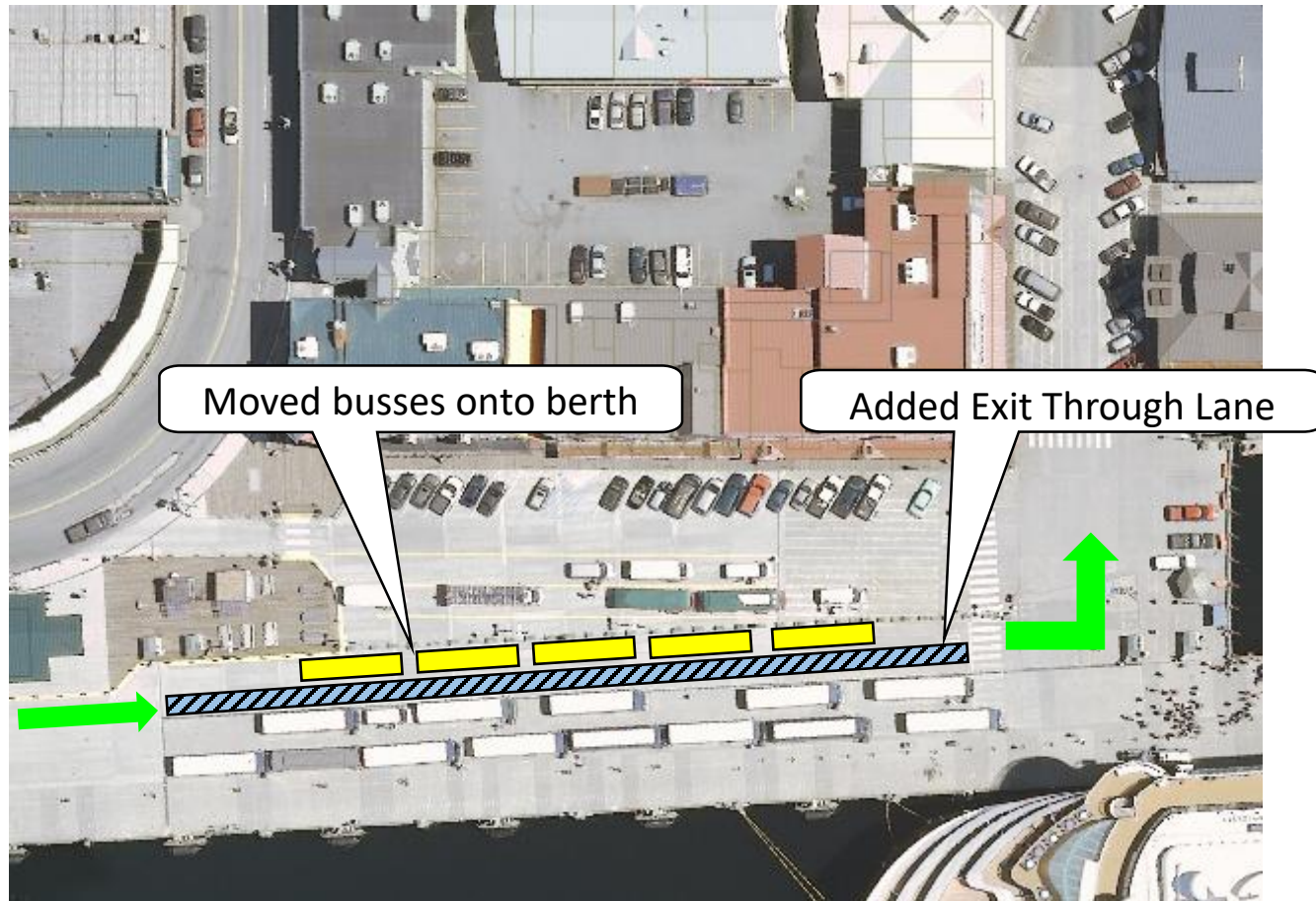


Lessons Learned from 2021 Shuttle Ops

1. Congestion
2. Lack of Staging Capacity
3. Bottleneck due to multiple required uses



2021 Shuttle Revision – Berth II



2021 By the numbers

- NCL Encore, 8 AM to 5 PM
- Approximately 2300 guests onboard on average.
- 55-60% of the ship's passengers rode on the shuttle
- 10 shuttle busses were used with an additional 3-7 during peak times in the morning and close to all aboard
- 47 round trip shuttles (most of these coaches dead-headed back to WC after their first run downtown as guests weren't ready to return that early)
- 4-7 One way returns to Ward Cove

Ward Cove Shuttle Bus Identified Needs

- Room for safe loading/unloading of Passengers
- Close proximity to passengers desired destinations
- Shuttle bus staging for required number of busses
- Consistent predictable operations
- Match scale of shuttle operations to street characteristics

Room for safe loading/unloading of Passengers



**Close
proximity to
passengers
desired
destinations**



Key

CS – Creek Street

T – TGALS

M – Museum

S - Shopping

Shuttle bus staging for required number of busses



- Each Coach needs approximately 50 feet to line up.
- Coaches can seat approximately 50 passengers (this can vary)
- Coach occupancy efficiency is important
- More staging length to increase queuing would be better
- Coach staging is a function of speed of loading/unloading, and shuttle passenger counts, and ship timing



2022 Cruise Season Risks

It remains to be seen what passenger counts will materialize:

- CDC has elevated cruise travel risk from level 3 to level 4
- The Canadian Government's reaction to the Omicron Variant could result in border closures
- The Port of Seattle would not be able to pick up all of the ship berthing demand if Vancouver is closed to cruise ships
- Bookings could soften
- Overall ship utilization is unknown. Consensus seems to be coalescing around an average of 70% occupancy of lower berth count at this point in time.

Ward Cove 2022 Ship Capacities



NORWEGIAN

CRUISE LINE



Sun 2002

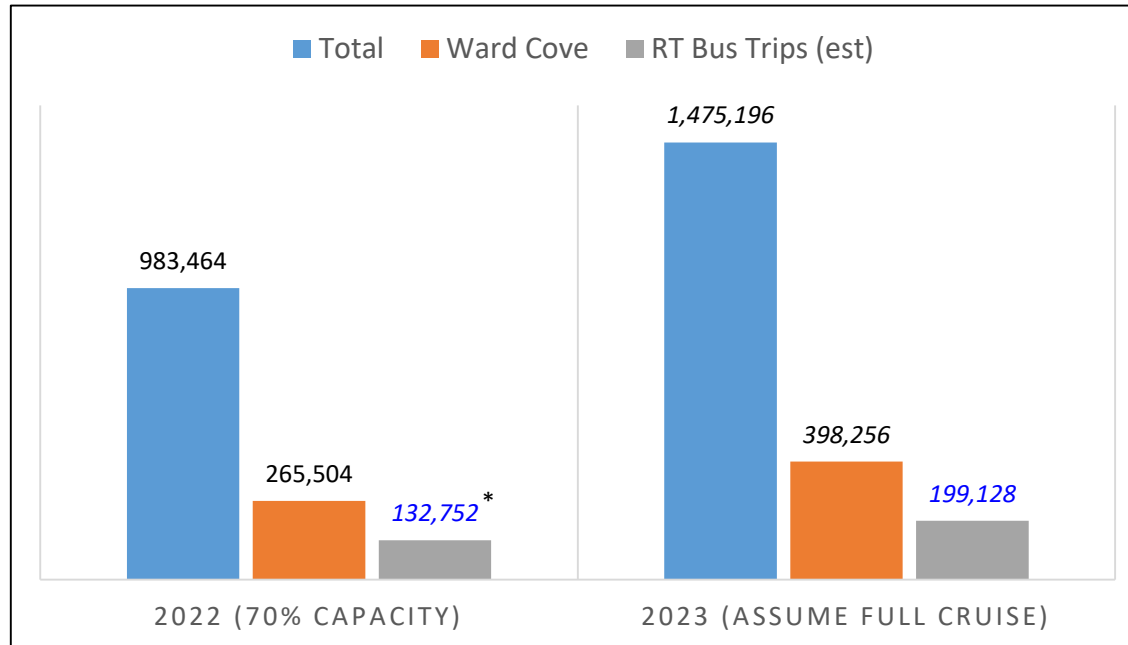


Jewel 2376
Spirit 2477



Bliss, Encore 4174

2022 Potential Shuttle Bus Passengers



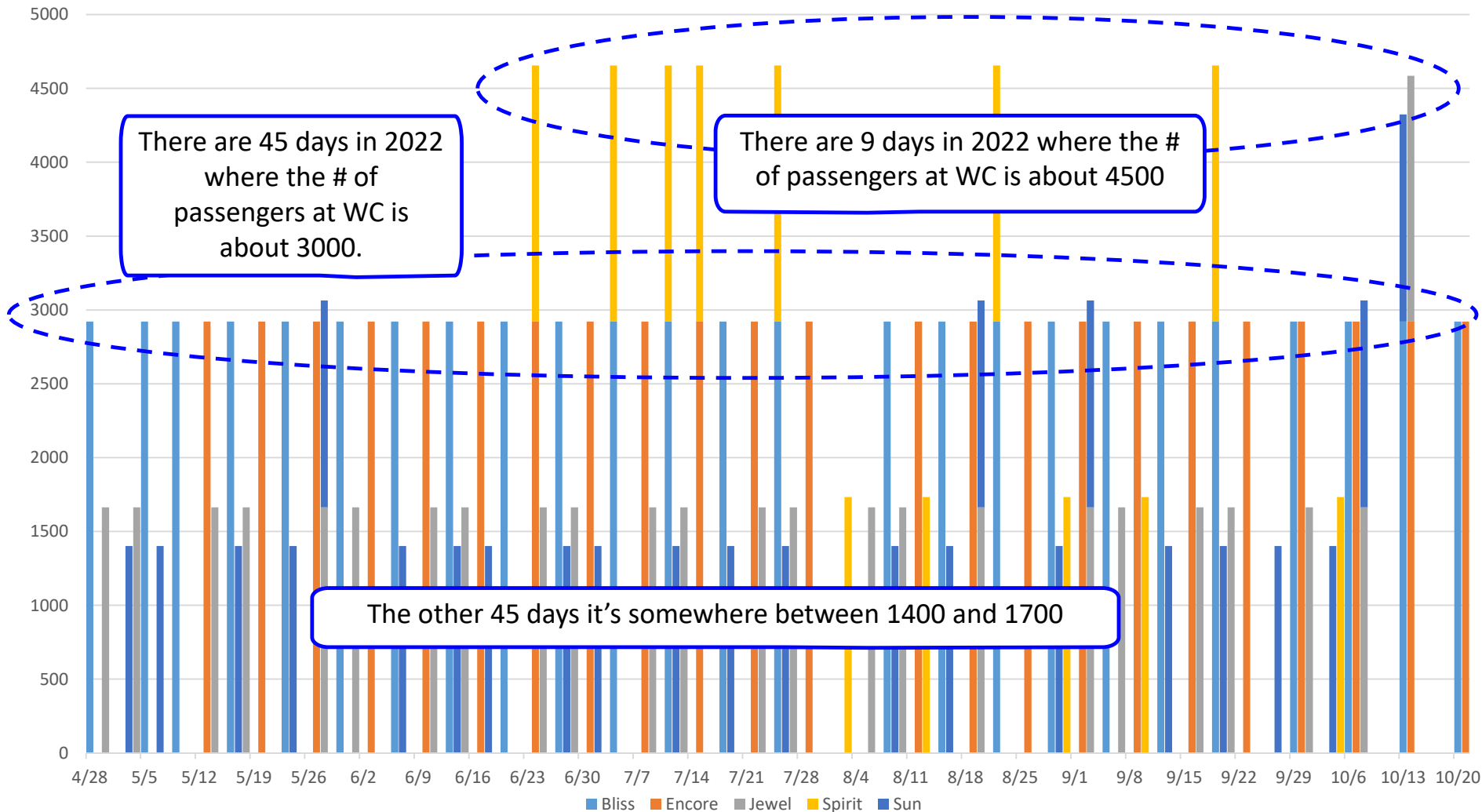
* 50% of WC passengers will go to City - John Binkley, WCG, Dec 2021

Discussion

There are about 163 Total Ward Cove Calls on the schedule in 2022

However interesting and important total annual passenger count is, shuttle operations are built around peak days, not total passengers

NCL 2022 Ward Cove Port Calls¹



2022 Ward Cove Maximum Daily Estimated Shuttle Passengers

- There are uncertainties associated with a variety of new port call times in 2022
- COVID-19 protocols can influence the number of busses especially on days when more than one ship is at Ward Cove
- On maximum two ship days (Bliss or Encore and Spirit), 2300 passengers are estimated to use the shuttle
- On one ship days (Bliss), 1500 passengers are estimated to use the shuttle

Shuttle bus staging for required number of coaches



- The maximum shuttle rotation will consist of approximately 18 coaches
- On two ship days, HAP Alaska-Yukon advises that 60 to 70 Shuttle round trips are estimated with 18 shuttle busses
- On one ship days, 35 to 45 Shuttle round trips are estimated with 12 coaches according to HAP Alaska-Yukon
- More staging length to allow for more coaches to queue up would be desirable.

Consistent Predictable Operations



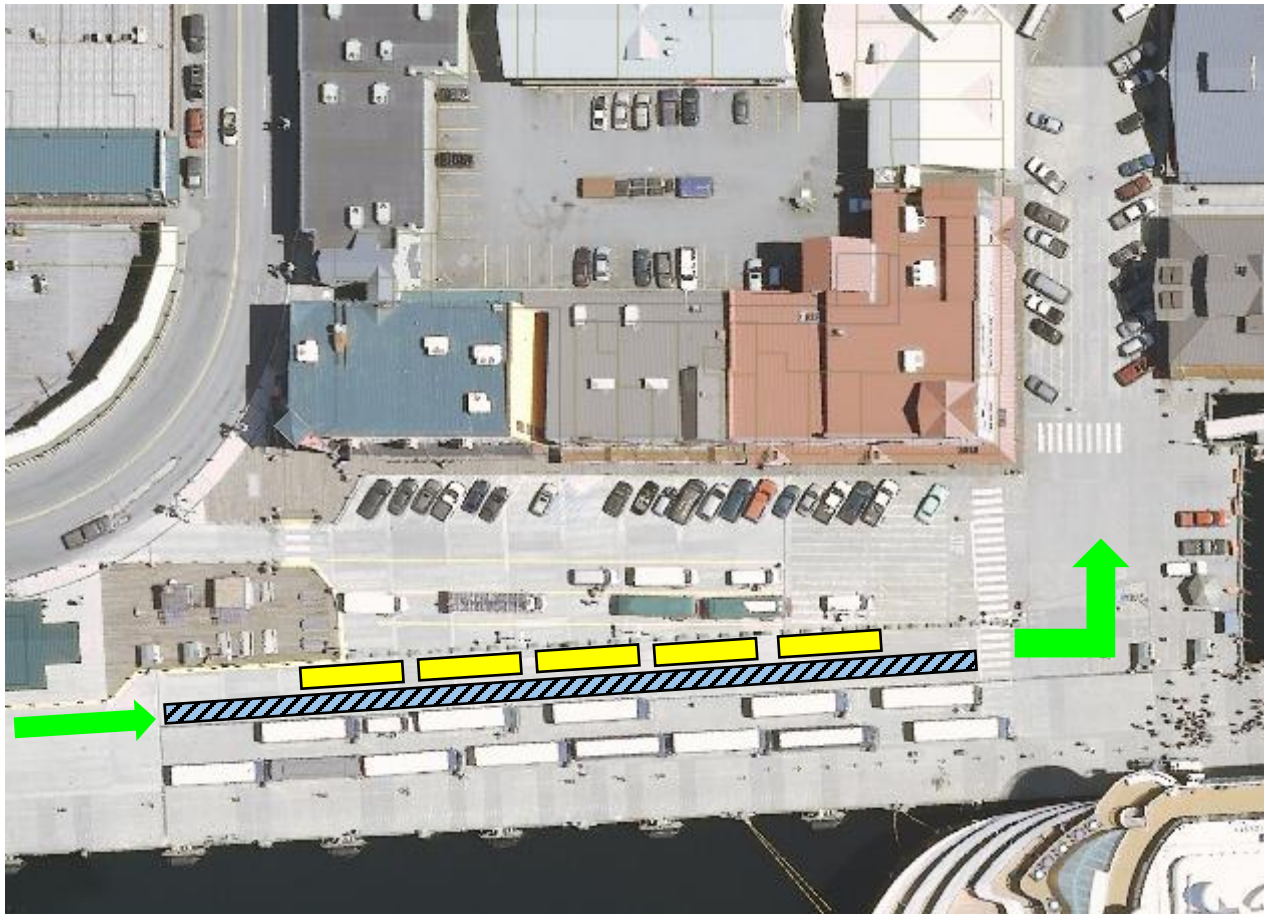
- Shuttle Passengers must be dropped and picked up in the same location to avoid confusing guests
- Shuttle drivers get trained to run a routine. Varying staging locations by day or time is problematic
- Signage is going to be important for guests

Match scale of shuttle operations to street characteristics



- Coach busses used in the shuttle bus operation average 8'4" wide and 12'6" tall and about 40' long
- Staging several of busses in a row can dwarf a smaller streetscape
- Bus width means that if you have busses staged on one side of the street, you should have a road that is at least 38' wide to accommodate two way traffic and parking on the opposite side of the street.
- Ideally sidewalk should provide for room for people to pass through, enter businesses, while accommodating lines for loading
- Busses must be able to maneuver and enter and exit staging areas safely, and without backing up

2022 Option 1 – Berth II



Option 1 Issues

Red Flags/Concerns

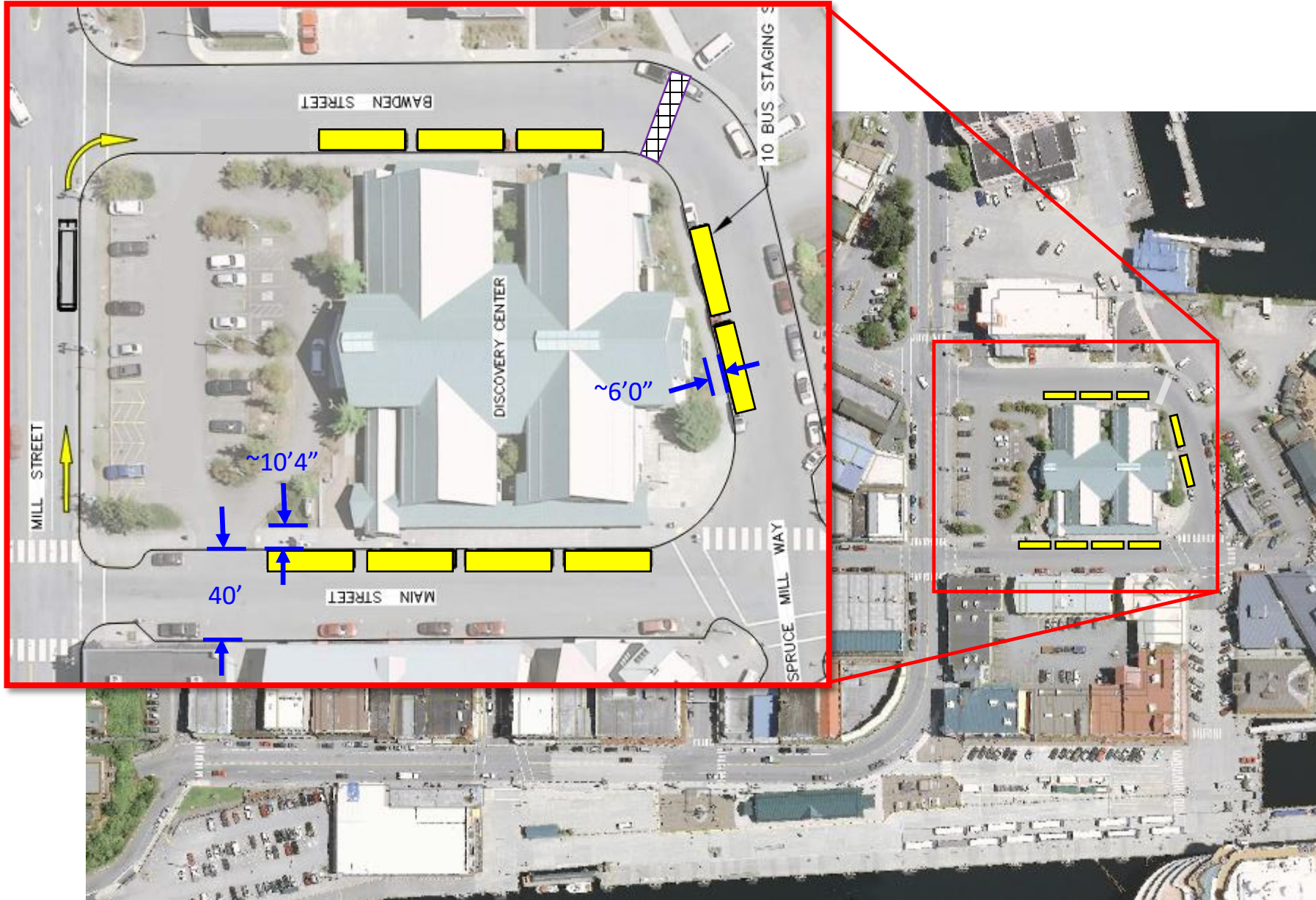
- Busses bottleneck along the berth
- Berth II Gangways are impeded
- Busses conflict with Berth I Passenger Queue
- Pedestrian Safety need to be the utmost concern
- WC Shuttle Days normally occur when City Berths are fully utilized

Mitigation Considered

- Adjust timing of departures
- Relocate bookings from Berth I and/or II



Option 2 – Discovery Center



Option 2 – Discovery Center



January 25th, 2022 Dry Run

Option 2 – Discovery Center

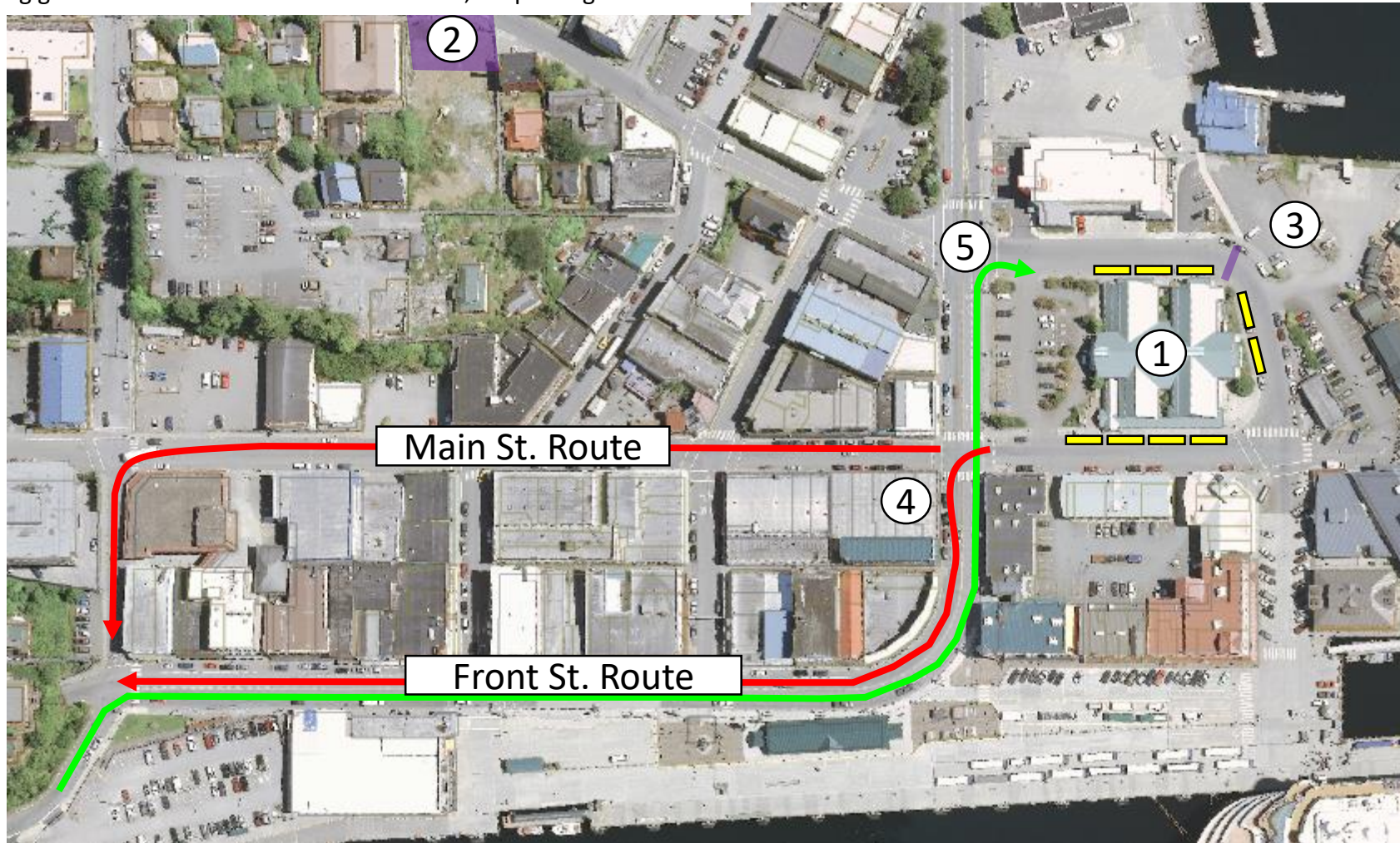


Option 2 – Discovery Center



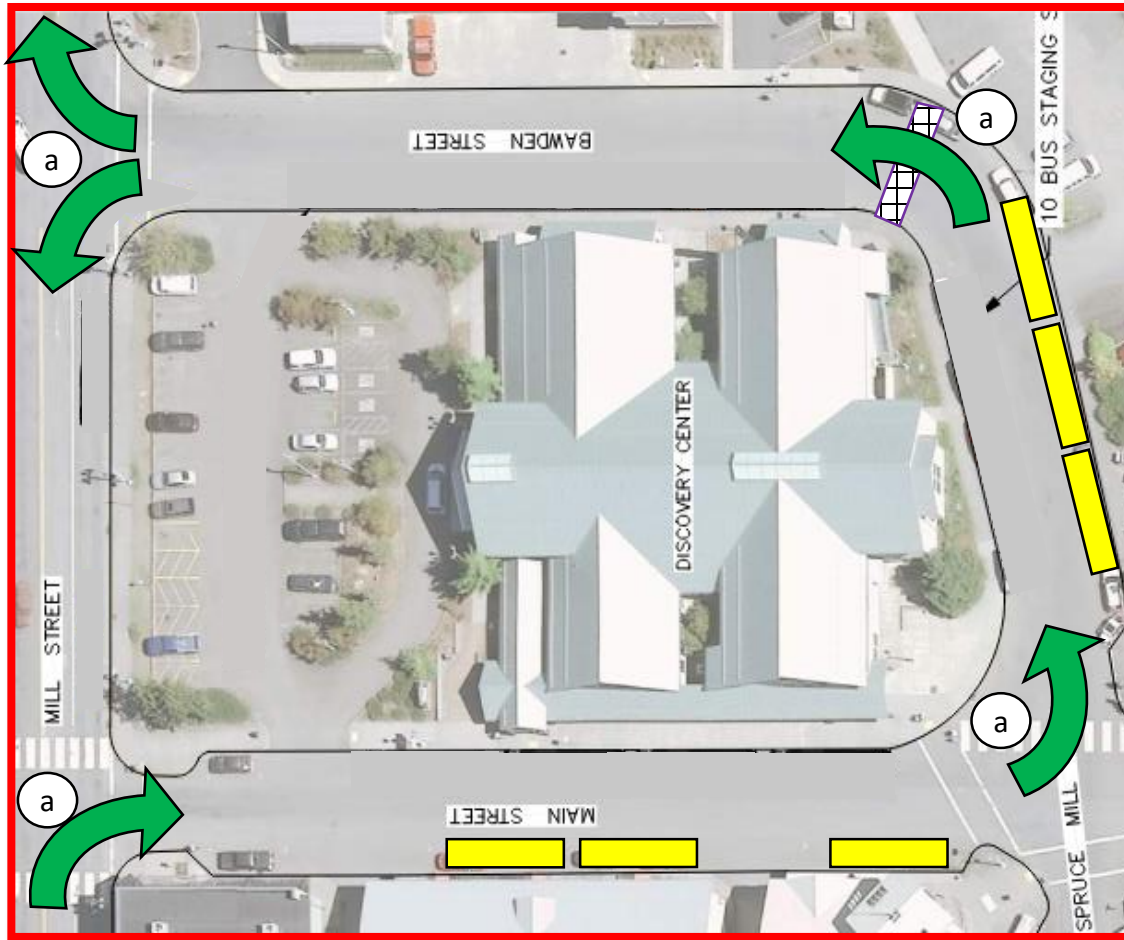
Option 2 – Discovery Center

- ① Remove (14) Vehicle Spaces around Discovery Center for (9) busses
- ② Create new temporary parking lot at old Hospital location on Bawden Street
- ③ Add Crosswalk to Promenade
- ④ Front St. Route Only - Remove (1) parking spot on Mill St. to allow busses to stay on State Hwy
- ⑤ Crossing guard when Coaches are on Bawden St., No parking zone added



Option 2a – Discovery Center

- a Change Main Street, Spruce Mill Way, and Bawden St into One Way Streets

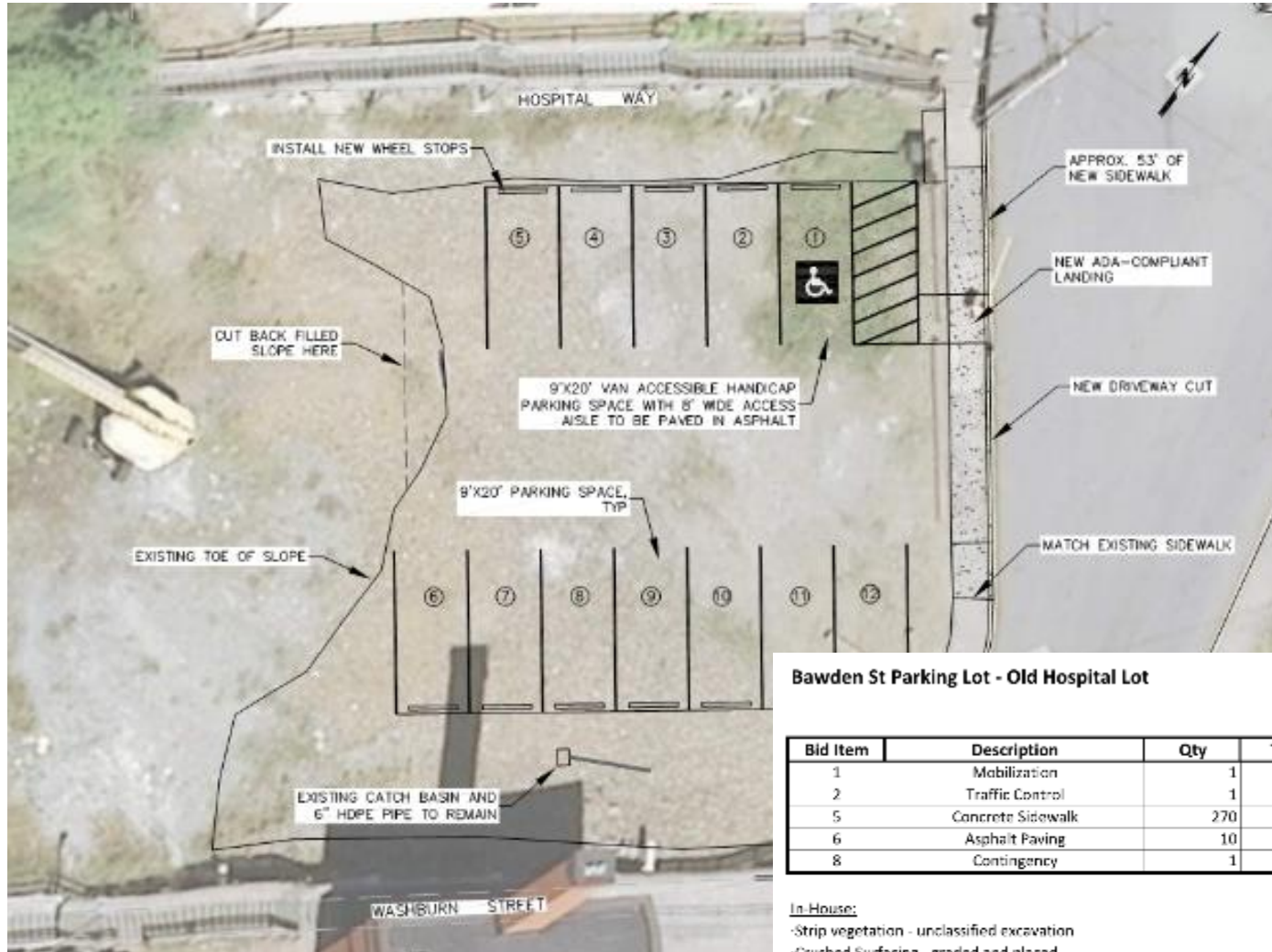




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Mitigation of Lost Parking

Bawden Street Temporary Parking Lot



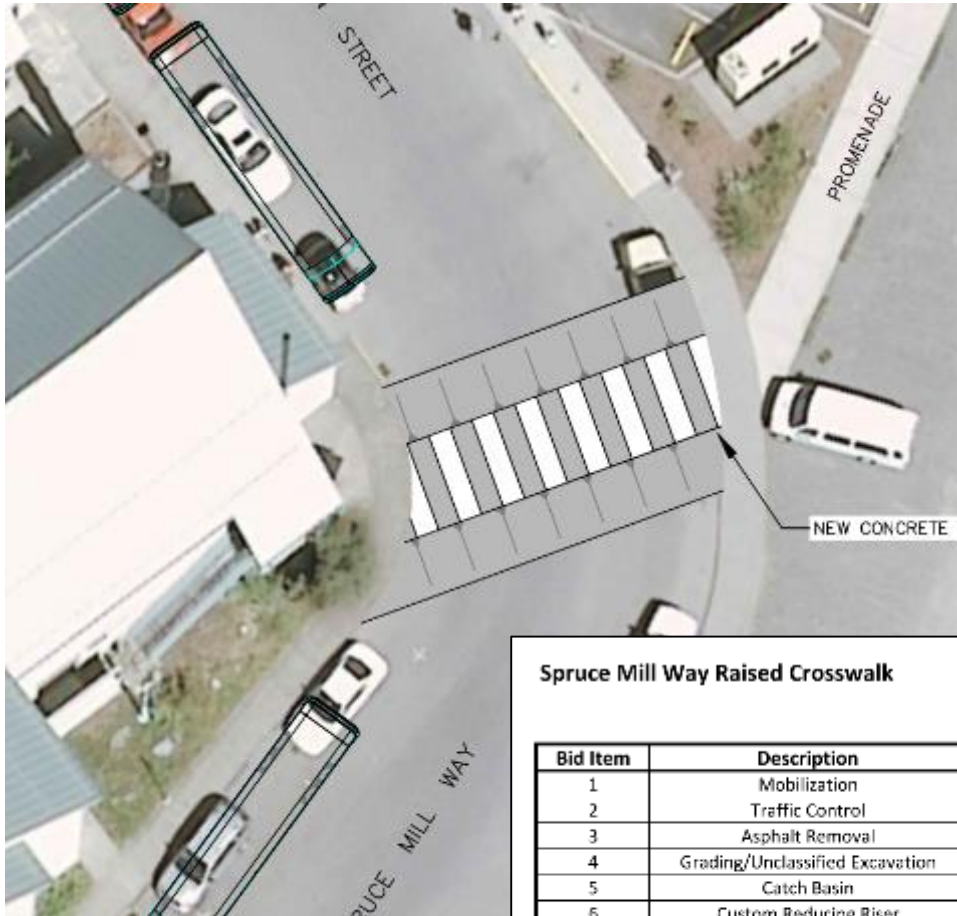
Bawden St Parking Lot - Old Hospital Lot

| Bid Item | Description | Qty | Type | Engineer | |
|--------------|-------------------|-----|------|------------|-----------------|
| | | | | Unit Price | Total Price |
| 1 | Mobilization | 1 | LS | \$250 | \$2,500 |
| 2 | Traffic Control | 1 | LS | \$5,000 | \$5,000 |
| 5 | Concrete Sidewalk | 270 | SF | \$30 | \$8,100 |
| 6 | Asphalt Paving | 10 | TON | \$500 | \$5,000 |
| 8 | Contingency | 1 | EA | 10% | \$2,500 |
| Total | | | | | \$23,100 |

In-House:

- Strip vegetation - unclassified excavation
- Crushed Surfacing - graded and placed
- Remove sidewalk
- Remove timber railing
- Install wheel stops - we currently have enough to at least supply a contractor
- Handicap striping/signage

Pedestrian Safety Enhancement



Spruce Mill Way Raised Crosswalk

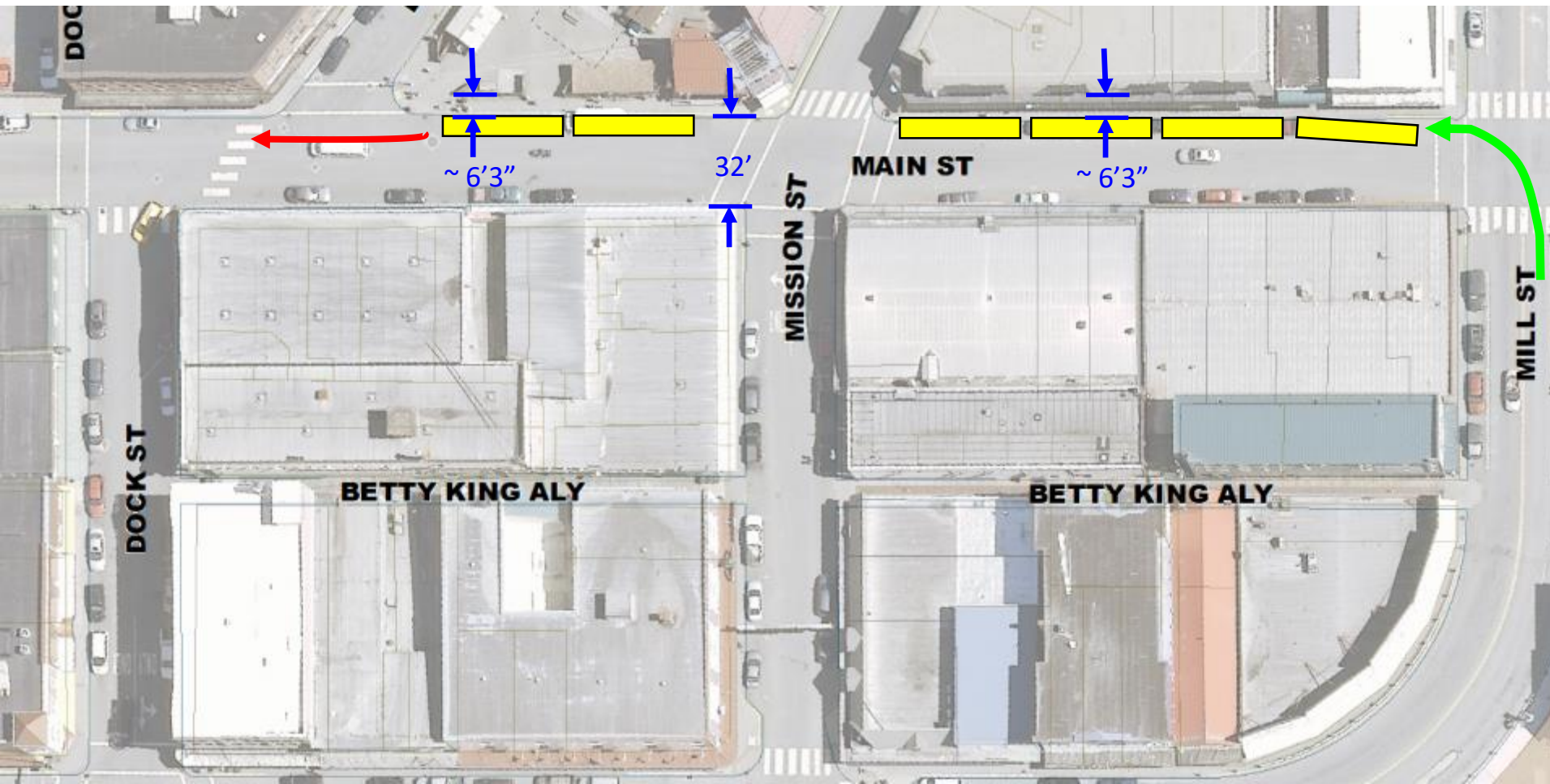
| Bid Item | Description | Qty | Type | Engineer | |
|----------|---------------------------------|------|------|--------------|------------------|
| | | | | Unit Price | Total Price |
| 1 | Mobilization | 1 | LS | \$10,000 | \$10,000 |
| 2 | Traffic Control | 1 | LS | \$5,000 | \$5,000 |
| 3 | Asphalt Removal | 140 | SY | \$25 | \$3,500 |
| 4 | Grading/Unclassified Excavation | 140 | SY | \$35 | \$4,900 |
| 5 | Catch Basin | 3 | EA | \$3,500 | \$10,500 |
| 6 | Custom Reducing Riser | 1 | LS | \$5,000 | \$5,000 |
| 7 | 8" Storm Drain Pipe | 49 | LF | \$180 | \$8,820 |
| 8 | Concrete Sidewalk R&R | 335 | SF | \$30 | \$10,050 |
| 9 | Raised Concrete Crosswalk (8") | 1200 | SF | \$30 | \$36,000 |
| 10 | Striping/Signage | 1 | LS | \$10,000 | \$10,000 |
| 11 | Contingency | 1 | LS | 10% | \$10,000 |
| | | | | Total | \$113,770 |

*With two mid-block ped. ramps

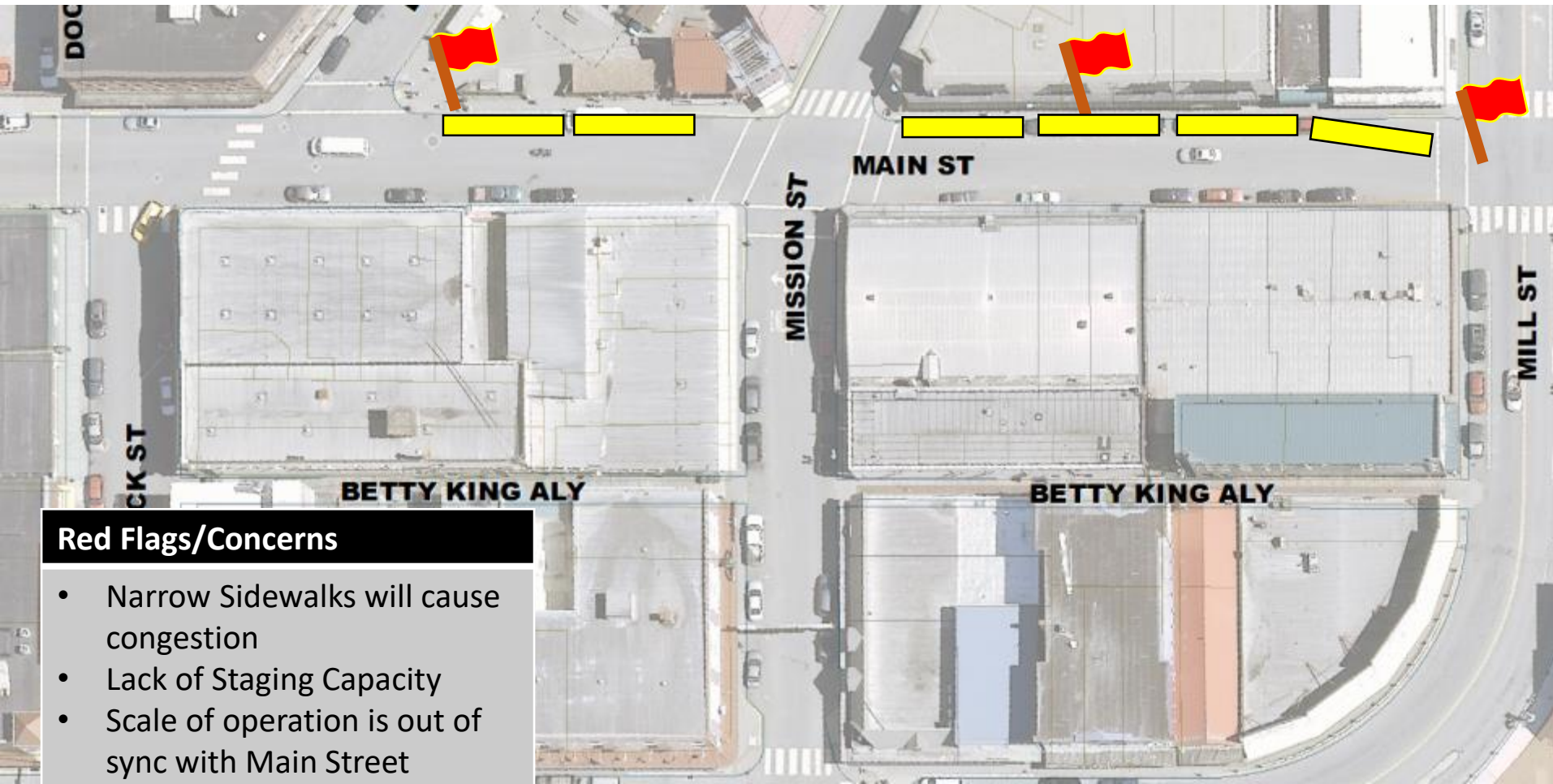
*With thickened edges

*Two signs

Option 3 – Main Street



Option 3 Issues



Red Flags/Concerns

- Narrow Sidewalks will cause congestion
- Lack of Staging Capacity
- Scale of operation is out of sync with Main Street
- Turn off of Mill St is problematic for last staged bus

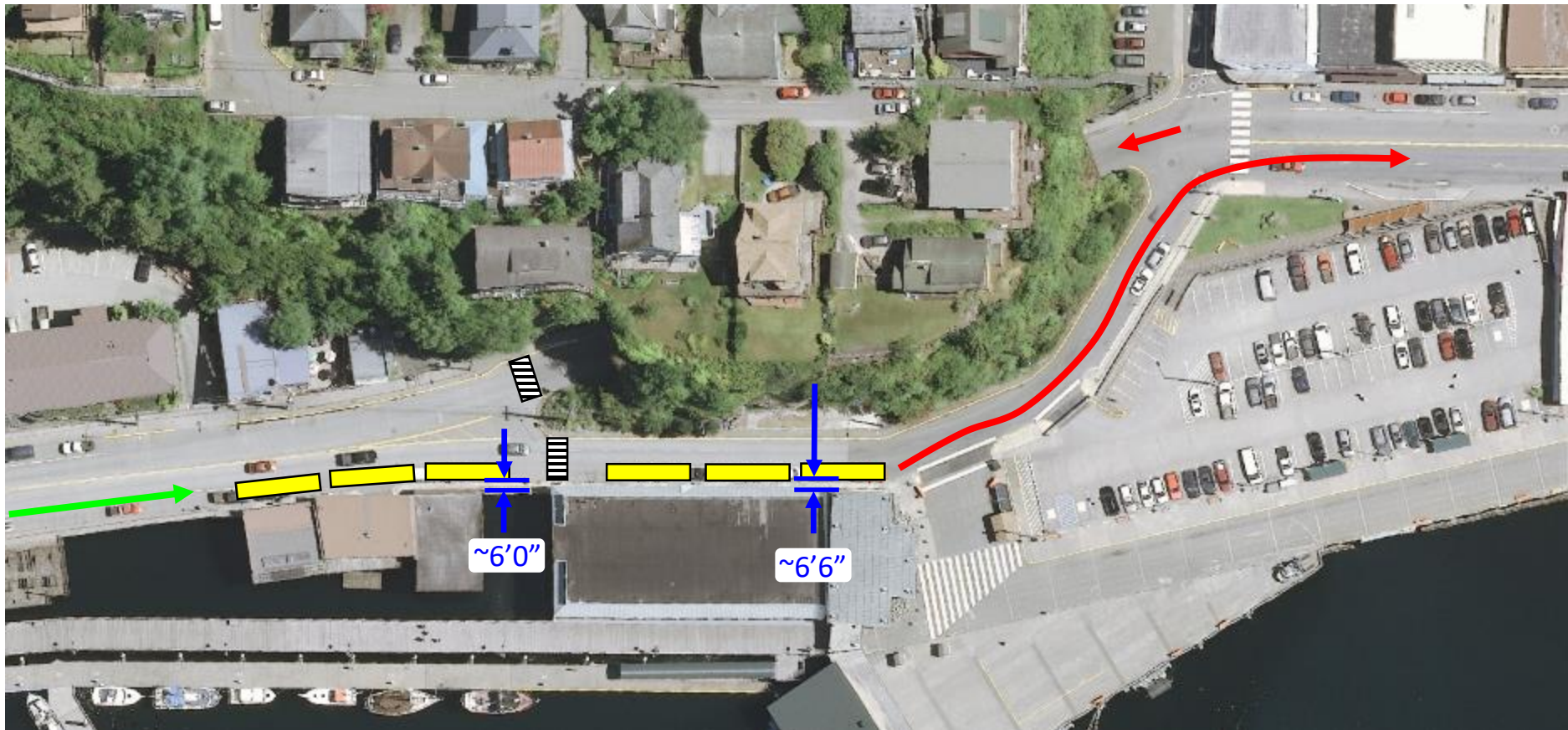
Option 3 – Main Street

Lose non-Ward Cove Tour
Bus Parking

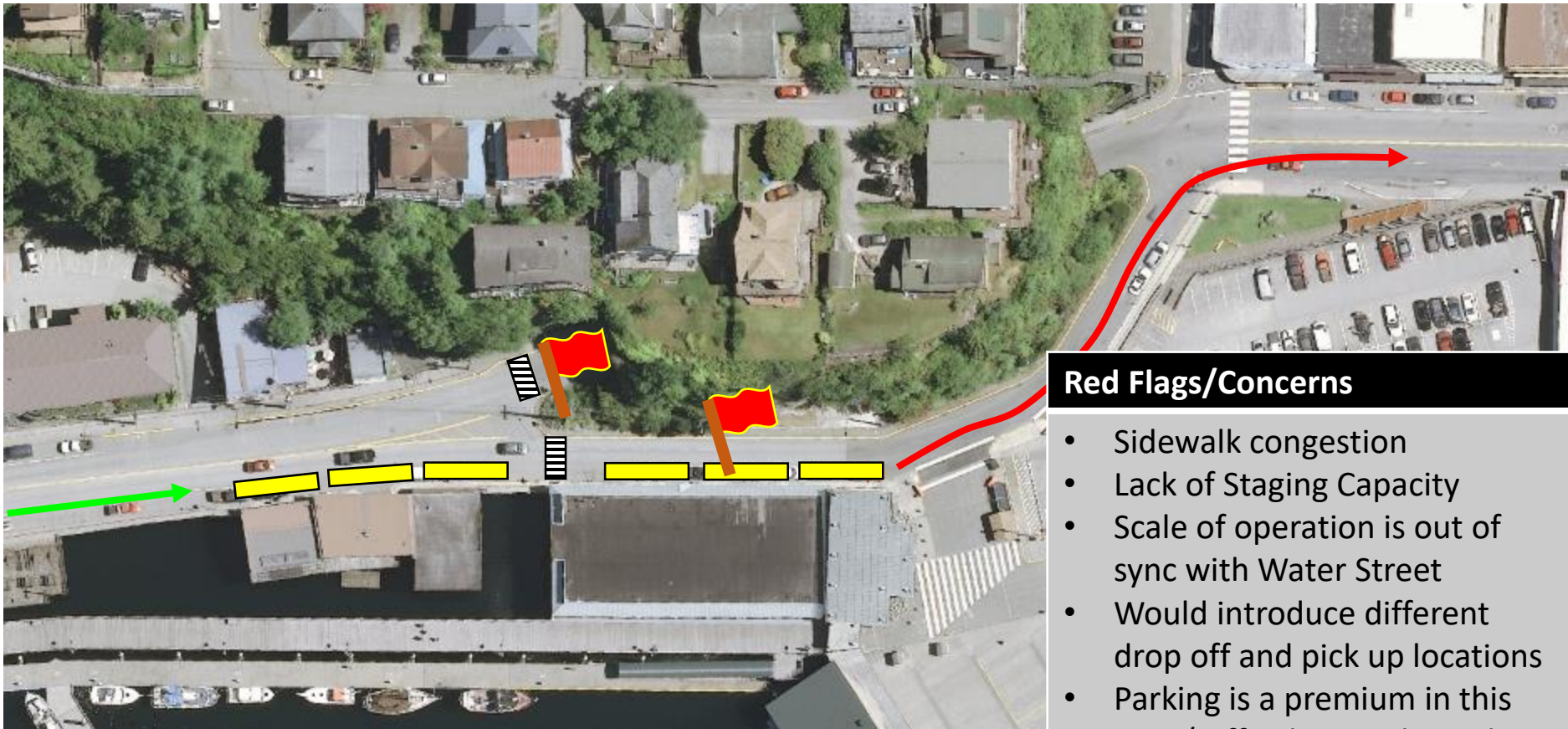


Option 4 – Water Street

This is where busses used to line up post 9/11 and pre-Berth 3 Upgrade



Option 4 – Issues























Red Flags/Concerns

- Sidewalk congestion
- Lack of Staging Capacity
- Scale of operation is out of sync with Water Street
- Would introduce different drop off and pick up locations
- Parking is a premium in this Area/Difficult to make up loss

Option 4 – Water St



Evaluation Matrix

| Identified Needs | Option 1 – Berth II | Option 2 – Discovery Center | Option 3 – Main Street | Option 4 – Water Street |
|---|---|--|---|---|
| Room for safe loading/unloading of Passengers |  |  |  |  |
| Close proximity to passengers desired destinations |  |  |  |  |
| Shuttle bus staging for required number of busses |  |  * |  |  |
| Consistent predictable operations |  |  |  |  |
| Match scale of shuttle operations to street characteristics |  |  |  |  |

** Provided 9 of 10 required spaces*

Comments and/or Questions





Exempting the Procurement of Bailey Generator No. 3 Spare Parts from the Competitive Bidding/Written Quotation Requirements of the Ketchikan Municipal Code – Fairbanks Morse Defense

Moved by Flora, seconded by Zenge, pursuant to subparagraph 6 of Section 3.12.050(a) of the Ketchikan Municipal Code, the City Council exempt the procurement of Bailey Generator No. 3 spare parts from the competitive bidding/written quotation requirements of the Ketchikan Municipal Code; authorize the Acting General Manager to purchase such parts from Fairbanks Morse Defense at a cost not to exceed \$32,645.56; and approve funding from the Electric Division's 2022 Operating Equipment, Generation and Powerhouse Spare Parts Capital Account.

Motion passed with Gass, Gage, Zenge, Bradberry, Kistler, Mahtani and Flora voting yea.

UNFINISHED BUSINESS

These items were moved to the Consent Agenda.

NEW BUSINESS

Discussion of Proposed Ward Cove Bus Plan – Councilmember Flora

Councilmember Flora said back in November he had asked staff to bring forward the proposed transit plan for the Ward Cove busses to the downtown area in early 2022. He stated at the last Port & Harbors Advisory Board meeting Acting Port & Harbors Director Hilson gave them a presentation with three options. He indicated the Board felt the Discovery Center option was the most viable and functional alternative that was provided.

Acting Port & Harbors Director Hilson said he was happy to be here tonight to run through essentially the same presentation with a few modification based on comments received by the public. He mentioned that they had a lot of input into this presentation from business owners and community members, but the key people that really contributed was Kari Erickson bringing her expertise from HAP-Yukon, Alaska Coach Bus Service, John Binkley and Jennifer Black, representatives from Ward Cove.

Mr. Hilson said the purpose of this presentation is to identify:

- Present and past bus operations and lessons learned from 2021.
- Communicate the needs of Ward Cove shuttle bus staging operation.
- Identify challenges associated with shuttle operations on the Port.
- Identify non-port options from the Ward Cove shuttle bus staging operation.
- Obtain City Council direction on the location of the shuttle operation.

Mr. Hilson said it remains to be seen what passenger counts will materialize for the 2022 cruise season due to the following risks:

- CDC has elevated cruise travel risk from level 3 to level 4.
- Canadian Government's reaction to the Omicron Variant that could result in border closures.
- Port of Seattle would not be able to pick up all of the ship berthing demand if Vancouver is closed to cruise ships.
- Bookings could soften.
- Overall ship utilization is unknown. Consensus seems to be coalescing around an average of 70% occupancy of lower berth count at this point in time.

Mr. Hilson went through in detail the pros and cons for all four options for 2022. He said it was important that passengers were dropped off and picked up at the same location. He informed the busses have to be able to maneuver and enter and exit a staging area safely and without backing up, as this is key and is not safe:

- Option 1 – Berth II
- Option 2 – Discovery Center
- Options 2a – Discovery Center
- Option 3 – Main Street
- Option 4 – Water Street

Mr. Hilson provided an evaluation matrix and only Option 2 – Discovery Center checked all requirements:

- Room for safe loading/unloading of passengers.
- Close proximity to passenger's desired destinations.
- Shuttle bus staging for required number of busses. Provided 9 of 10 required spaces.
- Consistent predictable operations.
- Match scale of shuttle operations to street characteristics.

Mr. Hilson stated the City would still need to provide an area where it could accommodate the lost parking around the Discovery Center, and the City would also need to install a crosswalk area for the passengers that are being off loaded, daily garbage (4) cans collection and there would need to be additional staffing required at various crossing areas. He said they will have to look at the bus exhaust discharge as that has been an ongoing issue for a longtime.

Ms. Jennifer Black thanked Mr. Hilson for all the time he has put into this presentation. She said they really want to work together as a team to make this beneficial to everyone involved.

Mr. John Binkley thanked the Mayor and Council. He thanked Councilmember Flora to have the foresight last fall to start talking about these things early, instead of waiting until the last minute. He said it has been a pleasure to work with Mr. Hilson and his crew, Kari Erickson with HAP and all the others who participated in the prep work of this presentation. He said he was here to answer any questions.

Councilmember Mahtani questioned if the same busses could be used for the various cruise lines.

In answer to Councilmember Mahtani, Mr. Binkley stated that has not been determined yet. Councilmember Gass questioned if Mr. Brinkley agrees with the presentation tonight.

In answer to Councilmember Gass, Mr. Binkley stated Option 2 meets more of the criteria that was set out, and agreed with Acting Port & Harbors Director Hilson and the Port & Harbors Advisory Board, but ultimately it is a Council decision.

Councilmember Bradberry said this plan seems to only discuss bus shuttles and questioned how the drop off and pickup will fit into this concept for the water shuttles. She also questioned if this location would be exclusive to Ward Cove shuttle busses or if the independent tour operators or Walmart were included.

In answer to Councilmember Bradberry, Acting Port & Harbors Director Hilson said it was his understanding the water taxi concept was a relationship between Allen Marine Tours and Ward Cove. He said during the time that Ward Cove shuttle operated it would be exclusive to those busses. He stated the Walmart van will be relocated, and they are working through this issue with Walmart.

Councilmember Mahtani questioned if the local tour operators were taken into consideration for their input while putting together this plan, and if the bus emission standards are being looked into.

In answer to Councilmember Mahtani, Acting Port & Harbors Director Hilson said they did not reach out to the local tour operators in this case for this operation.

Martha Thomas stated their busses are just as big as theirs are, and they hire local people to run their busses. She felt the local tour operators were being pushed out of business. She said the local independent operators generate a lot of revenue to this City. She said we are taxpayers of this community as we own homes and buildings. She said it upsets her that the local tour operators are not included in these conversations and parking spots are being taken away from them. She encouraged everyone to start listening to the locals because we make the difference as we are your taxpayers.

In answer to Councilmember Mahtani, Acting Port & Harbors Director Hilson said regarding the bus exhaust that is an ongoing issue. He said it is his understanding that we don't have authority to regulate that, as it is considered a commerce issue. He indicated the first step would be air quality monitoring which is underway. He said they have brought the issue up with HAP Alaska Yukon and the individual cruise lines to let them know it is an issue.

Acting Port & Harbors Director Hilson went on to explain what the financial arrangement will be to allow this operation. He said a preliminary look at the cost to support this operation would be approximately \$60,000 for the season to operate it during port of call times for ships at Ward Cove. He indicated the capital improvement cost component would be in the range of \$180,000 with the sidewalk, supplemental parking, striping and signage. He said the Council will have to provide staff with direction and a possible agreement be drawn up between the City and Ward Cove Group.

Councilmember Gass felt a good point was raised as to where the local tour operations are in all of this, and questioned if these busses owned by the Ward Cove Group or are they contracted out.

In answer to Councilmember Gass, Mr. Binkley informed the busses that they will use are contracted. He said they would need a consistent number of coaches each time a ship comes in to be able to handle that load. He indicated they envisioned using one operator that has enough capacity to handle all the shuttle passengers.

Councilmember Gage felt there has been a component left out of the equation with the independent tour operators, and we need to have a conversation with them. She said it would be nice to split the group and have some dropped off on Berth III, and she really liked the idea of the busses coming in one way, and possibly exempting the Fire Department.

Acting Port & Harbors Director Hilson said they cannot put the Fire Department in a position of driving the wrong way on a one way street. He said both Berth III and IV were eliminated for different reasons, but there wasn't enough room on Berth III for proper operation. He said a key component to this operation is that passengers have to be dropped off and picked up in the same location; otherwise, it is too confusing for the passengers.

Councilmember Flora said he had a couple of questions for Martha Thomas stating in years prior to this exercise did most of their busses park on the dock and how many went to the Discovery Center.

Ms. Thomas informed that some of these operators have been in operation for the past 25 years, and a lot of times they park on the Port, by Creek Street and at the Discovery Center. She said they have pre-books on the ships and they deal directly with tour operators and travel agents. She felt the independent operator is being pushed aside. She explained what their cost are on the Port.

Councilmember Flora said the Council will need to make a decision at the next meeting and suggested to Ms. Thomas that the independent tour operators convene and provide your ideas to mitigate the impact to your organizations to staff before the next Council meeting.

Councilmember Bradberry voiced her concerns regarding the loss of parking, and felt we need to have a conversation with everybody who utilizes the Discovery Center area.

Rick Thomas owner of Sourdough Tours and said he probably owns the largest independent tour company, and will be running eleven busses. He indicated he has had a conversation with two other operators and with their vehicles, you are looking at approximately 25 busses and vans. He felt as locals it would have been nice to have been consulted in regards to their needs and concerns for parking.

**Ordinance No. 22-1943 – Amending Ketchikan Municipal Code
Section 9.54.060 Entitled, “Legal Accountability” and Section
9.54.070 Entitled, “Fine Schedule,” Concerning Off Premise
Commercial Solicitation Restrictions – First Reading**

Copies of Ordinance No. 22-1943 were available for all present.

Moved by Kistler, seconded by Flora, the City Council approve in first reading Ordinance No. 22-1943 amending Section 9.54.060 of the Ketchikan Municipal Code entitled “Legal Accountability” and Section 9.54.070 entitled “Fine Schedule” concerning off premise commercial solicitation restrictions; and establishing an effective date.

Councilmember Zenge questioned how many fines have we collected, and would like to know those numbers. She said without anyway of monitoring who is violating this ordinance, why are we doing this.

Acting Police Chief Mattson answered questions from the Council.

Acting City Manager Simpson clarified this ordinance already exists. She said all this will do is increase the fines for the violations. She stated the cell phone recordings and the calls to dispatch already happen.

Motion passed with Gass, Gage, Zenge, Bradberry, Mahtani, Kistler and Flora voting yea.

**Change Order No. 1 to Contract No. 21-14 – Park Avenue Safe
Shelter, PK Builders**

Moved by Flora, seconded by Zenge, the City Council approve Change Order No. 1 to Contract No. 21-14, Park Avenue Safe Shelter, between the City and PK Builders in the amount of \$36,142 with the addition of 21 days to the contract completion date, bringing the total contract cost to \$657,142; authorize funding from the contract contingency; and direct the Acting City Manager to execute the contract change order on behalf of the City Council.

Motion passed with Kistler, Mahtani, Bradberry, Gage, Gass, Zenge and Flora voting yea.