

# ACTION AGENDA

January 24, 2011

Worksession  
Committee of the Whole  
Regular Meeting

## WORKSESSION AGENDA

### 1. CALL TO ORDER, 4:00 P.M.

Mayor Hornaday called the meeting to order at 4:00 p.m.

Councilmember Hogan has requested telephonic participation.  
Councilmember Lewis has requested excusal.

### 2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

The agenda was approved by consensus of the Council.

### 3. Computer Aided Dispatch Project, Mayor Carey, Kenai Peninsula Borough

#### 1. Memorandum 11-013 from Police Chief

Bob Jones, Project Manager, provided an oversight of the CAD project.

### 4. COMMENTS OF THE AUDIENCE

There were no comments of the audience.

### 5. ADJOURNMENT (NO LATER THAN 4:50 p.m.)

Mayor Hornaday adjourned the meeting at 4:56 p.m.

## COMMITTEE OF THE WHOLE AGENDA

### 1. CALL TO ORDER, 5:00 P.M.

Mayor Hornaday called the meeting to order at 5:00 p.m.

Councilmember Hogan has requested telephonic participation.  
Councilmember Lewis has requested excusal.

### 2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

The agenda was approved by consensus of the Council.

3. **REGULAR MEETING AGENDA**
4. **Staffing Commissions and Committees** (Wythe)
5. **In House Attorney** (Hogan)
6. **COMMENTS OF THE AUDIENCE**

There were no comments of the audience.

7. **ADJOURNMENT (NO LATER THAN 5:50 p.m.)**

Mayor Hornaday adjourned the meeting at 5:47 p.m.

### **REGULAR MEETING AGENDA**

Session 11-05 a Regular Meeting of the Homer City Council was called to order on January 24, 2011 at 6:00 p.m. by Mayor James C. Hornaday at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

<b>PRESENT:</b>	<b>COUNCILMEMBERS:</b>	HOGAN (telephonic), HOWARD, ROBERTS, WYTHE, ZAK
	<b>ABSENT:</b>	LEWIS (excused)
	<b>STAFF:</b>	CITY CLERK JOHNSON CITY MANAGER WREDE CITY PLANNER ABOUD PORT AND HARBOR DIRECTOR HAWKINS PUBLIC WORKS DIRECTOR MEYER

Councilmember Hogan has requested telephonic participation.  
Councilmember Lewis has requested excusal.

Department Heads may be called upon from time to time to participate via teleconference.

2. **AGENDA APPROVAL**

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 1.24.040.)

The agenda was amended with the following changes:

**ANNOUNCEMENTS/PRESENTATIONS/BOROUGH** **REPORT/COMMISSION REPORTS** - **Memorandum 11-016** from Harbormaster re: Dredge Materials Management for the City of Homer Port & Harbor; **PUBLIC HEARINGS** - **Ordinance 10-55(A)**, An Ordinance of the City Council of Homer, Alaska, Adopting Homer City Code Chapter 1.70, Public Arts Committee; Amending Homer City Code 18.07.040, Implementation; Amending Homer City Code 18.07.050 Selection; Repealing Homer City Code 18.07.060, Program Administration;

Public Arts Committee; and Amending Homer City Code 18.07.070, Exemptions; Regarding the Appointment, Composition and Functions of the Public Arts Committee. City Manager; Excerpt of December 13, 2010 Special Meeting Minutes; **Ordinance 10-56**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.03.040, Definitions; Enacting Homer City Code Chapter 21.44, Slopes; and Amending Homer City Code 21.50.020, Site Development Standards – Level One, and Homer City Code 21.50.030, Site Development Standards – Level Two; Regarding the Regulation of Development Activity on Sites Affected by Slopes. Planning; Staff Report PL 10-84 as backup.

The agenda was approved by consensus of the Council.

### **3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

There were no public comments.

### **4. RECONSIDERATION**

None.

### **5. CONSENT AGENDA**

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- A. Homer City Council unapproved Special Meeting Minutes of January 10 and 17, 2011 and Regular Meeting minutes of January 10, 2011. City Clerk. Recommend adoption.
- B. **Memorandum 11-009**, from Deputy City Clerk, Re: Liquor License Renewal for Land's End and Kachemak Bowl.

The consent agenda was approved by consensus of the Council.

### **6. VISITORS**

- A. Angela Doroff, Research Coordinator, Kachemak Bay Research Reserve, Present and Upcoming Efforts of the Science Collaborative Grant, 10 minutes

Angela Doroff, Research Coordinator for Kachemak Bay Research Reserve, thanked Council for their energy and enthusiasm behind the project. The Science Collaborative Grant provides for a three-year project with updates posted on the reserve's website: [www.kbayrr.org](http://www.kbayrr.org). Studies will include:

- Land level changes: earthquakes; glaciers are melting at a fairly rapid rate.
- Relative Sea Level Rise – Important to understand sea level rise projections in the context of land level change.
- The waters in Kachemak Bay are fed by 15 glaciers – the increased melt water is rich in nutrients and sediments which influence the community ecology in the Bay.

It is anticipated the study will accomplish a final report that summarizes land and sea level changes, establishment of long-term monitoring sites to continue to monitor changes beyond the study period, and development of a team of well trained citizen scientists who can participate in the long-term monitoring.

Collaborative learning engages stakeholders through the life of the study to address community driven questions. GPS stations will measure coastal uplift on non-bedrock sites. A discovery lab will be held on February 2<sup>nd</sup> to provide more information.

**7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS**

**A. Mayor's Recognition – Nicky Szarzi, Contributions to the Nick Dudiak Fishing Lagoon**

Mayor Hornaday read the proclamation and presented it to Nicky Szarzi.

**B. Mayor's Proclamation – Brother Asaiah Bates Day – February 14, 2011**

Mayor Hornaday read the proclamation.

**C. Mayor's Economic Development Speech - 2011 Outlook Industry Forum**

**D. Thank you from Sister City Teshio**

**E. Thank you from The Homer Foundation**

**F. Borough Report**

**G. Commissions/Board Reports:**

1. Library Advisory Board

2. Homer Advisory Planning Commission

3. Economic Development Advisory Commission

4. Parks and Recreation Advisory Commission

5. Port and Harbor Advisory Commission

1. Dredge Material

2. Credit Cards

a. Memorandum 11-010 from Port and Harbor Advisory Commission

Steve Zimmerman, Port and Harbor Advisory Commissioner, reported an estimated 40,000 yds. of dredge spoils on the Spit. Harbormaster Bryan Hawkins put together a list of projects to use the spoils on before selling it off the Spit. The commission supports dredge spoils leaving the Spit, as there is nowhere else to store them. Mr. Zimmerman reported the commission requested that the Port be allowed to charge a surcharge for credit cards. When accepting credit cards, an

agreement is signed to allow the processing of credit cards and charging a surcharge may result in credit card processing rights being pulled. The Borough accepts credit cards with third party processors and gas stations use a discount for cash payment. Mr. Zimmerman referenced the letter from the Finance Director as an interesting way to save some money. Although \$1.6M harbor revenue was paid by credit cards, it cost the City \$51,500 in processing fees, roughly the price of a police officer position.

## 8. PUBLIC HEARING(S)

- A. **Ordinance 10-55(A)**, An Ordinance of the City Council of Homer, Alaska, Adopting Homer City Code **Chapter 1.70, Public Arts Committee**; Amending Homer City Code 18.07.040, Implementation; Amending Homer City Code **18.07.050 Selection**; Repealing **Homer City Code 18.07.060, Program Administration; Public Arts Committee**; and Amending Homer City Code **18.07.070, Exemptions**; Regarding the Appointment, Composition and Functions of the Public Arts Committee. City Manager. Introduction December 13, 2010, Public Hearing and Second Reading January 24, 2011.

Memorandum 10-148 from City Attorney as backup.

There was one who testified.

ADOPTED without discussion.

- B. **Ordinance 10-56**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.03.040, Definitions; Enacting Homer City Code Chapter 21.44, Slopes; and Amending Homer City Code 21.50.020, Site Development Standards – Level One, and Homer City Code 21.50.030, Site Development Standards – Level Two; Regarding the Regulation of Development Activity on Sites Affected by Slopes. Planning. Introduction December 13, 2010, Public Hearing and Second Reading January 24, 2011.

Memorandum 10-149 from City Planner as backup.

There was one who testified.

ADOPTED with discussion.

- C. **Ordinance 10-57**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 11.04.030, Definitions; Amending Homer City Code **11.04.040, Street Construction, Design and Dedication Requirements—General**; Amending Homer City Code 11.04.120, **Sidewalks**; Amending **Homer City Code 21.52.030, Development Plan**; Amending Homer City Code 22.10.030, Definitions; Amending Homer City Code 22.10.050, Improvement Requirements—General; and Homer City Code 22.10.051, Utility Easements; Regarding Subdivisions and Subdivision and Planned Unit Development Improvement Requirements. Planning. Introduction December 13, 2010, Public Hearing and Second Reading January 24, 2011.

Memorandum 10-150 from City Planner as backup.

There was no public testimony.

ADOPTED with discussion.

- D. **Ordinance 10-58**, An Ordinance of the City Council of Homer, Alaska, Repealing and Reenacting Homer City Code Chapter 21.95, Legislative Procedures and Amendments, Regarding the Standards and Procedures for Amending Title 21 of the Homer City Code and Amending the Official Zoning Map. Planning. Introduction December 13, 2010, Public Hearing and Second Reading January 24, 2011.

Memorandum 10-151 from City Planner as backup.

There was no public testimony.

ADOPTED without discussion.

- E. **Ordinance 11-01**, An Ordinance of the City Council of Homer, Alaska, Enacting Homer City Code Chapter 8.02, Business Licenses, Regarding the Requirement of a License to Engage in Business in the City; and Enacting Homer Code 9.16.015, Determining when a Sale, Rental or Service Occurs in the City. Hogan. Introduction January 10, 2011, Public Hearings January 24 and February 15, 2011 and Second Reading February 15, 2011.

There was no public testimony.

PUBLIC HEARING ONLY. Second Public Hearing and Second Reading scheduled for February 15, 2011.

- F. **Ordinance 11-02**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Authorizing the Transfer of \$184,700 from the Harbor Reserve and \$173,000 from the Water/Sewer Reserve to the Energy Revolving Loan Fund and Establishing a Budget for the Implementation of Energy Conservation Measures in the Amount of \$900,500. City Manager/Public Works Director. Introduction January 10, 2011, Public Hearing and Second Reading January 24, 2011.

Memorandum 11-007 from Public Works Director as backup.

**Ordinance 11-02 (S)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Authorizing the Transfer of ~~\$184,700~~ **\$131,335** from the Harbor Reserve and ~~\$173,000~~ **\$172,932** from the Water/Sewer Reserve to the Energy Revolving Loan Fund and Establishing a Budget for the Implementation of Energy Conservation Measures in the Amount of ~~\$900,500~~ **\$847,067**.

Memorandum 11-007(S) from Public Works Director as backup.

There was no public testimony.

SUBSTITUTE ORDINANCE 11-02(S) ADOPTED. Second Reading postponed to February 15, 2011.

**9. ORDINANCE(S)**

**10. CITY MANAGER'S REPORT**

**A. City Manager's Report**

City Manager Wrede reported he received a call from DOT regarding the \$2M for Main Street intersection improvements. DOT does not think \$2M is enough to build the intersection and traffic signal. They want to completely reconstruct the intersection to look like Lake St./Sterling Hwy. It would require redoing the curbs and utilities, at a cost of \$3M. For \$1M DOT can do a roundabout to accommodate any type of truck from the Spit. They asked if Council would be willing to nominate the project for the STIP list. If the project is on the STIP list, DOT can add more money for the Main St. upgrade. If DOT can bring Main St. up to urban road city standards, the City could take Main St. for maintenance. The downside of federalizing the project is that it could add years to the project. Council has stated they want something done as soon as possible.

Mayor Hornaday expressed support for a roundabout.

Councilmember Wythe expressed her frustration that it has been two years and nothing has been done at the intersection. Last year a pedestrian was struck at the intersection. Do we have to rehash everything to just get something done? Direction was provided to DOT and choosing to wait another two to three years to upgrade the intersection and a roundabout is absurd.

Councilmember Roberts is hopeful we may get a roundabout and glad the DOT has put the intersection on the STIP list.

City Manager Wrede will provide a resolution for the February 15<sup>th</sup> meeting.

City Manager Wrede referenced the tidal project on the CIP list. Although the project made the top 15, the City is now out of it as the State has an agreement to work with NOAA. It is the City Manager's recommendation that the project be dropped. It is hoped that the State will support the tidal project and give the Alaska Energy Authority the money it needs.

Councilmember Wythe asked if the tidal project could be moved to the State portion of the CIP so it does not fall off. City Manager Wrede indicated Council could amend the CIP at anytime.

Harbormaster Bryan Hawkins was contacted by Fish and Game as they have \$850,000 grant funds to rebuild the load and launch ramp. The funds would require a 20% city match. Major repairs are needed on the ramp. An ordinance to appropriate the 20% match will be forthcoming. Councilmember Wythe suggested all the harbor improvement plans be put together to develop the harbor improvement program. It could be bonded through the enterprise fund of the port and harbor instead of waiting for money that is not coming. City Manager Wrede will be happy to work with Council on putting a package together.

As to the CAD presentation, City Manager Wrede had intended to have a resolution authorizing the City's participation up to Step 6. That will be forthcoming at the February 15<sup>th</sup> meeting.

The Bridge Creek Watershed Fire Mitigation Project conditional use permit was unanimously approved by the Planning Commission. The project will go forward. The City and Borough took all the measures to protect the water quality and do as little damage as possible. Folks should not panic when they see equipment there; they are urged to call the City Manager anytime.

Councilmember Hogan will need Council approval at the February 15<sup>th</sup> meeting to represent the City in Washington, D.C.

B. Bid Report

C. Games Report

1. Homer Hockey Association

## **11. CITY ATTORNEY REPORT**

## **12. COMMITTEE REPORT**

A. Public Arts Committee

B. Transportation Advisory Committee

C. Permanent Fund Committee

1. Meeting Minutes for the January 13, 2011 Regular Meeting

D. Lease Committee

E. City Hall Renovation and Expansion Task Force

F. Natural Gas Distribution Task Force

Mayor Hornaday commented Enstar says we are heading in the right direction with the task force. Task Force member Councilmember Zak reported the NGDTF is concerned if they have council support to move forward. Councilmember Howard, member of the NGDTF, reported the task force needs to do a better job of getting organized and approach the components of the large subject matter. The NGDTF has had two meetings, each a month apart, and she would like things to move faster. Staff is providing them with good information; the question is how much of a role the task force should play in bringing gas to the City.

Councilmember Howard, Permanent Fund Committee Chair, reported the committee met and has the year end report indicating the funds earned. The committee is working on getting more timely reports from the bank. The statements will be provided in the council packet quarterly.

## **13. PENDING BUSINESS**

A. **Resolution 10-80**, A Resolution of the City Council of Homer, Alaska, Adopting the Amended Public Arts Committee Administrative Guidelines to Incorporate Amendments to Composition, 1% for the Arts Program, Preservation, Promotion and Awareness,



and De-Accessioning Sections; and to Add Sections Declaration of Purpose, Meetings, Organization and Procedures, Accession and Gift Policies, and Procedures to Propose a Donation. City Clerk/Public Arts Committee. (Postponed from October 25, 2010.)

Memorandum 10-122 and 10-130 from Public Arts Committee as backup.  
Memorandum 10-148 from City Attorney as backup.

ADOPTED with discussion.

- B. **Resolution 10-81(A)**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Public Arts Committee Administrative Guidelines to Establish the Second Thursday at 5:00 p.m. Not to Exceed Ninety Minutes as the Regular Quarterly Meeting Day, Time, and Length. City Clerk/Public Arts Committee. (Postponed from October 25, 2010.)

Memorandum 10-123 from Public Arts Committee as backup.

ADOPTED without discussion.

#### 14. NEW BUSINESS

- A. **Memorandum 11-011**, from City Clerk, Re: Travel Authorization/No City Expense for Mayor Hornaday and Councilmember Zak's Attendance at Alaska Municipal League Winter Legislative Conference in Juneau, Alaska, February 8 – 10, 2011.

AMENDED: Councilmember Zak will pay for his own travel.

APPROVED as AMENDED with discussion.

RECONSIDERED. Mayor Hornaday's travel expenses will be paid by the General Fund.

#### 15. RESOLUTIONS

- A. **Resolution 11-009**, A Resolution of the City Council of Homer, Alaska, Approving a Contract with Siemens Industry, Inc. for the Implementation of Energy Conservation Measures in the Amount of \$795,191 and Authorizing the City Manager to Execute the Appropriate Documents to Complete Recommended Improvements. City Manager/Public Works Director.

POSTPONED to February 15, 2011.

- B. **Resolution 11-010**, A Resolution of the City Council of Homer, Alaska, Awarding a GC/CM Contract with Steiner's North Star Construction, Inc. of Homer, Alaska, Within the Authorized Project Budget for the City Hall Renovation and Expansion Project and Authorizing the City Manager to Enter into Negotiations and Execute the Appropriate Documents. City Manager.

Memorandum 11-014 from Public Works Director as backup.  
Memorandum 11-015 from City Hall Renovation and Expansion Task Force as backup.

ADOPTED without discussion.

- C. **Resolution 11-011**, A Resolution of the City Council of Homer, Alaska, Expressing Support for the Pratt Museum's Legislative Grant Request in the Amount of \$650,000 for the Design Phase of its New Facility and Site Redesign Project. Roberts.

ADOPTED without discussion.

- D. **Resolution 11-012**, A Resolution of the City Council of Homer, Alaska, Approving a Lobbyist Contract with Anderson Group, LLC of Fairbanks, Alaska, for a Term of One Year Commencing on January 1, 2011 and Ending on December 31, 2011, in an Amount Not to Exceed \$40,000 and Authorizing the City Manager to Negotiate the Final Terms of the Contract in the Best Interest of the City. City Manager.

Memorandum 11-012 from City Manager as backup.

ADOPTED with discussion.

- E. **Resolution 11-013**, A Resolution of the City Council of Homer, Alaska Authorizing the City Manager to Dispose of a Used and Surplused 70 Foot Aluminum Gangway Pursuant to HCC 18.30.010- 020 and HCC 18.30.040 (b). City Manager.

ADOPTED with discussion.

- F. **Resolution 11-014**, A Resolution of the City Council of Homer, Alaska, Directing the Administration to Issue a Request for Proposals to Identify Potential New Tenants for the Old Homer Intermediate School (Also Known as the Homer Education and Recreation Center) and Requesting that the Economic Development Advisory Commission Serve as the Initial proposal Review Committee. City Manager/Economic Development Advisory Commission.

ADOPTED with discussion.

## 16. COMMENTS OF THE AUDIENCE

There were no comments of the audience.

## 17. COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner was not present.

## 18. COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comment.

## 19. COMMENTS OF THE CITY MANAGER

City Manager Wrede had no comment.

## **20. COMMENTS OF THE MAYOR**

Mayor Hornaday commented on the passing of Neva Egan, the First Lady of Alaska. She was much beloved and loved to lead us in the singing of the Alaska Flag song.

## **21. COMMENTS OF THE CITY COUNCIL**

Councilmember Wythe called for reconsideration of Memorandum 11-011. The motion was reconsidered and Council agreed Mayor Hornaday's travel to Juneau AML should be paid by the General Fund.

Councilmember Roberts thanked the Planning Commission for the three ordinances, steep slope, subdivision and the rezoning. It was great work on behalf of the Planning Commission. She voted no on Resolution 11-014 due to missing information. In recent packets there has been missing information making it difficult to vote.

Councilmember Zak commented he was a little challenged by the 570 page electronic packet. At 10¢ per page he saved \$57; he encouraged other councilmembers to look at PDFs.

Councilmember Hogan asked the City Manager in his next report to give an accounting of what city funds are held in uninsured deposit accounts and the amounts. He congratulated Steiner's Construction and Anderson Group. There were a lot of good candidates. This marks the first meeting he did not vote no on anything.

## **22. ADJOURNMENT**

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 7:55 p.m. The next Regular Meeting is scheduled for Tuesday, February 15, 2011 at 6:00 p.m. The next Committee of the Whole is scheduled for Tuesday, February 15, 2011 at 5:00 p.m. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.