City Council
June 13, 2011
Monday

Special Meeting 4:00 P.M.
Committee of the Whole 5:00 P.M.
Regular Meeting 6:00 P.M.

Cowles Council Chambers
City Hall
491 E. Pioneer Avenue
Homer, Alaska

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June 2011

Monday 13th	**CITY COUNCIL Special Meeting 4:00 p.m., Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.**
Wednesday 15th	**PLANNING COMMISSION Worksession 5:30 p.m. and Regular Meeting 7:00 p.m.**
Thursday 16th	**PARKS AND RECREATION ADVISORY COMMISSION Regular Meeting 5:30 p.m.**
Friday 17th	**KACHEMAK DRIVE PATH COMMITTEE 5:30 p.m.**
Wednesday 22nd	**PORT AND HARBOR ADVISORY COMMISSION Regular Meeting 5:00 p.m.**
Thursday 23rd	**KACHEMAK DRIVE PATH COMMITTEE Open House 5:30 p.m. – 8:30 p.m.**
Monday 27th	**CITY COUNCIL Worksession 4:00 p.m., Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.**

Regular Meeting Schedule
City Council 2nd and 4th Monday 6:00 p.m.
Library Advisory Board 1st Tuesday 5:00 p.m.
Economic Development Advisory Commission 2nd Tuesday 6:00 p.m.
Parks and Recreation Advisory Commission 3rd Thursday of the months of January, March, May, June, July, August, September and November 5:30 p.m.
Planning Commission 1st and 3rd Wednesday 7:00 p.m.
Port and Harbor Advisory Commission 4th Wednesday 5:00 p.m.
Transportation Advisory Committee Quarterly 3rd Tuesday 5:30 p.m.
Public Arts Committee Quarterly 3rd Thursday 5:00 p.m.
Lease Committee Quarterly 2nd Thursday 3:00 p.m.
Permanent Fund Committee Quarterly 2nd Thursday 5:15 p.m.

MAYOR AND CITY COUNCILMEMBERS AND TERMS
JAMES C. HORNADAY, MAYOR – 12
KEVIN HOGAN, COUNCILMEMBER – 12
BARBARA HOWARD, COUNCILMEMBER – 11
DAVID LEWIS, COUNCILMEMBER – 11
FRANCIE ROBERTS, COUNCILMEMBER – 12
MARY E. (BETH) WYTHE, COUNCILMEMBER – 13
BRYAN ZAK, COUNCILMEMBER – 13
City Manager, Walt Wrede
City Attorney, Thomas Klinkner

http://www.cityofhomer-ak.gov/cityclerk **home page access, Clerk's email address is:** clerk@ci.homer.ak.us **Clerk's office phone number: direct line 235-3130, other number 435-3106.**

HOMER CITY COUNCIL/SPECIAL MEETING
491 E PIONEER AVENUE
HOMER, ALASKA

JUNE 13, 2011
MONDAY, AT 4:00 P.M.
COWLES COUNCIL CHAMBERS

MEETING NOTICE
SPECIAL MEETING AGENDA

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

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

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

4. **NEW BUSINESS**

A. **Memorandum 11-075,** From City Clerk Re: Request for Executive Session Pursuant to AS §44.62.310(C)(1&2), Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit and Subjects That Tend to Prejudice the Reputation and Character of Any Person, Provided the Person May Request a Public Discussion. (City Attorney Contract) Page 7

5. **COMMENTS OF THE AUDIENCE**

6. **COMMENTS OF THE CITY ATTORNEY**

7. **COMMENTS OF THE CITY CLERK**

8. **COMMENTS OF THE CITY MANAGER**

9. **COMMENTS OF THE MAYOR**

10. **COMMENTS OF THE CITY COUNCIL**

11. **ADJOURNMENT NO LATER THAN 4:50 p.m. Next Committee of the Whole is scheduled for Monday, June 27, 2011 at 5:00 p.m. Next Regular Meeting is Monday, June 27, 2011 at 6 p.m. A Worksession is scheduled for Monday, June 27, 2011 at 4:00 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers.**

Office of the City Clerk

Jo Johnson, CMC, City Clerk
Melissa Jacobsen, CMC, Deputy City Clerk II
Renee Krause, CMC, Deputy City Clerk I

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Homer, Alaska 99603
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MEMORANDUM 11-075

TO: MAYOR HORNADAY AND HOMER CITY COUNCIL

FROM: JO JOHNSON, CMC, CITY CLERK

DATE: JUNE 6, 2011

SUBJECT: REQUEST FOR EXECUTIVE SESSION PURSUANT TO AS §44.62.310(C)(1 & 2), MATTERS, THE IMMEDIATE KNOWLEDGE OF WHICH WOULD CLEARLY HAVE AN ADVERSE EFFECT UPON THE FINANCES OF THE GOVERNMENT UNIT AND SUBJECTS THAT TEND TO PREJUDICE THE REPUTATION AND CHARACTER OF ANY PERSON, PROVIDED THE PERSON MAY REQUEST A PUBLIC DISCUSSION. (CITY ATTORNEY CONTRACT)

Pursuant to Council's Operating Manual – "Any Councilmember, the Mayor or City Manager may place consideration of an executive session on the agenda…"

Councilmember Howard requested an Executive Session regarding "City Attorney Contract" for the Special Meeting of June 13, 2011. This has been publicly and internally noticed since that time.

RECOMMENDATION:

Approve the request for Executive Session and conduct immediately in the Conference Room.

HOMER CITY COUNCIL/COMMITTEE OF THE WHOLE
491 E. PIONEER AVENUE
HOMER, ALASKA

JUNE 13, 2011
MONDAY, AT 5:00 P.M.
COWLES COUNCIL CHAMBERS

MEETING NOTICE
COMMITTEE OF THE WHOLE AGENDA

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

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

3. Michelle Drew, Mikunda, Cottrell, & Co., Auditor Report

4. **REGULAR MEETING AGENDA**

5. **COMMENTS OF THE AUDIENCE**

6. **ADJOURNMENT NO LATER THAN 5:50 P.M. NEXT REGULAR MEETING IS SCHEDULED FOR MONDAY, JUNE 27, 2011 AT 6:00 P.M. THE NEXT COMMITTEE OF THE WHOLE IS SCHEDULED FOR MONDAY, JUNE 27, 2011 AT 5:00 P.M. A WORKSESSION IS SCHEDULED FOR MONDAY, JUNE 27, 2011 AT 4:00 P.M.** All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

HOMER CITY COUNCIL
491 E. PIONEER AVENUE
HOMER, ALASKA

JUNE 13, 2011
MONDAY, AT 6:00 P.M.
COWLES COUNCIL CHAMBERS

MEETING NOTICE
REGULAR MEETING AGENDA

Special Meeting 4:00 p.m. and Committee of the Whole 5:00 p.m. in Homer City Hall Cowles Council Chambers.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

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.)

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

4. RECONSIDERATION

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 Regular Meeting minutes of May 24, 2011. City Clerk. Recommend adoption. Page 17

B. **Memorandum 11-076,** from Mayor, Re: Appointment of Jennifer Sonneborn to the Advisory Planning Commission and Reappointment of Tom Bos and James Dolma to the Advisory Planning Commission. Page 35

6. VISITORS

A. Michelle Drew, Mikunda, Cottrell Auditor's Report, 10 minutes.

B. Roland Maw, Executive Director, United Cook Inlet Drift Association, 10 minutes.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Borough Report

B. Prince William Sound Regional Citizen's Advisory Council Report, by John Velsko Page 43

C. 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

D. Matt Montavon, 1,100 Mile Run Across Alaska for the Wounded Warrior Project. Page 45

8. PUBLIC HEARING(S)

A. Ordinance 11-21, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.04.010, Definitions; and Amending Homer City Code 2.08.010, Management of Public Records; Regarding the Management of City Records. City Attorney/City Manager. Introduction May 24, 2011, Public Hearing and Second Reading June 13, 2011. Page 49

Memorandum 11-077 from City Attorney as backup. Page 57

B. **Ordinance 11-22,** An Ordinance of the City Council of Homer, Alaska, Establishing a Preliminary Project Budget and Authorizing Expenditures for Phase I Improvements to Karen Hornaday Park. City Manager/Parks & Recreation Advisory Commission. Introduction May 24, 2011, Public Hearing and Second Reading June 13, 2011. Page 67

9. ORDINANCE(S)

A. **Ordinance 11-23,** An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Sections 21.12.020; 21.14.020; 21.16.020; 21.18.020; 21.20.020; 21.22.020; 21.24.020; 21.26.020; Addressing Permitted Uses and Structures; and Homer City Code 21.28.030 Conditional Uses and Structures; to Add Hostel as a Permitted Use in the Rural Residential, Urban Residential, Residential Office, Central Business, Town Center, Gateway Business, General Commercial 1, and General Commercial 2 Zoning Districts, and to Add Hostel as a Conditional Use in the Marine Commercial Zoning District. Wythe. Recommended dates: Introduction June 13, 2011, Public Hearing and Second Reading June 27, 2011. Page 79

B. **Ordinance 11-24,** An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 1.74.040 Duties and Responsibilities of Commission, to Authorize the Parks and Recreation Advisory Commission to Solicit Donations of Money and Property for the Benefit of Parks and Recreation Facilities in the City. City Clerk/Parks and Recreation Advisory Commission. Recommended dates: Introduction June 13, 2011, Public Hearing and Second Reading June 27, 2011. Page 85

C. **Ordinance 11-25,** An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 18.08.120, Sublease, Regarding the Charging of Additional Rent for Subleases of City Property. City Manager. Recommended dates: Introduction June 13, 2011, Public Hearing and Second Reading June 27, 2011. Page 91

Memorandum 11-079 from City Clerk as backup. Page 95

D. **Ordinance 11-26,** An Ordinance of the City Council of Homer, Alaska, Repealing Subsection (c) of Homer City Code 14.08.035, Water Connection and Extension Permit Fee; and Enacting Homer City Code 14.08.037, Water Meters; Regarding the Number of Water Meters Required Per Lot. Roberts/Wythe. Recommended dates: Introduction June 13, 2011, Public Hearing and Second Reading June 27, 2011. Page 99

E. **Ordinance 11-27,** An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating $5,000 from the Parks and Recreation Reserves to the Homer Foundation to Support Community Efforts to Create a New Improved Playground at Karen Hornaday Park. City Manager. Recommended dates: Introduction June 13, 2011, Public Hearing and Second Reading June 27, 2011. Page 103

Memorandum 11-084 from Special Projects Coordinator as backup. Page 107

10. CITY MANAGER'S REPORT

A. City Manager's Report

1. Memorandum 11-080 from Police Chief, re: Withdrawal from CAD Program Page 113

B. Bid Report Page 143

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

A. Public Arts Committee

B. Transportation Advisory Committee

1. Memorandum 11-085 from Transportation Advisory Committee re: Recommending Right Turns Only off Streets Between Pioneer Avenue and Lake Street Page 145

C. Lease Committee

D. City Hall Renovation and Expansion Task Force

13. PENDING BUSINESS

14. NEW BUSINESS

15. RESOLUTIONS

A. **Resolution 11-054,** A Resolution of the City Council of Homer, Alaska, Accepting the 2010 Comprehensive Annual Financial Report with Audit and Financial Statements and Acknowledging the Management Letter Submitted by the City/s Independent Auditor, Mikunda, Cottrell, & Co. and Authorizing the City Manager to Execute the Financial Report. City Manager/Finance. Page 147

B. **Resolution 11-055,** A Resolution of the City Council of Homer, Alaska, Approving and Accepting the Renewal of the Jail Service Contract for FY 2012 with the State of Alaska in the Amount of $611,099.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Page 149

Memorandum 11-081 from Police Chief as backup. Page 151

C. **Resolution 11-056,** A Resolution of the City Council of Homer, Alaska, Approving and Accepting the Renewal of the Special Services Contract for FY 2012 with the Alaska Department of Public Safety in the Amount of $36,000.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Page 209

Memorandum 11-082 from Chief of Police as backup. Page 211

D. **Resolution 11-057,** A Resolution of the City Council of Homer, Alaska, Awarding Contracts for the Public Works Gravel Supply 2011, 2012, and 2013 to the Firms of R/C Land Improvements of Anchor Point, Alaska, in the Amount of $37,514.00 and Brown Construction Company, Inc. of Homer, Alaska, in the Amount of $950.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Page 215

Memorandum 11-083 from Public Works Superintendent as backup. Page 217

E. **Resolution 11-058,** A Resolution of the City Council of Homer, Alaska, Awarding Contracts for the City Owned Dredge Spoils to the Firms of Herndon Construction LLC in the Amount of $1,050.00 and Homer Boat Yard of Homer, Alaska, in the Amount of $1,050.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Page 221

F. **Resolution 11-059,** A Resolution of the City Council of Homer, Alaska, Awarding a Contract to Arno Construction, of Homer, Alaska, in the Amount of $6,720 for the Construction of the West Elementary Trail and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Page 225

Memorandum 11-086 from Public Works Director as backup. Page 227

G. **Resolution 11-060,** A Resolution of the City Council of Homer, Alaska, Establishing a Committee to Develop a Port and Harbor Improvement Revenue Bonding Plan and Provide Committee Review and Oversight Throughout the Implementation and Completion of any Approved Plan. Wythe. Page 231

H. **Resolution 11-061,** A Resolution of the City Council of Homer, Alaska, Setting Water/Sewer Depreciation Reserve Transfers to the Net Change in Fund Balance Annually. Roberts. Page 233

I. **Resolution 11-062,** A Resolution of the City Council Amending the City of Homer Fee Schedule Under Water and Sewer Fees. City Clerk. Recommended date: Public Hearing June 27, 2011. Page 235

Memorandum 11-087 from City Clerk as backup. Page 239

J. **Resolution 11-063,** A Resolution of the Homer City Council Encouraging the Kenai Peninsula Borough Assembly to Designate 80 Acres, Kenai Peninsula Borough Parcel Number 179-010-26 Northwest of the Homer Airport as Wildlife Habitat. Roberts. Page 241

16. COMMENTS OF THE AUDIENCE
17. COMMENTS OF THE CITY ATTORNEY
18. COMMENTS OF THE CITY CLERK
19. COMMENTS OF THE CITY MANAGER
20. COMMENTS OF THE MAYOR
21. COMMENTS OF THE CITY COUNCIL
22. ADJOURNMENT/NEXT REGULAR MEETING IS SCHEDULED FOR MONDAY, JUNE 27, 2011 AT 6:00 P.M. THE NEXT COMMITTEE OF THE WHOLE IS SCHEDULED FOR MONDAY, JUNE 27, 2011 AT 5:00 P.M. A WORKSESSION IS SCHEDULED FOR MONDAY, JUNE 27, 2011 AT 4:00 P.M. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

Session 11-18 a Regular Meeting of the Homer City Council was called to order on May 24, 2011 at 6:01 p.m. by Mayor Pro Tempore Beth Wythe, at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

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

Mayor Hornaday has requested excusal.
Councilmember Zak has requested excusal.

Mayor Pro Tempore Wythe ruled Councilmember Zak's absence as excused. There was no objection from the Council.

Council met for a Worksession from 4:03 p.m. to 4:50 p.m. to discuss Water and Sewer Rates. Council met as a Committee of the Whole from 5:02 p.m. to 5:49 p.m. to hear a presentation by Lynn Whitmore, Kenai Peninsula Borough Parcel for Moose Habitat and discuss Regular Meeting Agenda items.

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

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 to include the following changes:
VISITORS - Representative Paul Seaton, 10 minutes; RESOLUTIONS - Resolution 11-052, Memorandum 11-074 from Parks and Recreation Advisory Commission.

Mayor Pro Tempore Wythe called for a motion to approve the agenda as amended.

HOGAN/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Miranda Weiss, city resident, appeared with Deb Cox. They have been making improvements to the Karen Hornaday Park playground and have formed a group called HOPP (Homer Playground Project). They need a lot of help and ideas and would like to include anyone that has a stake in the playground. Contact Deb Cox at 299-1516.

Beth Cumming, city resident, commended the residents that are renovating the playground. She supports Ordinance 11-22 and would like to see an improved entrance with a trail paralleling Woodard Creek.

RECONSIDERATION

A. **Ordinance 11-16(A),** An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating $20,000 from the ~~Fund Balance of the General Fund~~ **Water Sewer Depreciation Reserves** to Purchase a Used Allman Light Tower and a Used Dynapac Diesel Plate. City Manager/Public Works Director. Introduction April 25, 2011, Public Hearing and Second Reading May 9, 2011, Reconsidered May 9, 2011 by Councilmember Lewis.

Mayor Pro Tempore Wythe called for a motion to reconsider the vote on Ordinance 11-16(A).

LEWIS/HOWARD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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 and Regular Meeting Minutes of May 9, 2011. City Clerk. Recommend adoption.

B. **Memorandum 11-070,** from Deputy City Clerk, Re: Liquor License Transfer from Uncle Thirsty's to Grog Shop East End.

C. **Memorandum 11-071,** from Mayor Pro Tempore, Re: Appointment of Lindianne Sarno to the Economic Development Advisory Commission and Reappointment of Marianne Aplin and Gaye Wolfe to the Public Arts Committee.

ROBERTS/LEWIS – MOVED FOR APPROVAL OF THE RECOMMENDATIONS OF THE CONSENT AGENDA.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

A. Representative Paul Seaton, 10 minutes

Representative Paul Seaton distributed his newsletter and information on Vitamin D. The Legislature recommended $400M for funding scholarships, $15M to divert Battle Creek water into Bradley Lake, geothermal at Mt. Spurr, $12M for tourism marketing, and funds for an instate gas bullet line for the North Slope to South Central, including Anchor Point to Homer. Representative Seaton encouraged residents and businesses to write to the Governor to make sure the gas line stays in the budget. Funding for the Diamond Ridge Fire Station and increased funds for education and revenue sharing were referred to the Governor. Legislators are being asked if they wish to participate in a special session on coastal zone management. By unanimous consent, Legislature passed HCR 5 supporting prevention of disease as a priority for the State and encouraging supplementation of vitamin D for its long term preventative health benefits.

Councilmember Hogan asked how the relations between the Governor, Senate, and House were. Representative Seaton answered there is tension, with the Governor new in the job. He is hopeful everyone will learn each other's method of operation and will be able to work together better in the future.

Councilmember Roberts expressed appreciation to Representative Seaton for his work on the gas line. She asked if there were projects on the list subject to veto. Representative Seaton answered he does not expect vetoes on source funded items. The Governor indicated he will look for all projects shovel ready; the gas line is shovel ready. If approved, Enstar will look at boring this winter along the Old Sterling Highway. The project will take place next summer with gas anticipated next fall.

Councilmember Lewis commented on the bluff erosion just north of Anchor Point and asked if anything could be done to get the process moving sooner. Representative Seaton answered DOT is measuring the area closely and accurately. The rate at which the erosion is approaching the highway is not nearly as fast as we perceive it. DOT has temporary plans in the event something happens. The project is on the STIP, and public comments are needed. There are some funds for roads.

B. Brent Johnson, Kenai Peninsula Borough Assemblyman, re: KPB Ordinance 2011-07 Reducing the Number of KPB Planning Commissioners

Brent Johnson cancelled his presentation.

C. Duane Bannock, Kenai Peninsula Borough, Spruce Bark Beetle Program

Duane Bannock, Spruce Bark Beetle Program, and Wade Wahrenbrock, Forester and Fire Specialist, provided an update on the Spruce Bark Beetle Program. Work is finished on the 83 acres of Bald Mountain, Easy Street, and Spruceview. Dead and dying sprucebark beetle has been fallen from the right-of-way and up to 90 ft. of owners' properties adjacent to the right-of-way. The Bridge Creek Watershed area project was completed by Paul Roderick of Paul's Services. Care was taken to protect the stream. All standing trees were treated and laid on the ground. Although there are a lot of fallen trees, the fire threat to the entire canopy is much reduced. Areas that remain on the project are close to the water; they will be done this summer with a hand crew.

The federally funded Spruce Bark Beetle Program was promoted two years ago and will close this fall or winter. The offerings for Homer were near Greer Road and the Baycrest area. Over 2,000 cords of firewood were taken at no cost. The Baycrest job was done in conjunction with the Kachemak Nordic Ski Club.

City Manager Wrede commented it was a pleasure working with Mr. Bannock and Mr. Wahrenbrock. They were responsive to any requests including the sensitive areas, complying with the conditional use permit and lots of comments from the environmental community. They did a great job.

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. **Mayor's Proclamation** – Mary Epperson Day – June 6, 2011

Mrs. Epperson was not present.

B. Borough Report

Kenai Peninsula Borough Assemblyman Bill Smith reported the Borough health care task force is ongoing. Health insurance has been defined as a benefit and they don't want to see it go to a defined contribution like PERS. There is a shared responsibility for health insurance, with both the employer and employee.

Assemblyman Smith urged everyone to make their wishes known to the Governor to prevent reductions from the Legislature's appropriation for the natural gas line. We need the entire project to go forward and it will take a concerted community effort to get it forward.

Councilmember Roberts asked about Assemblyman Brent Johnson's proposed ordinance to reduce the number of planning commissioners. Assemblyman Smith answered Mr. Johnson is working on an amendment to recommend an increase in commissioners. He is exploring the option of using the plat committee, with the planning commission meeting just once a month.

The plat committee would meet twice per month and be planning commissioners from the Central Peninsula. If a planning commissioner felt they had an issue to address in their area, they could go to the plat committee meetings. It would reduce the cost of operation. The State mandates a balance of the representatives from inside and outside the cities. Councilmember Roberts asked about the lack of representation on the platting process from the City of Homer. Assemblyman Smith answered the plat committee takes members that volunteer to serve. Most are practical issues with the municipal planning commission weighing in on all the issues before they go to the Borough. Councilmember Roberts encouraged Mr. Smith to make sure there is representation for Homer.

C. Commissions/Board Reports:

1. Library Advisory Board

2. Homer Advisory Planning Commission

3. Economic Development Advisory Commission

4. Parks and Recreation Advisory Commission

Dave Brann, Parks and Recreation Advisory Commissioner, provided pictures of the Karen Hornaday Park workday last Saturday. The commission had a presentation from the disc ball group and has had lots of good volunteer help. Last week bike to work week was used as a research tool to collect information as to what is important to bicycle people. The commission supports Ordinance 11-22. Although it is not enough money to do everything, a portion should go to figuring out the major things that need to be done. Some of the funds should be set aside for the future for matching grants. The commission supports Resolution 11-052. There are six logs peeled and staged, ready to repair the picnic shelter near the Pier One Theatre. A work party needs to be scheduled to make it happen.

5. Port and Harbor Advisory Commission

D. Meeting of Kenai Peninsula Mayors and City Managers, May 16, 2011

City Manager Wrede reported on the meeting of the Kenai Peninsula Mayors and City Managers that Mayor Hornaday attended. They talked about the resolution supporting the establishment of a water infrastructure set aside funding program with the Army Corps of Engineers. When Senator Begich visited earlier he talked about it. Since there are no longer earmarks, it is a method to guarantee a certain amount of money for Alaska and Hawaii.

E. Thank you from Kachemak Nordic Ski Club

PUBLIC HEARING(S)

A. **Ordinance 11-17,** An Ordinance of the City Council of Homer, Alaska, Amending the 2008 Homer Comprehensive Plan to Incorporate the Homer Spit Plan and

Recommending Approval of the Amendment by the Kenai Peninsula Borough. Planning. Introduction May 9, 2011, Public Hearing and Second Reading May 24, 2011.

Memorandum 11-068 from City Planner as backup.

Mayor Pro Tempore Wythe opened the public hearing. In the absence of public testimony, Mayor Pro Tempore Wythe closed the public hearing.

Mayor Pro Tempore Wythe called for a MOTION FOR THE ADOPTION OF ORDINANCE 11-17 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

HOWARD/LEWIS SO MOVED.

Councilmember Howard thanked all the commissions that labored over the document, holding public hearings and worksessions. She views the document as outstanding and identifiable to the neighborhood.

Councilmember Hogan expressed pleasure with the final document.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. **Ordinance 11-18,** An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating $7,793.75 from the Public Works Fleet Reserve for the Purpose of Sandblasting and Recoating a CAT Loader. City Manager/Public Works Director. Introduction May 9, 2011, Public Hearing and Second Reading May 24, 2011.
Memorandum 11-064 from Public Works Superintendent as backup.

Mayor Pro Tempore Wythe opened the public hearing. In the absence of public testimony, Mayor Pro Tempore Wythe closed the public hearing.

Mayor Pro Tempore Wythe called for a motion for the adoption of Ordinance 11-18 by reading of title only for second and final reading.

LEWIS/HOWARD - SO MOVED.

Councilmember Howard expressed her intent to include all the pieces of equipment for sandblasting and recoating.

HOWARD/ROBERTS – MOVED TO AMEND THE TITLE AND THROUGHOUT THE ORDINACE WHERE APPLICABLE BY APPROPRIATING $25,590.35 FOR THE PURPOSE OF SANDBLASTING AND RECOATING THE CAT MOTOR GRADER 120G, CAT MOTOR GRADER 140G, AND THE CAT FRONT END LOADER 950B AND ALSO INCLUDE THE SAME LANGUAGE IN THE 3RD WHEREAS.

There was no discussion.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Hogan asked if bids were made for all three pieces of equipment. City Manager Wrede confirmed all three pieces were bid, but due to costs Public Works reduced the request to the Cat Loader.

VOTE: (main motion as amended) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

C. **Ordinance 11-19,** An Ordinance of the City Council of Homer, Alaska, Establishing a Preliminary Budget and Authorizing the Expenditure of $486,948 from Depreciation Reserves for the Renovation and Expansion of City Hall. Roberts/Wythe. Introduction May 9, 2011, Public Hearing and Second Reading May 24, 2011.

Ordinance 11-19(S), An Ordinance of the City Council of Homer, Alaska, Establishing a Preliminary Budget and Authorizing the Expenditure of $486,948 from Depreciation Reserves for the Renovation and Expansion of City Hall. Roberts/Wythe.

Memorandum 11-066 from Public Works Director as backup.

Mayor Pro Tempore Wythe opened the public hearing. In the absence of public testimony, Mayor Pro Tempore Wythe closed the public hearing.

Mayor Pro Tempore Wythe called for a motion to substitute Ordinance 11-19(S) for Ordinance 11-19.

ROBERTS/HOWARD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Pro Tempore Wythe called for a motion for the adoption of Ordinance 11-19(S) by reading of title only for second and final reading.

HOWARD/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

A. ***(If Reconsidered)*** **Ordinance 11-16(A),** An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating $20,000 from the ~~Fund Balance of the General Fund~~ **Water Sewer Depreciation Reserves** to Purchase a Used Allman Light Tower and a Used Dynapac Diesel Plate. City Manager/Public Works Director. Introduction April 25, 2011, Public Hearing and Second Reading May 9, 2011, Reconsideration issued May 9, 2011.

LEWIS/HOWARD – MOVED FOR THE ADOPTION OF ORDINANCE 11-16(A) BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Howard has gone through the numbers of purchasing, renting, and shipping costs for the equipment and concluded we have the money in a reserve account that earns zip. Although we don't use these pieces of equipment every day, when we need them, we need them. Water lines break at holidays and we need the lights to work safely; compacting soil is important to avoid sinkholes. She asked for consideration of purchasing the two pieces of equipment that are in reasonably good shape. The Dynapac Diesel Plate has 300 to 400 hours use.

Councilmember Hogan asked how many hours there were on each piece of equipment. City Manager Wrede reported the equipment does not have hour meters, but the Dynapac is the 1997 model with 400 hours or less. He does not have an estimate on the number of hours on the Allman Light Tower.

Councilmember Hogan referenced the procurement policy that specifies the hours be provided. We are falling outside the policy several ways on this acquisition and have managed to survive for 40 years without the equipment. The procurement policy requires that we go through procedures to procure equipment. The policy has a section on warranties. For the light tower we are paying more for the used one than what a new one would cost, minus shipping. Without the specifications we don't know if we are getting the value. It grates him that the procurement policy is continually ignored.

Councilmember Howard stated the procurement policy addresses new equipment, not used. Although it is nice to know how many hours are on a piece of equipment, it doesn't tell whether the equipment is good or bad.

Asked by Mayor Pro Tempore Wythe the maintenance the items will need, Public Works Director Meyer answered the light tower and Dynapac are not sophisticated pieces of equipment. We have smaller versions available. They are not special items that will require additional maintenance.

VOTE: YES. ROBERTS, WYTHE, HOWARD, LEWIS

VOTE: NO. HOGAN

Motion carried.

B. **Ordinance 11-21,** An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.04.010, Definitions; and Amending Homer City Code 2.08.010, Management of Public Records; Regarding the Management of City Records. City Attorney/City Manager. Recommended dates: Introduction May 24, 2011, Public Hearing and Second Reading June 13, 2011.

Mayor Pro Tempore Wythe called for a motion for the adoption of Ordinance 11-21 for introduction and first reading by reading of title only.

LEWIS/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

C. **Ordinance 11-22,** An Ordinance of the City Council of Homer, Alaska, Establishing a Preliminary Project Budget and Authorizing Expenditures for Phase I Improvements to Karen Hornaday Park. City Manager/Parks & Recreation Advisory Commission. Recommended dates: Introduction May 24, 2011, Public Hearing and Second Reading June 13, 2011.

Mayor Pro Tempore Wythe called for a motion for the adoption of Ordinance 11-22 for introduction and first reading by reading of title only.

ROBERTS/HOWARD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

CITY MANAGER'S REPORT

A. City Manager's Report

1. Attorney Contract: Jo recently reminded me that the one year attorney services contract with Birch, Horton, Bittner et al expires at the end of July. So, it would be timely for Council to have a discussion about how it would like to proceed. It seems like the choices are to a) enter into another contract with Birch Horton b) put out an RFP for attorney

services, or c) renew discussion about an in-house attorney. Options b and c require some lead time so if Council wishes to go in either of those directions, we should have the discussion sooner rather than later. I believe that this discussion could take place in executive session if Council wishes because the legal status and strategy of certain cases and performance issues could be discussed.

2. Health Insurance: We are currently looking into hiring a broker to assist us with managing the City's Health Insurance Program. Most cities have brokers and it appears that hiring one would not cost any additional money since the broker would be paid by the plan administrator (Meritain Health). The broker would do some of the tasks Meritain is doing now for us. A broker would have a number of advantages including helping to shop for competitive rates and acting as a consultant on all things related to health insurance. This is very important in this time of rapidly changing rules and regulations. If the City moves ahead on this, we would issue an RFP for broker services. A sample RFP is attached so that you can see the scope of what a broker might be asked to do. We are currently evaluating a number of cost saving measures for the health care plan and will be talking with the employees about the options soon. Council will be pleased to know that at this point we project that we will likely be in a position to reduce the contribution to the health insurance fund, or at least keep it static, again this year. This is great considering that most other municipalities are experiencing huge cost increases. The primary reasons for this are the fact that Homer has a well managed self insured plan, the staff has been relatively healthy overall, and the reserve account is very healthy.
3. Lynn Whitmore Presentation: Lynn Whitmore is associated with the Kenai Moose Habitat group which owns land and advocates for conservation of moose habitat in the area bounded by Kachemak Drive and the airport complex. The Borough owns a large tract of land near the end of the airstrip on the north side which is classified as undesignated. This land has wetland and moose habitat values and it serves as a discharge area for the Bear Creek drainage. Lynn has been talking to the Borough about changing the land designation for this parcel to "habitat." A longer term goal might be critical habitat; a state designation. This proposal would assist greatly with conservation of important habitat within the City limits. It would also make more land around the airport off-limits to development. Lynn is scheduled to make a brief presentation on his idea at the Committee of the Whole. He would like to see if he can obtain City support before he goes any further. If the Council wants to take a position on this, a member could sponsor a resolution for the next meeting.
4. City Hall Construction: The City Hall Renovation and Expansion Task Force is moving ahead right on schedule. You may have noticed that some work has already begun (storage connex buildings removed and power lines placed underground.) Construction is scheduled to begin in mid-June. We will be ready to provide a full report on progress with this project if asked. It can also be discussed when the project funding ordinance is on the table (using depreciation money on the existing building). We are currently having an internal discussion about how we can most efficiently continue operations while construction is going on. The pros and cons of moving some of the staff (administration and planning) over to the old intermediate school for six months are being evaluated.
5. State Capital Projects / : The Capital Budget approved by the Legislature contains approximately $32,000,000 for the Homer area. Of that amount, $16,032,000 is designated for City of Homer projects. This includes $10,032,000 for the gas pipeline and

$6,000,000 in cruise ship tax money for improvements at the dock, around the harbor, and on Pioneer Avenue. The ball now rests in the Governor's court. No one knows what he will veto but it is pretty certain that he will eliminate some projects. Right now we are planning to get as much information as we can to the Governor to demonstrate the value of the City's projects. The City pipeline website has been updated. This week I will be drafting a letter to the Governor for the Mayor's signature touting the benefits of the project and inviting him to Homer to see the City's projects for himself.

6. Lease Committee / Old Intermediate School: The joint Lease Committee and Economic Development Committee met in executive session on May 17 to evaluate proposals received to lease the old intermediate school. No decisions were made and at present, there is no recommendation. Important information was missing from the proposals and the City Manager was asked to meet with the parties involved and report back if additional relevant information can be obtained.
7. Soccer Fields: Soccer is a rapidly growing sport in Homer and the demand for additional soccer fields is great. The Parks and Recreation Commission has been talking about this alot. I was recently contacted by the Homer Soccer Association about this. This week, Mike Illg and I met with the School District to discuss and coordinate Community Recreation programs this summer and fall. One topic that came up was soccer fields. The School District would like to build at least one soccer field, preferably with artificial turf. There are several potential alternatives but the District definitely has the land available to do this. We talked about several scenarios under which the City and the District could "partner" to achieve a community wide goal. You will likely be hearing more about this in the future and I will be happy to discuss it in more detail tonight if the Council wishes.
8. Lobbyist Visit: The City lobbyist would like to make another trip to Homer to speak with the Council and strategize about tasks and agenda items for the interim. One thing they will definitely be working on during the interim is the fish tax issue. We originally talked about bringing them down in May or June. We are now thinking that the fall might be a better time since we will be working on the CIP and getting ready for the session. Also, everyone is more likely to be around during that period. Comments from Council would be great.

City Manager Wrede reported the gas line project has been updated on the City website. Two letters will be sent, one to the Governor discussing the project and providing him with information to make a good decision, and the other inviting him to Homer to tour the projects.

We are considering moving staff from City Hall to the HERC building while the renovation project is underway. The Lease Committee reviewed two lease proposals for the HERC building. The committee found them both deficient and instructed the City Manager to go back to the proposers. One proposal was to occupy the building in the fall of 2012. It leaves a window to move City Hall staff there during construction. Administration, IT, and Planning will relocate to the HERC building to allow the contractor to work on both the old and new building. It will greatly increase his flexibility to assign crew and could mean the job will be completed a couple months sooner. Administration, IT, and Planning could be back in the building between Thanksgiving and Christmas. The move can be done relatively cheap; the main expense will be heating in the fall and winter. City Manager Wrede asked for Council's approval for the short term move. Asked where the funds would come from to maintain the building, City Manager

Wrede answered through the general fund. A cost estimate of occupying the building will be presented at the next meeting.

Councilmember Hogan thanked Dottie in Planning for her attention to the sandwich board signs on the Spit. The situation is much improved.

Councilmember Howard asked for a 4:00 p.m. Executive Session for the June 13th meeting to discuss the attorney contract. Because the attorney is an open contract, it would preclude from having the meeting in open session. Council expressed consensus to the Executive Session.

City Manager Wrede reported momentum is growing for soccer fields. Community Recreation Coordinator Mike Illg and Mr. Wrede had their quarterly meeting with the school district (KPBSD). There are a number of pieces of land at the school where soccer fields would be appropriate. The KPBSD is discussing a partnership with the City to allow projects to remain on the City's CIP list. The City could help with grant writing and provide technical or monetary assistance. The KPBSD is to provide plans for soccer fields using artificial turf so they could be used year round. The Homer Soccer Association would like to be involved too.

Councilmember Hogan expressed the need for improvement at all high school sport venues, including the baseball field and the track. City Manager Wrede commented the track is in miserable shape. The KPBSD will need help securing money to build it, but once it is built they will open it to the public and maintain it.

Mayor Pro Tempore Wythe called for a recess at 7:27 p.m. and reconvened the meeting at 7:31 p.m.

B. Bid Report

C. Games Report

1. Cook Inletkeeper

CITY ATTORNEY REPORT

COMMITTEE REPORT

A. Public Arts Committee

B. Transportation Advisory Committee

Committee Member Francie Roberts reported the Transportation Advisory Committee met for their quarterly meeting and will be forwarding a memo to Council to encourage spending money on a right-of-way and to start improving roads on the CIP list.

C. Permanent Fund Committee

D. Lease Committee

City Manager Wrede reported the Lease Committee met last week to review the two proposals for the old intermediate school (HERC). Neither one of the proposals was deemed responsive. They will be meeting on June 19th to discuss the Spit land RFPs.

E. City Hall Renovation and Expansion Task Force

Committee Member Francie Roberts reported the task force met last Monday. They are now at the 65% design phase. The contractor has begun to clear the land; things are moving rapidly.

PENDING BUSINESS

A. **Resolution 11-041,** A Resolution of the City Council of Homer, Alaska, Approving and Adopting a New, Amended Standard Ground Lease Document, and Authorizing the Amendment of the City of Homer Property Management Policy and Procedures Manual to Conform to the Amended Standard Ground Lease Document. City Manager/Lease Committee. (Postponed from April 25, 2011.

Memorandum 11-060 from Lease Committee Staff as backup.
Memorandum 11-058 from City Manager to Lease Committee as backup.

Motion on the floor from April 25: MOVED FOR THE ADOPTION OF RESOLUTION 11-041 BY READING OF TITLE ONLY.

City Manager Wrede referenced an email dated May 16, 2011 (Page 205) from City Attorney Klinkner answering the questions referred to him. The email includes amendments regarding Sections 8.01 Subleases and 9.04 Insurance Requirements of the ground lease document.

ROBERTS/LEWIS - MOVED TO INSERT 9.04 INSURANCE REQUIREMENTS AS WRITTEN BY THE CITY ATTORNEY TO THE GROUND LEASE DOCUMENT AND REPLACING 9.04 AS WRITTEN.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

HOWARD/ROBERTS - MOVED TO INSERT 8.01 AS WRITTEN BY THE ATTORNEY, REPLACING THIS STATEMENT WITH THE 8.01 THAT IS IN THE CURRENT DOCUMENT.

Discussion ensued on the tenant's percentage of rent to allow subleases. City Manager Wrede suggested 10% as a good number.

Roberts- if sublease to 2 different businesses do you pay two 10%s?

HOWARD/ROBERTS - MOVED TO AMEND THE AMENDMENT TO INCLUDE THE PERCENTAGE RATE AS 10% OF THE CURRENT BASE RENT FOR THE SUBLEASED AREA.

Council discussed the proposed 10% for subleases. It will allow the lessee to develop their property and allots the City a little more revenue.

VOTE: (secondary amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (amendment) YES. LEWIS, ROBERTS, WYTHE, HOWARD
VOTE: NO. HOGAN

Motion carried.

Councilmember Hogan expressed support for the new ground lease since Council has not had a boilerplate lease. He hopes it will be open to revisions.

VOTE: (main motion as amended) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. **Resolution 11-050,** A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Soundview Avenue/Woodard Creek Culvert Replacement Project to the Firm of _____ of _____, _____ in the Amount of $_____ and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk.

Resolution 11-050(S), A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Soundview Avenue/Woodard Creek Culvert Replacement Project to the Firm of **Green Construction** of **Homer, Alaska,** in the Amount of **$215,699.37** and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk.

Memorandum 11-072 from Public Works Director as backup.

Motion on the floor from May 9: MOVED FOR THE ADOPTION OF RESOLUTION 11-050 BY READING OF TITLE ONLY.

HOWARD/ROBERTS - MOVED TO SUBSTITUTE RESOLUTION 11-050(S) WITH RESOLUTION 11-050.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 11-050(S) by reading of title only.

HOWARD/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

A. **Memorandum 11-073,** from Special Projects Coordinator, Re: Capital Improvement Plan Development - Schedule for 2012-2017.

Mayor Pro Tempore Wythe called for a motion for the approval of the recommendations of Memorandum 11-073 to approve the CIP schedule.

LEWIS/HOWARD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

RESOLUTIONS

A. **Resolution 11-051,** A Resolution of the City Council of Homer, Alaska, Approving and Adopting a Transfer of Responsibility Agreement (TORA) Between the State of Alaska and the City of Homer Regarding Management and Enforcement of Parking, Loading Zones, Pedestrian Crossings, and Seasonal Speed Zones Within the Sterling Highway Right of Way on the Homer Spit. City Manager.

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 11-051 by reading of title only.

HOWARD/LEWIS - SO MOVED.

Councilmember Howard thanked the City Manager and everyone involved in the agreement. The opportunity for us to control the Spit is important. She realizes the costs involved, but that is incidental in comparison to the flexibility and good parking in very congested areas.

Councilmember Hogan expressed appreciation and asked what took so long. City Manager Wrede answered while Council was in budget discussion there were serious reservations about the cost. We had to stop saying yes to every idea. We were cutting the budget for materials, knew we were loosing the parking enforcement officer, and knew the police were strapped. There was discussion if we needed to fix problems with maps prior to Council approval and he got busy on other things and forgot for a couple months.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. **Resolution 11-052,** A Resolution of the City Council of Homer, Alaska, Establishing an Adopt-a-Park Program. City Manager.

Memorandum 11-074 from Parks and Recreation Advisory Commission as backup.

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 11-052 by reading of title only.

HOWARD/LEWIS - SO MOVED.

Councilmember Howard voiced approval of the program as a great means for non profits or service organizations to get involved. We pride ourselves for having all the parks, with no wherewithal to take care of them. It is a great idea and she looks forward to beautiful parks.

Councilmember Hogan asked for an estimate on required staff time. City Manager Wrede answered it will be minimal as there are not that many parks. The parks are assets that are owned by the City and we need to make sure no one is hurt and everything is done right. Angie and Mike will be project managers who will work with the groups.

ROBERTS/LEWIS - MOVED TO AMEND TO INSERT ON LINE 23 MAY 19, 2011.

There was no discussion.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (main motion as amended) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

C. **Resolution 11-053,** A Resolution of the City Council of Homer, Alaska, Expressing Support for the Establishment of a Water Infrastructure Set Aside Funding Program Within the Army Corps of Engineers, Pacific Ocean Division, Civil Works Program. City Manager/Port and Harbor Director.

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 11-053 by reading of title only.

LEWIS/HOWARD - SO MOVED.

Councilmember Roberts explained the resolution is the same matter Senator Begich brought forward on his earlier visit to Homer. The City of Homer does not always get money since we are so small.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

COMMENTS OF THE AUDIENCE

Carey Meyer, Public Works Director, commented Parks and Recreation lost two parks maintenance people during the last budget. The Adopt-a-Park concept is a good addition, but unfortunately the volunteer efforts usually don't occur during normal business hours. Angie, Mike and he have donated lots of weekend hours. He hopes some additional resources could be brought to parks and recreation in the future to provide needed resources for support, as the commission is very active now too.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner was not present.

COMMENTS OF THE CITY CLERK

City Clerk Johnson complimented Mayor Pro Tempore Wythe for running a great meeting that was clear and concise.

COMMENTS OF THE CITY MANAGER

City Manager Wrede commented Parks Maintenance Coordinator Angie Otteson was having difficulty getting all the bathrooms cleaned as her staff doesn't come on until June 1st. This year there will be no beach patrol which means if there is trouble on the beaches we will have a hard time responding. In response to Councilmember Hogan's comments on the Procurement Policy, we do take it seriously. It has been repeated over and over again that we are consistently ignoring the procurement policy. We make mistakes from time to time.

COMMENTS OF THE MAYOR

Mayor Pro Tempore Wythe had no comment.

COMMENTS OF THE CITY COUNCIL

Councilmembers Roberts reminded people it was a good time to tell the Governor is you care about the gas line project.

Councilmember Howard commented the Ramp 4 restrooms have been out of order for quite a while, and now it is getting to be a busy time. The Spit Plan will now move to the Borough to be included in the general plan. She would like to keep track of it. She is impressed with the federal water quality report; the graphics are great and easy to read. Mrs. Howard wished all a happy Memorial Day.

Councilmember Lewis extended congratulations to the class of 2011 at both Homer Flex and Homer High School that graduated last night.

Councilmember Hogan in addressing the City Manager's comments, appreciates the respect for the Procurement Policy. He will not ease up, but will do it with a smile, as he will be watching. He extended his gratitude to the harbor office for their response to the accident by the fuel dock. They were very professional; it could have been worse. He wants a report at the next meeting at the costs incurred by the City and terminal use agreements. He is glad we finally got the TORA agreement passed and in the books. Safety on the Spit is of the foremost importance. He encouraged Administration to get the parking enforcement people out of the jeep and onto a bike.

ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tempore Wythe adjourned the meeting at 8:02 p.m. The next Regular Meeting is scheduled for Monday, June 13, 2011 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday, June 13, 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.

_____
JO JOHNSON, CMC, CITY CLERK

Approved: _____

Office of the Mayor
James C. Hornaday
Homer City Hall
491 E. Pioneer Avenue
Homer, Alaska 99603-7624

Phone 907-235-8121 x2229
Fax 907-235-3143

MEMORANDUM 11-076

TO: HOMER CITY COUNCIL

FROM: JAMES C. HORNADAY, MAYOR

DATE: JUNE 7, 2011

SUBJECT: APPOINTMENT OF JENNIFER SONNEBORN TO THE ADVISORY PLANNING COMMISSION AND REAPPOINTMENT OF TOM BOS AND JAMES DOLMA TO THE ADVISORY PLANNING COMMISSION.

Jennifer Sonneborn is appointed to the Advisory Planning Commission for a term to expire July 1, 2013. This fills the seat vacated by Ray Kranich. Tom Bos and James Dolma are reappointed to the Advisory Planning Commission for three-year terms to expire July 1, 2014.

RECOMMENDATION:

Confirm the appointment of Jennifer Sonneborn to the Advisory Planning Commission and the reappointment of Tom Bos and James Dolma to the Advisory Planning Commission.

Fiscal Note: N/A

MAY 23 2011 AM11:52 RK

CITY OF HOMER
COMMISSION, COMMITTEE, BOARD & TASK FORCE
APPLICATION FORM

CITY CLERKS OFFICE
CITY OF HOMER
491 E. PIONEER AVENUE
HOMER, ALASKA 99603
PHONE 907-235-3130
FAX 907-235-3143

RECEIVED BY CLERK'S OFFICE

The information below provides some basic background for the Mayor and Council.
This information is public and will be included in the Council Information packet.

Name: Jennifer Sonneborn Date: 5/23/2011

Physical Address: 38555 Tranquility Rd. City: Homer

Mailing Address: 38550 Tranquility Rd. Zip Code: 99603

Phone: 235-5476 Work #: Cell #: 399-8213

Email Address: darkpond@yahoo.com

NOTE: The above information will be published in the City Directory and within the City web pages if you are appointed by the Mayor and your appointment is confirmed by the City Council.

Please indicate the commission(s), committee(s), board or task force you are interested in:

Select	COMMISSION/COMMITTEE/BOARD.TASK FORCE	REGULAR MEETING SCHEDULE
☑	ADVISORY PLANNING COMMISSION	1ST & 3RD WEDNESDAY OF THE MONTH AT 7:00 P.M. WORKSESSIONS AT 5:30 P.M.
☐	ECONOMIC DEVELOPMENT ADVISORY COMMISSION	2ND TUESDAY OF THE MONTH AT 6:00 P.M.
☐	LIBRARY ADVISORY BOARD	1ST TUESDAY OF THE MONTH AT 5:00 P.M.
☐	PARKS & RECREATION ADVISORY COMMISSION	3RD THURSDAY OF THE MONTH AT 5:30 P.M.
☐	PORT & HARBOR ADVISORY COMMISSION	4TH WEDNESDAY OF THE MONTH AT 5:00 P.M.
☐	PUBLIC ARTS COMMITTEE	QUARTERLY - 2ND THURSDAY OF THE MONTH AT 5:00 P.M.
☐	TRANSPORTATION ADVISORY COMMITTEE	3RD TUESDAY OF THE MONTH AT 5:30 P.M.
☐	PERMANENT FUND COMMITTEE	QUARTERLY - 2ND THURSDAY OF THE MONTH AT 6:00 P.M.
☐	LEASE COMMITTEE	QUARTERLY - 2ND THURSDAY OF THE MONTH AT 3:00 P.M.
☐	OTHER - PLEASE ENTER THE COMMITTEE/TASK FORCE	

I have been a resident of the City for ☐ mos. ☐ yrs I have been a resident of the area for 13 ☐ mos. ☑ yrs.

I am presently employed as: self-employed handyman

List any special training, education or background you have which is related to your choice of commission, committee,

I've been working remodelling and repairing Homer's aging buildings for 13 years.

Have you ever served on a similar commission, committee, board or task force? No

If so when and where?

When are you available for meetings? ☐ Weekly ☐ Monthly ☑ Bi-Monthly

I am interested in serving on the above because:

I would like to do my share to help our community blossom.

Do you currently belong to any organizations specifically related to the area of your choice(s) you wish to serve on?

☐ Yes ☑ No If yes, please list organizations:

Questions regarding the Homer Advisory Planning Commission:

Have you ever developed real property, other than your personal residence? NO

If yes, briefly describe the development:

Questions regarding the Port & Harbor Advisory Commission:

Do you use the Homer Port and/ or Harbor on a regular basis?

If yes, is you use primarily: ☐ Commercial ☐ Recreational ☐ Both

Please include any additional information that may assist the Mayor in his decision:

The planning & zoning office asked me to apply for this position.

When you have completed the form please review all the information and then click on the submit or print button.

Print Form Submit by Email

TOM A. BOS CONTRACTING

RECEIVED
JUN - 3 2011
City of Homer City Clerk

6-3-11

Mayor Hornaday

Deputy clerk Jacobsen has informed me that my term on the HAPC expires on July 1, of this year. I would like to, if the city would have me, request reappointment.

Thanks for your consideration

Tom A Bos

Tom A. Bos 208-660-9241 3619 Main Street Homer, AK 99603

Jo Johnson

From: Melissa Jacobsen
Sent: Friday, June 03, 2011 2:56 PM
To: Jo Johnson
Subject: FW: request to serve on the Planning Commission

Melissa Jacobsen, CMC
Deputy City Clerk
City of Homer, Alaska

PUBLIC RECORDS LAW DISCLOSURE: Most e-mails from or to this address will be available for public inspection under Alaska public records law.

From: Dotti Harness
Sent: Friday, June 03, 2011 2:53 PM
To: rabboud@ci.homer.ak.us; Shelly Rosencrans
Cc: Melissa Jacobsen
Subject: FW: request to serve on the Planning Commission

Rick and Shelly,
I believe the CC needs to approve James reappointment.
Dotti

From: James Dolma [mailto:Jdolma@spbhs.org]
Sent: Thursday, June 02, 2011 1:32 PM
To: Dotti Harness
Subject: request to serve on the Planning Commission

Please accept this e-mail as a formal request to serve on the planning Commission.

I enjoyed serving a partial term and look forward to continuing my service.

James Dolma

VISITORS

ANNOUNCEMENTS

PRESENTATIONS

BOROUGH REPORT

COMMISSION REPORTS

JUN 06 2011 AM 10:34 RK

June 4, 2011

Prince William Sound Regional Citizen's Advisory Council
City of Homer
John Velsko
Box 2269, Homer, Alaska 99603
jvelsko@hotmail.com
(907)235-7836

Greetings Mr. Mayor, Council and City Manager,

I attended the PWSRCAC Board Meeting in Valdez on May 5th & 6th of this year. Some of the business discussed is listed below;

- The Board heard activity reports from PWSRCAC Committee Chairs, SERVS & Trans Alaska Pipeline System Shippers & Owner companies
- Heard an update on non-indigenous species monitoring & eradication efforts currently ocurring in Alaska & plans for the future
- USCG presented their findings on the Crowley tugboat grounding on Bligh Reef in 2009, which essentially concluded human error as the root cause
- The Board reviewed & discussed USCG comments that were forwarded to the PWSRCAC during our recent successful recertification process
- The Board of Directors conducted an annual review of the PWSRCAC Executive Director & took appropriate action regarding contract renewal

As always, feel free to contact me if you have any concerns or questions or visit the PWSRCAC website at *www.pwsrcac.org*.

Regards,

John Velsko

Jo Johnson

From: Erin Ross [e.ross@mac.com]
Sent: Thursday, June 02, 2011 3:02 PM
To: Department Clerk
Subject: A Hero's Welcome to Homer

To the people of Homer:

Matt Montavon will be completing an 1,100 mile run across the state of Alaska finishing in Homer, with an estimated arrival date between June 8 - 12. Since his start from Prudoe Bay on May 2, he has been running approximately 30 miles a day. His goal is to raise money and awareness for the Wounded Warrior Project, a nonprofit, non partisan charity focused on helping injured service members. **As he finishes his last mile and runs into Homer, I am asking for a hero's welcome.** Anything you could do to show recognition for his noble and amazing endeavor would be appreciated. For more information see the following websites:

Matt's website (with a bio and pictures on the road):
www.endorphinchase.com

News Sources:
http://www.newsminer.com/view/full_story/13344431/article-Man-runs-across-Alaska-to-raise-money-for-Wounded-Warriors-Project?instance=home_lead_story

http://illinoishomepage.net/fulltext/?nxd_id=232616

For updates or further information regarding his ETA please contact Amanda O'Dell (661) 435-0287.

Thank you for your support for the Wounded Warrior Project!

PUBLIC HEARING(S)

CITY OF HOMER
PUBLIC HEARING NOTICE
CITY COUNCIL MEETING

Ordinances 11-21 and 11-22

A **public hearing** is scheduled for **Monday, June 13, 2011** during a Regular City Council Meeting. The meeting begins at 6:00 p.m. in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Ordinances 11-21 and 11-22 internet address:
http://www.cityofhomer-ak.gov/ordinances

Ordinance 11-21, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.04.010, Definitions; and Amending Homer City Code 2.08.010, Management of Public Records; Regarding the Management of City Records. City Attorney/City Manager.

Ordinance 11-22, An Ordinance of the City Council of Homer, Alaska, Establishing a Preliminary Project Budget and Authorizing Expenditures for Phase I Improvements to Karen Hornaday Park. City Manager/Parks & Recreation Advisory Commission.

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All interested persons are welcomed to attend and give testimony. Written testimony received by the Clerk's Office prior to the meeting will be provided to Council.

** Copies of proposed Ordinances, in entirety, are available for review at Homer City Clerk's Office. Copies of the proposed Ordinances are available for review at City Hall, the Homer Public Library, the City of Homer Kiosks at City Clerk's Office, Captain's Coffee, Harbormaster's Office, and Redden Marine Supply of Homer and the City's homepage - http://clerk.ci.homer.ak.us. Contact the Clerk's Office at City Hall if you have any questions. 235-3130, Email: clerk@ci.homer.ak.us or fax 235-3143.

Jo Johnson, CMC, City Clerk

Publish: Homer Tribune: June 8, 2011

CLERK'S AFFIDAVIT OF POSTING

I, Renee Krause, CMC, Deputy City Clerk I for the City of Homer, Alaska, do hereby certify that a copy of the Public Hearing Notice for Ordinance 11-021, Amending Homer City Code 2.04.010, Definitions; and Amending Homer City Code 2.08.010, Management of Public Records; Regarding the management of City Records; Ordinance 11-022, Establishing a Preliminary Project Budget and Authorizing Expenditures for Phase I Improvements to Karen Hornaday Park at the City of Homer kiosks located at City Clerk's Office, Captain's Coffee Roasting Co., Harbormaster's Office, and Redden Marine Supply of Homer, on May 26, 2011 and that the City Clerk posted same on City of Homer Homepage on May 26, 2011.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 26th day of May, 2011.

Renee Krause

Renee Krause, CMC, Deputy City Clerk I

ORDINANCE REFERENCE SHEET
2011 ORDINANCE
ORDINANCE 11-21

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.04.010, Definitions; and Amending Homer City Code 2.08.010, Management of Public Records; Regarding the Management of City Records.

Sponsor: City Attorney/City Manager

1. City Council Regular Meeting May 24, 2011 Introduction

    a. Clean copy of amendments

2. City Council Regular Meeting June 13, 2011 Public Hearing and Second Reading

    a. Memorandum 11-077 from City Attorney as backup
    b. Clean copy of amendments

CITY OF HOMER
HOMER, ALASKA

City Attorney/City Manager

ORDINANCE 11-21

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 2.04.010, DEFINITIONS; AND AMENDING HOMER CITY CODE 2.08.010, MANAGEMENT OF PUBLIC RECORDS; REGARDING THE MANAGEMENT OF CITY RECORDS.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 2.04.010, Definitions, is amended to read as follows:

2.04.010 Definitions. **When used in this chapter, the following words shall have the meanings respectively ascribed to them in this section**:

a~~f~~. ~~Active Records.~~ "Active records" means ~~those departmental~~ records **that are in active use by a department in the transaction of official business** ~~maintained by the department liaison which are not classified as vital, legal or historical records~~.

b. "Electronic records" means records that are stored in an electronic or magnetic storage medium, and that are retrieved or read by a computer or other electronic device.

c~~e~~. ~~Historical Value. A record series has~~ "**H**~~h~~istorica~~l~~ value" **means the value of a record for use** ~~if it will be useful~~ at a later date in reconstructing a general history of the development and government of the City.

d~~g~~. ~~Inactive Records.~~ "Inactive records" means ~~those~~ records **that have been** transferred from departmental active records files to central storage **for retention** ~~which are held~~ until **their scheduled** destruction.

e~~d~~. "Legal ~~Value. A record has "legal~~ value" **means the value of a record for use as evidence in pending or threatened litigation or to document a legal relationship or event, including without property and commercial transactions and** ~~if it relates to current or possible legal action by or against the City and records relating to land, construction,~~ legislative and judicial actions of the Homer City Council~~, for potential court claims~~.

f~~h~~. ~~Micromedia.~~ "Micromedia" means the filming media application meaning microfilm, microfiche, aperture or other recognized standard records film method.

g~~a~~. ~~Record. The term~~ "**R**~~r~~ecord" **means** ~~includes all~~ recorded information **in any form,** ~~acquired or stored by the City for future use or preservation,~~ including **without limitation** any document, paper, book, letter, photograph, microfilm, map, drawing, chart, card, magnetic media or computer printout, **developed or received under law or in connection with the transaction of official business and appropriate for preservation as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the city or because of its informational value. The term "record" does not include:**

1. Library and museum material developed or acquired and preserved solely for reference, historical or exhibition purposes, extra copies of documents preserved solely for convenience of reference, or stocks of publications and processed documents.

2. Reference documents.

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

3. Transitory documents.

h~~b~~. "Record ~~Series. A "record~~ series" **means** ~~is~~ a group of identical or related records which are normally used and filed as a unit and **whose functional similarities** ~~which~~ permit **their** evaluation as a unit for retention scheduling purposes. Each record series shall be segregated according to series and the year of acquisition.

i. "Reference document" means a writing or image that is acquired or created solely for the purpose of creating or incorporation into a record, and includes without limitation, notes, calculations, and working papers.

j. "Transitory document" means a writing or image that after its immediate use has no value as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the city, and includes without limitation transmittals, suspense copies when a reply has been received, routine requests for information, and routine appointment and scheduling requests.

k~~c~~. ~~Vital Records.~~ "Vital records" **means** ~~are those~~ records **that are** necessary to assure continuance of essential governmental operations to protect the legal and financial operation of the City in the event of disaster or catastrophic loss of the City records.

Section 2. Homer City Code 2.08.010, Management of public records, is amended to read as follows:

2.08.010 Management of public records. a. Records~~'~~ Manager. The City Clerk is the Records~~'~~ Manager for the City. The **City** Clerk shall develop, maintain and coordinate the operations of the City's records management system. **The City Clerk also shall provide for the physical security of all original signature documents classified as vital, or as having legal or historical value**.

b. Department ~~R~~**r**ecords~~'~~ ~~L~~**l**iaison. Each department head shall appoint a departmen~~tal~~ records~~'~~ liaison. The **department records** liaison shall **be responsible for the organization and safekeeping** ~~act as custodian~~ of all **active records in the** departmen~~tal~~ ~~records except that the City Clerk shall provide for the physical security of all original signature documents classified as vital, legal or historical~~.

c. Records ~~I~~**i**nventory. The City Clerk shall take and maintain an inventory of ~~the~~ City records. The inventory shall be reviewed and revised annually, and shall set forth each record series being developed, used, stored or scheduled for disposal by the City.

d. **Electronic** ~~Computerized~~ records. The City Clerk shall cause **electronic** records ~~stored in computer memory devise systems~~ to be **inventoried,** ~~reviewed,~~ stored and destroyed in the same manner and at the same time as if the records were maintained in written, printed or photographic form.

e. Records ~~C~~**c**lassification and ~~P~~**p**rocedure. The City Clerk shall develop and provide each department with a records classification and procedures manual. **The City Clerk shall review and update record series annually with each department records liaison to ensure that all active record series are adequately described, to provide for necessary changes,**

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

additions and deletions to the records classification and procedures manual, and to ensure compliance with state and federal law.

f. Inactive ~~R~~**r**ecords ~~S~~**s**torage. The City Clerk shall **provide** ~~make provisions~~ for and manage **an** ~~a central~~ inactive records storage center and shall develop a ~~general~~ schedule for the annual relocation of inactive records to the storage center. Wherever possible, only one copy of **each inactive record in a record series,** ~~documents duplicated in the~~ **and of duplicate inactive** records series of **two or more** ~~several~~ departments**,** shall be retained.

g. Records ~~R~~**r**etention **and destruction**. The Council shall adopt by resolution a schedule setting forth minimum times ~~schedules~~ for the retention of particular types of records series ~~relocated to the centralized inactive storage~~. ~~Records series shall be reviewed and updated annually by the Records Manager with appointed custodians of each department to ensure that all active records series kept and maintained by the City are adequately described, to provide for necessary changes, additions and deletions to the manual, and to ensure compliance with state and federal law~~. The City Clerk annually shall provide for the destruction of records series whose retention periods have expired, after removing from each such records series for permanent preservation any records that are vital, or that have continuing historic or legal value.

~~h. Records Destruction. The Records Manager shall develop a schedule for the destruction or other disposal of obsolete records at the end of the retention period established for that type of records series. This schedule shall not apply to records of vital, historical, legal or financial value. Thirty~~ **Not less than thirty** days **before destroying a** ~~prior to destruction of any~~ record **series**, the **City Clerk** ~~Records Manager~~ shall circulate to each department head for comment a detailed list of all records series to be destroyed, and **the department head shall recommend to the City Clerk** ~~to obtain his recommendations as to~~ which ~~relocated~~ records **in those record series** may be **vital or** of **continuing** historic~~al,~~ **or** ~~vital,~~ legal **value** ~~or financial significance, and which records are of sufficient importance as to warrant continued storage of a certified duplicate and/or microform~~. The **City** Clerk shall maintain a permanent log of all records **series** which have been destroyed**,**~~. The City Clerk~~ **and** shall report to the City Council by March 31st of each year ~~a detailed description of~~ all records series to be removed from active departmental files to the **inactive** ~~centralized~~ records **storage** center**, and** ~~. The Clerk shall also inform the Council of~~ all ~~obsolete~~ records **series** destroyed during the preceding year. ~~The records log of destroyed records or records series have been destroyed in accordance with to state, federal and City administrative regulations, except as otherwise noted.~~

h~~i~~. Records certification. **The City Clerk or department records liaison having custody of a record that is open to public inspection under HCC Chapter 1.80 shall, upon request and payment of the fee therefor established by Council resolution provide a certified copy of the record, and the certified copy shall in all cases be evidence of the original.** ~~Certification of documents shall be made for the original signature document. Certification of any record, record series or record duplicate by the Clerk or by a Departmental Records Custodian shall constitute evidence that the stored or duplicated record is a true and accurate copy of that record or record series as maintained by each of the City's several departments. The microform operator shall certify that the duplicates are true and accurate copies of the records contained therein. The Clerk shall prescribe standards of clarity and reproduction~~

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

~~for all City records. The Clerk may replace any original record which is lost, worn or damaged by a certified copy of that record, and the replacement shall be considered an original record for all purposes.~~

i~~j~~. **Public inspection**~~Records Release~~. **Public inspection of records is governed by HCC Chapter 1.80** ~~The Clerk shall provide to all City departments and to the general public all retrieval, duplication and distribution of all records stored in custody, unless restricted or confidential~~.

j~~k~~. Micromedia. The Clerk shall have the authority to provide for use of Micromedia; i.e. film, fiche, aperture or other appropriate application as determined to be the best suited for filming of the document. Records considered to be ~~of~~ vital, **or of** historic~~al,~~ **or** legal ~~or financial~~ value ~~to the City~~ shall be duplicated on Micromedia **and** deposited with the state archivist or in a secure, bonded vault physically removed from the City Administration Building.

Section 3. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____ 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

YES:
NO:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

Reviewed and approved as to form:

_____
Walt E. Wrede, City Manager

Date: _____

_____
Thomas F. Klinkner, City Attorney

Date:_____

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

BIRCH HORTON BITTNER & CHEROT
A PROFESSIONAL CORPORATION

MEMORANDUM 11-077

TO: MAYOR AND COUNCIL MEMBERS

FROM: THOMAS F. KLINKNER

RE: CODE AMENDMENTS REGARDING PUBLIC RECORDS MANAGEMENT

CLIENT: CITY OF HOMER

FILE NO.: 506,742.206

DATE: MAY 26, 2011

The following explains the amendments to HCC 2.04.010 and HCC 2.08.010 in Ordinance 11-21. To aid review of this ordinance, I also have attached an unmarked copy of what HCC 2.04.010 and 2.08.010 will look like if the amendments are adopted. Those amendments have the following general purposes:

- Organize and clarify the two code sections.
- Make the terms and structure of the two code sections more consistent with state statutes governing records management.
- Identify more clearly the categories of City records for records management purposes, particularly in response to the increase in the use of electronic communications since these code sections were enacted in 1984.

The following explains in detail the amendments that appear in Ordinance 11-21.

1. HCC 2.04.010. This section defines terms that are used in HCC 2.08.010, which governs the management of City records. In addition to the marked changes in the ordinance, the defined terms have been arranged in alphabetical order for the reader's convenience.

Definition and Categorization of Records. The definitions in HCC 2.04.010 categorize City records, and this categorization provides the structure for the City's records management program. These definitions are revised to clarify that structure.

City records flow through the following categories from creation to either destruction or long-term preservation.

- The City employee who creates of acquires a document (paper or electronic) first must determine whether it is a "record" subject to the City's records management program. Under the definition of "record" in HCC 2.04.010(g) a document is a record if it is "developed or received under law or in connection with the transaction of official business and appropriate for preservation as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the city or because of its informational value." This language is derived from a state statute governing records management by state agencies and municipalities, AS 40.21.150. In contrast to the present definition of "record" in HCC 2.04.010, which could be interpreted to include all recorded information in any form that comes into the City's possession, the revised definition clarifies that a document must have the described content to be a "record" subject to the City's records management program.

- The revised definition of "record" also contains three specific exceptions:

  - The first exception, for documents in the City's library and museum collections, reflects that those documents are managed under other systems that are specifically designed for that purpose.

  - The other two exceptions, for "reference documents" and "transitory documents," recognize that many documents are created in the ordinary course of City business to carry out specific, short-term tasks, and have no lasting informational value, either because their content is incorporated in more permanent documents, or because they pertain to transitory matters. Additional definitions, discussed below, describe these exceptions in greater detail.

  - The quantity of documents that pertain to transitory matters has increased dramatically with the widespread use of email. For example, nowadays a City employee is likely to use an email message to invite a coworker to lunch, where in the past she would have done so with a telephone call. The deletion of that lunch invitation email by either the sender or the recipient clearly should not be considered the unauthorized destruction of a City record—it simply recognizes the transitory value of the information in the email.

- A City record that is in active use by a City department is an "active record" under the control of the department and subject to the oversight of a department records liaison.

- Once a record is no longer in active use by a City department, it is transferred to the custody of the City Clerk as an "inactive record" and held for archival preservation or eventual destruction.

- Inactive records that are "vital records," or have "historic value" or "legal value" are retained for archival preservation. Additional definitions, discussed below, describe these categories of records in greater detail.

- Inactive records that are not "vital records" and that do not have "historic value" or "legal value" are scheduled for eventual destruction under a retention schedule adopted by the Council.

Transitory and Reference Documents. These two new defined terms establish categories of documents that are excluded from the City's records management program, because the time and resources that would be required to manage these documents as City records is disproportionate to their relatively slight informational value. These terms express concepts that underlie similar terms in the Municipality of Anchorage's records management ordinance.

- "Reference document" means a writing or image that is acquired or created solely for the purpose of creating or incorporation into a record, and includes without limitation, notes, calculations, and working papers. Once their content has been incorporated into a final work product, these working-level documents cease to have long-term informational value, so their management as City records is not warranted.

- "Transitory document" means a writing or image that after its immediate use has no value as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the city, and includes without limitation transmittals, suspense copies when a reply has been received, routine requests for information, and routine appointment and scheduling requests. Documents of this type serve only a short-term procedural function and have minimal long-term informational value, so their management as City records is not warranted.

Records that Are "Vital" or that Have "Historic Value" or "Legal Value." These terms describe records that the City will preserve indefinitely, rather than destroy under a retention schedule approved by the Council. HCC 2.04.010 currently includes a definition of each of these terms; Ordinance 11-21 amends these definitions to clarify them.

Electronic Records. This definition is added to describe records that are stored in an electronic or magnetic storage medium. HCC 2.08.010(d) currently refers to "computerized records," but the term is not defined—and it does not describe accurately this category of records, which are not necessarily stored on a computer.

2. HCC 2.08.010. This code section describes the steps in the management of City records from creation to either destruction or long-term preservation, using the defined terms in HCC 2.04.010 that are discussed above. Specific changes to HCC 2.08.010 are explained below.

- HCC 2.08.010(a) describes the City Clerk's role as records manager. A sentence regarding the securing of original signature documents that currently appears in HCC 2.08.010(b) is moved to this subsection, because it also pertains to the City Clerk's duties.

- HCC 2.08.010(b) provides for the appointment of departmental records liaisons. The amendment clarifies that the departmental records liaison is responsible for the organization and safekeeping of the department's active records, rather than the custody of those records.

- HCC 2.08.010(d) is amended to replace the term "computerized records" with the term "electronic records" for the reasons discussed above.

- HCC 2.08.010(e). Language regarding the City Clerk's review and updating of record series is moved from subsection (g) to this subsection, because it also pertains to the City Clerk's records management functions.

- HCC 2.08.010(f). This subsection's description of the transfer of inactive records to storage is clarified.

- HCC 2.08.010(g). "Destruction" is added to the heading of this subsection to make the heading more descriptive of the subsection's content. As described above, language regarding the City Clerk's review and updating of record series is moved to HCC 2.08.010(e). The first sentence of former HCC 2.08.010(h) is deleted because it duplicates the authorization for a records retention schedule in HCC 2.08.010(g), and the remainder of former HCC 2.08.010(h) is combined in this subsection because it also pertains to the subjects of records retention and destruction. Language from former HCC 2.08.010(h) regarding the retention of vital records and records having historic or legal value is simplified and clarified. Language from former HCC 2.08.010(h) regarding the City Clerk's maintenance of a log of destroyed record series also is simplified and clarified.

- HCC 2.08.010(h). Former HCC 2.08.010(i) is re-lettered, and rewritten to be consistent with the provisions for public records certification in AS 40.25.120(b).

- HCC 2.08.010(i). Former HCC 2.08.010(j) is re-lettered, and changed to refer to HCC Chapter 1.80 which provides in detail for public inspection of City records.

cc: Walt Wrede
Jo Johnson

2.04.010 Definitions. When used in this chapter, the following words shall have the meanings respectively ascribed to them in this section:

a. "Active records" means records that are in active use by a department in the transaction of official business.

b. "Electronic records" means records that are stored in an electronic or magnetic storage medium, and that are retrieved or read by a computer or other electronic device.

c. Historic value" means the value of a record for use at a later date in reconstructing a general history of the development and government of the City.

d. "Inactive records" means records that have been transferred from departmental active records files to central storage for retention until their scheduled destruction.

e. "Legal value" means the value of a record for use as evidence in pending or threatened litigation or to document a legal relationship or event, including without limitation property and commercial transactions and legislative and judicial actions of the Homer City Council.

f. "Micromedia" means the filming media application meaning microfilm, microfiche, aperture or other recognized standard records film method.

g. "Record" means recorded information in any form, including without limitation any document, paper, book, letter, photograph, microfilm, map, drawing, chart, card, magnetic media or computer printout, developed or received under law or in connection with the transaction of official business and appropriate for preservation as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the city or because of its informational value. The term "record" does not include:

1. Library and museum material developed or acquired and preserved solely for reference, historical or exhibition purposes, extra copies of documents preserved solely for convenience of reference, or stocks of publications and processed documents.

2. Reference documents.

3. Transitory documents.

h. "Record series" means a group of identical or related records which are normally used and filed as a unit and whose functional similarities permit their evaluation as a unit for retention scheduling purposes. Each record series shall be segregated according to the year of acquisition.

i. "Reference document" means a writing or image that is acquired or created solely for the purpose of creating or incorporation into a record, and includes without limitation, notes, calculations, and working papers.

j. "Transitory document" means a writing or image that after its immediate use has no value as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the city, and includes without limitation transmittals, suspense copies when a reply has been received, routine requests for information, and routine appointment and scheduling requests.

k. "Vital records" means records that are necessary to assure continuance of essential governmental operations to protect the legal and financial operation of the City in the event of disaster or catastrophic loss of the City records.

2.08.010 Management of public records. a. Records' Manager. The City Clerk is the Records' Manager for the City. The City Clerk shall develop, maintain and coordinate the operations of the City's records management system. The City Clerk also shall provide for the physical security of all original signature documents classified as vital, or as having legal or historic value.

b. Department records' liaison. Each department head shall appoint a department records liaison. The department records liaison shall be responsible for the organization and safekeeping of all active records in the department.

c. Records inventory. The City Clerk shall take and maintain an inventory of City records. The inventory shall be reviewed and revised annually, and shall set forth each record series being developed, used, stored or scheduled for disposal by the City.

d. Electronic records. The City Clerk shall cause electronic records to be inventoried, stored and destroyed in the same manner and at the same time as if the records were maintained in written, printed or photographic form.

e. Records classification and procedure. The City Clerk shall develop and provide each department with a records classification and procedures manual. The City Clerk shall review and update record series annually with each department records liaison to ensure that all active record series are adequately described, to provide for necessary changes, additions and deletions to the records classification and procedures manual, and to ensure compliance with state and federal law.

f. Inactive records storage. The City Clerk shall provide for and manage an inactive records storage center and shall develop a schedule for the annual relocation of inactive records to the storage center. Wherever possible, only one copy of each inactive record in a record series, and of duplicate inactive record series of two or more departments, shall be retained.

g. Records retention and destruction. The Council shall adopt by resolution a schedule setting forth minimum times for the retention of particular types of record series. The City Clerk annually shall provide for the destruction of record series whose retention periods have expired, after removing from each such record series for permanent preservation any records that are vital, or that have continuing historic or legal value. Not less than thirty days before destroying a record series, the City Clerk shall circulate to each department head for comment a detailed list of all record series to be destroyed, and the department head shall recommend to the City Clerk which records in those record series may be vital or of continuing historic or legal value. The City Clerk shall maintain a permanent log of all record series which have been destroyed, and shall report to the City Council by March 31st of each year all record series to be removed from active departmental files to the inactive records storage center, and all record series destroyed during the preceding year.

i. Records certification. The City Clerk or department records liaison having custody of a record that is open to public inspection under HCC Chapter 1.80 shall, upon request and payment of the fee therefor established by Council resolution provide a certified copy of the record, and the certified copy shall in all cases be evidence of the original.

j. Public inspection. Public inspection of records is governed by HCC Chapter 1.80.

k. Micromedia. The Clerk shall have the authority to provide for use of Micromedia; i.e. film, fiche, aperture or other appropriate application as determined to be the best suited for filming of the document. Records considered to be vital, or of historic or legal value shall be duplicated on Micromedia and deposited with the state archivist or in a secure, bonded vault physically removed from the City Administration Building.

CLEAN COPY OF AMENDMENTS OF ORDINANCE 11-21
HCC 2.04.010 & 2.08.010

2.04.010 Definitions. When used in this chapter, the following words shall have the meanings respectively ascribed to them in this section:

a. "Active records" means records that are in active use by a department in the transaction of official business.

b. "Electronic records" means records that are stored in an electronic or magnetic storage medium, and that are retrieved or read by a computer or other electronic device.

c. "Historic value" means the value of a record for use at a later date in reconstructing a general history of the development and government of the City.

d. "Inactive records" means records that have been transferred from departmental active records files to central storage for retention until their scheduled destruction.

e. "Legal value" means the value of a record for use as evidence in pending or threatened litigation or to document a legal relationship or event, including without property and commercial transactions and legislative and judicial actions of the Homer City Council.

f. "Micromedia" means the filming media application meaning microfilm, microfiche, aperture or other recognized standard records film method.

g. "Record" means recorded information in any form, including without limitation any document, paper, book, letter, photograph, microfilm, map, drawing, chart, card, magnetic media or computer printout, developed or received under law or in connection with the transaction of official business and appropriate for preservation as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the city or because of its informational value. The term "record" does not include:

1. Library and museum material developed or acquired and preserved solely for reference, historical or exhibition purposes, extra copies of documents preserved solely for convenience of reference, or stocks of publications and processed documents.

2. Reference documents.

3. Transitory documents.

h. "Record series" means a group of identical or related records which are normally used and filed as a unit and whose functional similarities permit their evaluation as a unit for retention scheduling purposes. Each record series shall be segregated according to series and the year of acquisition.

i. "Reference document" means a writing or image that is acquired or created solely for the purpose of creating or incorporation into a record, and includes without limitation, notes, calculations, and working papers.

j. "Transitory document" means a writing or image that after its immediate use has no value as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the city, and includes without limitation transmittals, suspense copies when a reply has been received, routine requests for information, and routine appointment and scheduling requests.

k. "Vital records" means records that are necessary to assure continuance of essential governmental operations to protect the legal and financial operation of the City in the event of disaster or catastrophic loss of the City records.

2.08.010 Management of public records. a. Records Manager. The City Clerk is the Records Manager for the City. The City Clerk shall develop, maintain and coordinate the operations of the City's records management system. The City Clerk also shall provide for the physical security of all original signature documents classified as vital, or as having legal or historical value.

b. Department records liaison. Each department head shall appoint a department records liaison. The department records liaison shall be responsible for the organization and safekeeping of all active records in the department.

c. Records inventory. The City Clerk shall take and maintain an inventory of City records. The inventory shall be reviewed and revised annually, and shall set forth each record series being developed, used, stored or scheduled for disposal by the City.

d. Electronic records. The City Clerk shall cause electronic records to be inventoried, stored and destroyed in the same manner and at the same time as if the records were maintained in written, printed or photographic form.

e. Records classification and Procedure. The City Clerk shall develop and provide each department with a records classification and procedures manual. The City Clerk shall review and update record series annually with each department records liaison to ensure that all active record series are adequately described, to provide for necessary changes, additions and deletions to the records classification and procedures manual, and to ensure compliance with state and federal law.

f. Inactive records storage. The City Clerk shall provide for and manage an inactive records storage center and shall develop a schedule for the annual relocation of inactive records to the storage center. Wherever possible, only one copy of each inactive record in a record series, and of duplicate inactive record series of two or more departments, shall be retained.

g. Records retention and destruction. The Council shall adopt by resolution a schedule setting forth minimum times for the retention of particular types of record series. The City Clerk annually shall provide for the destruction of records series whose retention periods have expired, after removing from each such record series for permanent preservation any records that are vital, or that have continuing historic or legal value. Not less than thirty days before destroying a record series, the City Clerk shall circulate to each department head for comment a detailed list of all record series to be destroyed, and the department head shall recommend to the City Clerk which records in those record series may be vital or of continuing historic or legal value. The City Clerk shall maintain a permanent log of all record series which have been destroyed, and shall report to the City Council by March 31st of each year all record series to be removed from active departmental files to the inactive records storage center, and all record series destroyed during the preceding year.

h. Records certification. The City Clerk or department records liaison having custody of a record that is open to public inspection under HCC Chapter 1.80 shall, upon request and payment of the fee therefor established by Council resolution provide a certified copy of the record, and the certified copy shall in all cases be evidence of the original.

i. Public inspection. Public inspection of records is governed by HCC Chapter 1.80.

j. Micromedia. The Clerk shall have the authority to provide for use of Micromedia; i.e. film, fiche, aperture or other appropriate application as determined to be the best suited for filming of the document. Records considered to be vital, or of historic or legal value shall be duplicated on Micromedia and deposited with the state archivist or in a secure, bonded vault physically removed from the City Administration Building.

ORDINANCE REFERENCE SHEET
2011 ORDINANCE
ORDINANCE 11-22

An Ordinance of the City Council of Homer, Alaska, Establishing a Preliminary Project Budget and Authorizing Expenditures for Phase I Improvements to Karen Hornaday Park.

Sponsor: City Manager/Parks & Recreation Advisory Commission

1. City Council Regular Meeting May 24, 2011 Introduction

    a. Project Budget
    b. Grant Agreement
    c. Ordinance 11-06
    d. Ordinance 10-23(A)

2. City Council Regular Meeting June 13, 2011 Public Hearing and Second Reading

    a. Project Budget
    b. Grant Agreement
    c. Ordinance 11-06
    d. Ordinance 10-23(A)

CITY OF HOMER
HOMER, ALASKA

City Manager/Parks & Recreation
Advisory Commission

ORDINANCE 11-22

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, ESTABLISHING A PRELIMINARY PROJECT BUDGET AND AUTHORIZING EXPENDITURES FOR PHASE I IMPROVEMENTS TO KAREN HORNADAY PARK.

WHEREAS, The City of Homer received an FY 2010 state legislative grant in the amount of $250,000 to be used for Phase I improvements to Karen Hornaday Park (Ordinance 11-06); and

WHEREAS, The City Council also appropriated $55,000 in Stimulus funding toward improvements at the park (Ordinance 10-23A), bringing the total amount available for the project to $305,000; and

WHEREAS, The Parks and Recreation Advisory Commission has deliberated on the best use of the funding and forwarded a recommendation to the City Council to allocate an appropriate amount of funding for preliminary engineering to include road realignment, a bridge over Woodard Creek, and drainage improvements; as well as $10,000 for ballfield improvements and $5,000 for playground improvements; and

WHEREAS, The Commission also wanted to keep some of the funding in reserve as a possible match for future grants and/or to fund additional Phase I improvements.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby establishes a preliminary budget and authorizes the expenditure of funds for improvements to Karen Hornaday Park as follows:

Expenditure:

Account No.	Description	Amount
151-776	Engineering / Survey	$ 50,000
	Ball Field Improvements	$ 10,000
	Playground Improvements	$ 5,000
	Reserved / Unallocated	$240,000
	TOTAL	**$305,000**

Section 2. This is a budget amendment ordinance, is temporary in nature, and shall not be codified.

ENACTED BY THE HOMER CITY COUNCIL this _____ day of _____, 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

YES:
NO:
ABSENT:
ABSTAIN:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form:

_____
Walt Wrede, City Manager

Date: _____

_____
Thomas F. Klinkner, City Attorney

Date: _____

CITY OF HOMER

PROJECT BUDGET

Project Number: [redacted] DATE FEB 8, 2011

Project Name: KAREN HORNADAY PARK IMPROVEMENTS (PHASE I)

Project Start Date: JAN 30, 2011 Project End Date: DEC 30, 2012

Project Description: IMPLEMENT PHASE I IMPROVEMENTS OF MASTER PLAN

Funding Source: LEGISLATIVE GRANT 11-DC-234 $250,000.00
? (match) $ 55,000.00

Other Comments: Legislative Grant does not require a match -

Project Budget

Codes	Expense Description	GRANT	MATCHING
5101/2	Project -Salaries & Benefits	5000	
5202	Materials		
5210	Professional Services		
	Project Management		
	Inspection		
5212	Engr / Arch / Design	30,000	
5216	Postage / Freight		
5227	Advertising	5,000	
5261	Construction	210,000	55,000
5262	Contingency		
5901	Equipment		
	TOTAL	$ 250,000	$ 55,000

Approvals

Carey Mayer — Requesting Department — Date FEB 8, 2011

Regina Mauro — Finance Department — Date 2 8 11

City Manager — Date

RAM 2/9/11

Resolution : Ordinance:

Copies Sent: City Clerk: 2-8-2011 Finance Dept.: Laurie Moore 2-8-2011

e-mailed

Requesting Dept.: 2-8-2011 Public Works Project File:

* Grant Agreement Document attached

(Rev 05/2010)

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

Designated Legislative Grant Program
Grant Agreement

Grant Agreement Number 11-DC-234		Amount of State Funds $250,000.00	
Collocation Code(s)	Encumbrance Number/AR/Lapse Date / 8291 / 06/30/2015	Project Title Karen Horsaday Park Improvements, Phase 1	
Grantee		**Department Contact Person**	
Name City of Homer		Name Jean Mason	
Street/PO Box 491 East Pioneer Avenue		Title Grants Administrator	
City/State/Zip Homer, AK 99603		Street/PO Box P.O. Box 110809	
Contact Person Jo Earls, Grant Administrator		City/State/Zip Juneau, AK 99811-0809	
Phone 907-235-8121	Email jearls@ci.homer.ak.us	Phone 907-465-5647	Fax 907-465-5867

AGREEMENT

The Alaska Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs (hereinafter 'Department') and City of Homer (hereinafter 'Grantee') agree as set forth herein.

Section I. The Department shall pay the Grantee for the performance of the project work under the terms outlined in this agreement. The amount of the payment is based upon project expenses incurred, which are authorized under this Agreement. In no event shall the payment exceed $250,000.00.

Section II. The Grantee shall perform all of the work required by this Agreement.

Section III. The work to be performed under this agreement begins 04/19/2010 and shall be completed no later than 06/30/2015.

Section IV. The agreement consists of this page and the following:

ATTACHMENTS

Attachment A: Scope of Work
1. Project Description
2. Project Budget
3. Project Narrative
4. Project Management/Reporting
5. Forms Packet

Attachment B: Payment Method
Attachment C: Standard Provisions

APPENDICES

Appendix A: Audit Regulations
Appendix B: Audit Compliance Supplement
Appendix B2: Insurance
Appendix C: State Laws and Regulations
Appendix D: Special Requirements and Assurances for Federally Funded Projects (if applicable)
Appendix E: Site Control
Appendix F: State Fire Marshal Review

AMENDMENTS: Any fully executed amendments to this Agreement

Grantee	**Department**
Signature Walt Wrede	Signature Jolene Julian
Printed Name and Title Walt Wrede, City Manager	Printed Name and Title Jolene Julian, Grants Administrator III
Date JAN 31, 2011	Date 02/03/11

Reviewed by: _____

Attachment A
Scope of Work

1. Project Description

The purpose of this FY 2011 Designated Legislative Grant in the amount of $250,000.00 [*pursuant to the provisions of AS 37.05.315, SLA 2010, Chapter 43, Section 10, Page 92, Lines 30-32*] is to provide funding to City of Homer for use towards Karen Hornaday Park Improvements. The objective of this project is to implement portions of Phase I of the Karen Hornaday Park Master Plan.

This project may include, but is not limited to:

- Topographic survey, engineering, and construction of drainage improvements;
- Acquisition and construction of a pedestrian bridge;
- Construction of a pedestrian ramp;
- Development of a detailed plan for a revitalized and improved playground;
- Acquisition and placement of new playground equipment;
- Expand and improve day use area;
- Demolition and removal of an old storage shed; and,
- Resurfacing and other parking improvements

No more than five percent (5%) of the total grant award may be reimbursed for Administrative expenses for projects involving equipment purchase or repairs and no more than ten percent (10%) of the total grant award may be reimbursed for Administrative expenses for all other projects. To be reimbursed for eligible administrative costs, expenses must be reported on the Designated Legislative Grant Financial/Progress Report form.

2. Project Budget

Cost Category	Grant Funds	Total Project Cost
Program Funds	$250,000.00	$250,000.00

3. Budget Narrative

The Grant Funds identified above will be used to complete the project described in the above Project Description.

4. Project Management/Reporting

This project will be managed by the Grantee.

If the Grantee is a City, signatory authority for execution of the Grant Agreement and subsequent amendments is granted to the Mayor. The Mayor may delegate signatory authority for executing the Grant Agreement and amendments to others within the City government via the Signatory Authority Form. The Mayor may also designate financial and progress reporting authority via the Signatory Authority Form. Such delegation is limited to others within the City government, unless otherwise approved by the Department.

If the Grantee is not a City, signatory authority for execution of the Grant Agreement and subsequent amendments is granted to the Chief Executive Officer (CEO). The CEO may delegate authority for executing the Grant Agreement and amendments to others within the Grantee's organization via the Signatory Authority Form. The CEO may also designate financial and performance progress reporting authority via the Signatory Authority Form. Such delegation is limited to others within the Grantee's organization unless otherwise approved by the Department.

The Grantee must establish and maintain separate accounting for the use of this Grant. The use of Grant funds in any manner contrary to the terms and conditions of this Grant Agreement may result in the subsequent revocation of the grant and any balance of funds under the grant. It may also result in the Grantee being required to return such amounts to the State.

The Grantee shall submit a Designated Legislative Grant Financial/Progress Report Form (see attached) each month, or quarterly, with the concurrence of the Department, during the life of the Grant Agreement. Grant Financial/Progress Report Forms are due fifteen (15) days after the end of the month or quarter being reported. The report period is the first of the month through the last day of the month. If quarterly reporting is approved, the report period is the first day of the first month through the last day of the third month of the quarter. The final Financial/Progress Reports must be submitted within thirty (30) days following completion of the project. Under no circumstances will the Department release funds to the Grantee unless all required reporting is current.

5. Grant Forms Packet

The following page, which includes the Designated Legislative Grant Financial/Progress Report Form, is to be used by the Grantee for monthly/quarterly reporting. Additional copies of this form are available from the Department, electronically or in hard copy.

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 11-06

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, ACCEPTING AND APPROPRIATING A STATE OF ALASKA LEGISLATIVE GRANT IN THE AMOUNT OF $250,000 FOR THE PURPOSE OF CONSTRUCTING PARK IMPROVEMENTS CONTAINED IN PHASE I OF THE KAREN HORNADAY PARK MASTER PLAN.

WHEREAS, The City has received a Legislative Grant in the amount of $250,000 for the purpose of constructing park improvements contained in Phase I of the Karen Hornaday Park Master Plan.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby accepts and appropriates a State of Alaska Legislative Grant in the amount of $250,000 for the purpose of constructing park improvements contained in Phase I of the Karen Hornaday Park Master Plan as follows:

Revenue:

Account	Description	Amount
151-776	Legislative Grant/ Karen Hornaday Park Phase I	$250,000

Expenditure:

Account	Description	Amount
151-776	Karen Hornaday Park / Phase I	$250,000

Section 2. This is a budget amendment ordinance, in temporary in nature, and shall not be codified.

ENACTED BY THE HOMER CITY COUNCIL this 28 day of Feb, 2011.

CITY OF HOMER

James C. Hornaday

JAMES C. HORNADAY, MAYOR

ATTEST:

JO JOHNSON, CMC, CITY CLERK

YES: 5
NO: 0
ABSENT: 1
ABSTAIN: 0

First Reading: 2/15/11
Public Hearing: 2/28/11
Second Reading: 2/28/11
Effective Date: 3/01/11

Reviewed and approved as to form:

Walt Wrede, City Manager

Date: 3/2/11

Thomas F. Klinkner, City Attorney

Date: 3-16-11

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 10-23(A)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING THE FY 2010 OPERATING BUDGET BY RE-APPROPRIATING $161,979.77 RECEIVED IN AMERICAN RECOVERY AND REINVESTMENT ACT (STIMULUS) FUNDS TO THE GENERAL FUND FOR ENERGY EXPENSES AND SEVERAL PARKS AND RECREATION CAPITAL PROJECTS WITHIN THE CITY.

WHEREAS, Resolution 09-86(A) authorized the City Manager to apply for American Recovery and Reinvestment Act (ARRA) (Stimulus Funds) for municipalities administered by the State Department of Commerce, Community, and Economic Development (DCCED) in the estimated amount of $163,000.00, and stipulated that the application contain a request that included $85,000.00 for the proposed Skyline Fire Station, $55,000.00 for improvements at the Nick Dudiak Fishing Lagoon, and the remainder for improvements at Jack Gist Park; and

WHEREAS, Subsequent to adoption of Resolution 09-86(A), DCCED issued program regulations and suggested that municipalities simplify their applications and apply for reimbursement of energy costs so that the applications could be processed efficiently and funding directed to municipalities as quickly as possible, which the City did; and

WHEREAS, The Council adopted Ordinance 10-15 accepting and appropriating the ARRA funds in the amount of $161,979.77; and

WHEREAS, Those funds are now available for re-appropriation and the Council wishes to use them for several parks and recreation capital improvements which include Phase I of the Karen Hornaday Park Master Plan, improvements at the Nick Dudiak Fishing Lagoon, Phase I improvements at Jack Gist Park, and for energy expenses.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY 2010 Operating Budget by appropriating $161,979.77 for parks and recreation capital projects and energy expenses as follows:

Expenditure	Description	Amount
156-385	Phase I Karen Hornaday Park	$55,000.00
	Nick Dudiak Fishing Lagoon Improvements	$15,000.00
	Phase I, Jack Gist Park Improvements	$51,979.77

100-100	General Fund (Energy Expenses)	$40,000.00

Section 2. This is a budget amendment ordinance, is temporary in nature, and shall not be codified.

PASSED AND ENACTED by the Homer City Council this 24th day of May, 2010.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

ATTEST:

JO JOHNSON, CMC, CITY CLERK

Introduction: 5/10/10
Public Hearing: 5/24/10
Second Reading: 5/24/10
Effective Date: 5/25/10

AYES: 5
NOES: 1
ABSTAIN: 0
ABSENT: 0

Reviewed and approved as to form:

Walt E. Wrede City Manager

Date: 5/27/10

Thomas F. Klinkner, City Attorney

Date: 6-2-10

Fiscal Note: Fiscal information included in body of Ordinance.

ORDINANCE(S)

ORDINANCE REFERENCE SHEET
2011 ORDINANCE
ORDINANCE 11-23

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Sections 21.12.020; 21.14.020; 21.16.020; 21.18.020; 21.20.020; 21.22.020; 21.24.020; 21.26.020; Addressing Permitted Uses and Structures; and Homer City Code 21.28.030 Conditional Uses and Structures; to Add Hostel as a Permitted Use in the Rural Residential, Urban Residential, Residential Office, Central Business, Town Center, Gateway Business, General Commercial 1, and General Commercial 2 Zoning Districts, and to Add Hostel as a Conditional Use in the Marine Commercial Zoning District.

Sponsor: Wythe

1. City Council Regular Meeting June 13, 2011 Introduction

CITY OF HOMER
HOMER, ALASKA

Wythe

ORDINANCE 11-23

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE SECTIONS 21.12.020; 21.14.020; 21.16.020; 21.18.020; 21.20.020; 21.22.020; 21.24.020; 21.26.020; ADDRESSING PERMITTED USES AND STRUCTURES; AND HOMER CITY CODE 21.28.030 CONDITIONAL USES AND STRUCTURES; TO ADD HOSTEL AS A PERMITTED USE IN THE RURAL RESIDENTIAL, URBAN RESIDENTIAL, RESIDENTIAL OFFICE, CENTRAL BUSINESS, TOWN CENTER, GATEWAY BUSINESS, GENERAL COMMERCIAL 1, AND GENERAL COMMERCIAL 2 ZONING DISTRICTS, AND TO ADD HOSTEL AS A CONDITIONAL USE IN THE MARINE COMMERCIAL ZONING DISTRICT.

WHEREAS, Homer City Code (pertinent section) provides a definition for "Hostel"; and,

WHEREAS, The sections of the Homer City Code under consideration provide for "permitted" and "conditional" housing uses in the various zoning districts, but no provision is made for the location of "hostels".

THE CITY OF HOMER ORDAINS:

Section 1. Subsection (e) of Homer City Code 21.12.020, Permitted uses and structures, is amended to read as follows:

e. Rooming house, ~~and~~ bed and breakfast **and hostel**;

Section 2. Subsection (f) of Homer City Code 21.14.020, Permitted uses and structures, is amended to read as follows:

f. Rooming house, ~~and~~ bed and breakfast **and hostel**;

Section 3. Subsection (d) of Homer City Code 21.16.020, Permitted uses and structures, is amended to read as follows:

d. Rooming house, ~~and~~ bed and breakfast **and hostel**;

Section 4. Subsection (cc) of Homer City Code 21.18.020, Permitted uses and structures, is amended to read as follows:

cc. Rooming house, ~~and~~ bed and breakfast **and hostel**;

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

Section 5. Subsection (x) of Homer City Code 21.20.020, Permitted uses and structures, is amended to read as follows:

x. Rooming house**,** ~~and~~ bed and breakfast **and hostel**;

Section 6. Subsection (o) of Homer City Code 21.22.020, Permitted uses and structures, is amended to read as follows:

o. Rooming house**,** ~~and~~ bed and breakfast **and hostel**;

Section 7. Subsection (ii) of Homer City Code 21.24.020, Permitted uses and structures, is amended to read as follows:

ii. Rooming house**,** ~~and~~ bed and breakfast **and hostel**;

Section 8. Subsection (v) of Homer City Code 21.26.020, Permitted uses and structures, is amended to read as follows:

v. Hotels**,** ~~and~~ motels **and hostels**;

Section 9. Subsection (h) of Homer City Code 21.28.030, Conditional uses and structures, is amended to read as follows:

h. Hotels**,** ~~and~~ motels **and hostels**;

Section 10. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____ 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

YES:
NO:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form:

_____	_____
Walt E. Wrede, City Manager	Thomas F. Klinkner, City Attorney
Date: _____	Date: _____

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

ORDINANCE REFERENCE SHEET
2011 ORDINANCE
ORDINANCE 11-24

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 1.74.040 Duties and Responsibilities of Commission, to Authorize the Parks and Recreation Advisory Commission to Solicit Donations of Money and Property for the Benefit of Parks and Recreation Facilities in the City.

Sponsor: City Clerk/Parks & Recreation Advisory Commission.

1. City Council Regular Meeting June 13, 2011 Introduction

    a. Memorandum 11-078 from Parks and Recreation Advisory Commission as backup

CITY OF HOMER
HOMER, ALASKA

City Clerk/Parks & Recreation
Advisory Commission

ORDINANCE 11-24

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 1.74.040 DUTIES AND RESPONSIBILITIES OF COMMISSION, TO AUTHORIZE THE PARKS AND RECREATION ADVISORY COMMISSION TO SOLICIT DONATIONS OF MONEY AND PROPERTY FOR THE BENEFIT OF PARKS AND RECREATION FACILITIES IN THE CITY.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 1.74.040 Duties and responsibilities of Commission, is amended to read as follows:

1.74.040 Duties and responsibilities of Commission. a. It shall be the duty of the Commission to act in an advisory capacity to the City Manager and the City Council on the problems and development of parks and recreation facilities within the service area. Considerations of the Commission may include existing facilities, possible future development and recommendations on land use.

b. Any recommendation the Commission may have regarding park and recreation facilities and public beaches is to be directed to the City Council through the City Manager or the recommendations of the Commission concerning policy issues shall be sent directly to the Council upon request of the Commission.

c. The Commission shall consider any specific proposal, problem or project as directed by the City Council and any report or recommendations thereon shall be made directly to the Council, unless otherwise directed by the Council.

d. **The Commission may solicit donations of money and property for the benefit of parks and recreation facilities in the City. Any money donations shall be deposited to the City Treasury in a reserve fund designated for parks and recreation facility use. If property, it shall be accepted by deed or other conveyance subject to approval by the City Council. Such property shall be held or disposed of for public parks and recreation purposes as the Council may direct. The Commission may make recommendations for disposition of money or property so received and such recommendations shall be considered and acted upon by the Council.**

e. The City Council may at a future date expand or withdraw duties and responsibilities of the Commission.

Section 2. Section 1 of this Ordinance is of a permanent and general character and shall be included in the City Code.

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____ 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

YES:
NO:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form:

_____
Walt E. Wrede, City Manager

_____
Thomas F. Klinkner, City Attorney

Date: _____

Date: _____

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

Office of the City Clerk

Jo Johnson, CMC, City Clerk

Melissa Jacobsen, CMC, Deputy City Clerk II
Renee Krause, CMC, Deputy City Clerk I

491 E. Pioneer Avenue
Homer, Alaska 99603-7624
(907) 235-3130

(907) 235-8121
Extension: 2227
Extension: 2224

Fax: (907) 235-3143
Email: clerk@ci.homer.ak.us

MEMORANDUM 11-078

TO: JO JOHNSON, CMC, CITY CLERK

FROM: THE PARKS AND RECREATION ADVISORY COMMISSION

DATE: MAY 19, 2011

RE: AMENDING HOMER CITY CODE 1.74, PARKS AND RECREATION ADVISORY COMMISSION

Background

During the regular meeting the Commission discussed the need to be able to accept donations for repairs and much needed equipment at the city owned parks due to the overall economical picture it was unlikely to get funding in future budgets. Below is an excerpt of those minutes:

B. Amending Homer City Code 1.74, Allowing the Commission to Accept Donations and Establish a Fund to Deposit the Donations.

1. Memorandum from Deputy City Clerk Krause dated May 11, 2011

Chair Bremicker summarized the memorandum and requested input from staff.

HARRALD/LILLIBRIDGE -MOVED TO REQUEST A DRAFT ORDINANCE AMENDING HOMER CITY CODE 1.74 ALLOWING THE PARKS AND RECREATION DEPARTMENT AND THE COMMISSION TO SOLICIT FOR AND ACCEPT DONATIONS AND ESTABLISH A FUND TO DEPOSIT THOSE DONATIONS.

A brief discussion on the process that was required and what steps the Commission needed to take to allow them to accept donations. It was stated that the Adopt A Program was a good venue but this changed the City Code allowing the Commission and Department accept donations following the examples for the Library and Public Arts Committee. The request will be sent through the City Clerk to the City Attorney to draft the Ordinance. It will be on the June agenda.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was no further discussion.

ORDINANCE REFERENCE SHEET
2011 ORDINANCE
ORDINANCE 11-25

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 18.08.120, Sublease, Regarding the Charging of Additional Rent for Subleases of City Property.

Sponsor: City Manager

1. City Council Regular Meeting June 13, 2011 Introduction

    a. Memorandum 11-079 from City Clerk as backup.
    b. Resolution 11-041

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 11-25

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 18.08.120, SUBLEASE, REGARDING THE CHARGING OF ADDITIONAL RENT FOR SUBLEASES OF CITY PROPERTY.

WHEREAS, Homer City Council adopted the Ground Lease document via Resolution 11-041 on May 24, 2011, and added language for an additional 10% rent assessment for a sublease; and

WHEREAS, Amendment to Homer City Code 18.08.120 is required to include the amount a lessee will be assessed for a sublease.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 18.08.120, Sublease, is amended to read as follows:

18.08.120 Sublease. a. City property may be subleased only if the lease agreement so provides and only with the consent of the City Council.

b. A sublease of city property shall be subject to Homer City Council approval and shall be in writing and executed by the parties. Any amendments to a sublease shall also be in writing and subject to City Council approval prior to becoming effective.

c. A lessee shall be assessed additional rent, **equal to 10% of the current rent for the subleased area,** ~~as determined by the Lease Committee and approved by the City Council,~~ upon approval of a sublease ~~or amendments thereto~~.

Section 2. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____ 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

YES:
NO:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form:

_____	_____
Walt E. Wrede, City Manager	Thomas F. Klinkner, City Attorney
Date: _____	Date: _____

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

Office of the City Clerk

Jo Johnson, CMC, City Clerk
Melissa Jacobsen, CMC, Deputy City Clerk II
Renee Krause, CMC, Deputy City Clerk I

491 E. Pioneer Avenue
Homer, Alaska 99603
(907) 235-3130
(907) 235-8121
ext: 2224, 2226, or 2227
Fax: (907) 235-3143
Email: clerk@ci.homer.ak.us

MEMORANDUM 11-079

TO: HOMER CITY COUNCIL

FROM: JO JOHNSON, CMC, CITY CLERK

DATE: JUNE 6, 2011

SUBJECT: ORDINANCE 11-25 TO INCLUDE AMENDMENTS TO SUBLEASES

On May 24, 2011 Council approved Resolution 11-041, the Ground Lease document. Amendments were made to the Ground Lease document to reflect a 10% additional rent assessment for a sublease.

Amendment to Homer City Code 18.08.120 is required to include the 10% of current rent assessment to lessees for a subleased area. Ordinance 11-25 reflects the addition of the defined 10% amount.

RECOMMENDATION:
Introduce Ordinance 11-25 to include a code amendment consistent with the Ground Lease document.

Fiscal Note: N/A.

CITY OF HOMER
HOMER, ALASKA

City Manager/
Lease Committee

RESOLUTION 11-041

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, APPROVING AND ADOPTING A NEW, AMENDED STANDARD GROUND LEASE DOCUMENT, AND AUTHORIZING THE AMENDMENT OF THE CITY OF HOMER PROPERTY MANAGEMENT POLICY AND PROCEDURES MANUAL TO CONFORM TO THE AMENDED STANDARD GROUND LEASE DOCUMENT.

WHEREAS, Section 9.1(A) of the adopted Property Management Policy and Procedures (Lease Policy) provides that the City Manager and the Lease Committee shall develop a standardized ground lease document that is reviewed by the City Attorney and approved by the City Council; and

WHEREAS, At the request of the City Council and the City Manager, the City Attorney produced a draft document which includes proposed amendments to the current standard ground lease document; and

WHEREAS, The purpose for these amendments is to update the standard ground lease document, incorporate changes recommended by the attorney and staff, incorporate selected changes recommended by the Economic Development Advisory Commission, and incorporate amendments to the Lease Policy recently approved by the Council; and

WHEREAS, The Lease Committee reviewed the draft amended standard ground lease document at its regular meeting on April 14, 2011 and passed a motion to approve the document and forward it to Council for final review and approval along with a memorandum containing the Committee's comments; and

WHEREAS, It is the intent of the Council that in the case of a conflict between the terms of the amended standard ground lease document and the terms of the Property Management Policy and Procedures, the terms of the amended standard ground lease document shall govern.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby approves and adopts the amended standard ground lease document, a copy of which is attached and incorporated herein; and authorizes the City Manager and the Lease Committee to amend the Property Management Policy and Procedures to conform to the terms of the amended standard ground lease document.

PASSED AND ADOPTED by the Homer City Council this 24th day of May, 2011.

CITY OF HOMER

MARY E. WYTHE, MAYOR PRO TEMPORE

ATTEST:

JO JOHNSON, CMC, CITY CLERK

Fiscal Note: N/A

ORDINANCE REFERENCE SHEET
2011 ORDINANCE
ORDINANCE 11-26

An Ordinance of the City Council of Homer, Alaska, Repealing Subsection (c) of Homer City Code 14.08.035, Water Connection and Extension Permit Fee; and Enacting Homer City Code 14.08.037, Water Meters; Regarding the Number of Water Meters Required Per Lot.

Sponsor: Roberts/Wythe

1. City Council Regular Meeting June 13, 2011 Introduction

CITY OF HOMER
HOMER, ALASKA

Roberts/Wythe

ORDINANCE 11-26

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, REPEALING SUBSECTION (c) OF HOMER CITY CODE 14.08.035, WATER CONNECTION AND EXTENSION PERMIT FEE; AND ENACTING HOMER CITY CODE 14.08.037, WATER METERS; REGARDING THE NUMBER OF WATER METERS REQUIRED PER LOT.

THE CITY OF HOMER ORDAINS:

Section 1. Subsection (c) of Homer City Code 14.08.035, Water connection and extension permit fee, is repealed:

~~c. All water shall be metered. Generally, only one meter shall be issued to each lot for areas other than the Spit. The one time meter lease fee shall be the actual cost of the water meter installed plus fifteen percent as determined by the Public Works Director.~~

Section 2. Homer City Code 14.08.037, Water meters, is enacted to read as follows:

14.08.037 Water meters. a. All water shall be metered. The one time meter lease fee shall be the actual cost of the water meter installed plus fifteen percent as determined by the Public Works Director.

b. Except for the following, only one meter shall be issued to each lot:

1. **A multi–family building that contains more than one dwelling unit shall have a separate water meter for each dwelling unit. This requirement applies to all new construction on and after the effective date of this section. Units in multi-family buildings subject to and in compliance with this subsection shall be billed at residential rates for both water and sewer.**
2. **Existing multi-family buildings:**
   a) **Have the option to have individual meters installed for each dwelling unit. By doing so, each unit will be subject to "Single Family Dwelling Unit" Rates as defined under the Rate Schedule, and be billed at residential rates for both water and sewer, or**
   b) **Continue business utilizing the single meter. These businesses will be required to pay the customer charge per unit for water and sewer as defined by the Rate Schedule and will remain on the higher rate schedule listed as "Other", or "Commerical" as listed in the rate schedule until such a time as they have individual meters installed as defined by 2.a.**

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

c) **Multiple meters may be issued for lots on the Spit.**

Section 3. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____ 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

YES:
NO:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form:

_____ _____
Walt E. Wrede, City Manager Thomas F. Klinkner, City Attorney
Date: _____ Date: _____

[**Bold and underlined added.** ~~Deleted language stricken through.~~]

ORDINANCE REFERENCE SHEET
2011 ORDINANCE
ORDINANCE 11-27

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating $5,000 from the Parks and Recreation Reserves to the Homer Foundation to Support Community Efforts to Create a New Improved Playground at Karen Hornaday Park.

Sponsor: City Manager

1. City Council Regular Meeting June 13, 2011 Introduction

    a. Memorandum 11-084 from Special Projects Coordinator as backup
    b. Parks and Recreation Advisory Commission Meeting Minutes of April 19, 2011

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 11-27

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING THE FY 2011 OPERATING BUDGET BY APPROPRIATING $5,000 FROM THE PARKS AND RECREATION RESERVES TO THE HOMER FOUNDATION TO SUPPORT COMMUNITY EFFORTS TO CREATE A NEW IMPROVED PLAYGROUND AT KAREN HORNADAY PARK.

WHEREAS, The Karen A. Hornaday Hillside Park Master Plan (June 2009) notes the poor condition of the park's playground equipment and recommends replacement with new creative natural forms and ADA-compliant structures; and

WHEREAS, A volunteer organization, Homer Playground Project (HoPP), has recently formed specifically to coordinate a community-built playground campaign aimed at providing Homer children and parents with a new playground at Karen Hornaday Park; and

WHEREAS, The Homer Parks and Recreation Advisory Commission has recommended an appropriation of $5,000 for improvements to the playground at Karen Hornaday Park, from existing Park improvement funds; and

WHEREAS, The Homer Foundation has agreed to serve as fiscal agent for HoPP, to facilitate fundraising and other financial matters.

THE CITY OF HOMER ORDAINS:

Section 1. The FY 2011 Operating Budget is hereby amended to appropriate $5,000 from the Parks and Recreation Reserves to the Homer Foundation to support community efforts to create a new improved playground at Karen Hornaday Park as follows:

Expenditure:

Acct. No.	Description	Amount
156-385	Parks and Recreation Reserves	$5,000

Section 2. This is a budget amendment ordinance, is not of a permanent nature, and shall not be codified.

PASSED AND ENACTED by the Homer City Council this _____ day of _____, 2011.

CITY OF HOMER

_____

JAMES C. HORNADAY, MAYOR

ATTEST:

_____

JO JOHNSON CMC, CITY CLERK

YES:
NO:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form:

_____
Walt E. Wrede, City Manager

Date: _____

_____
Thomas F. Klinkner, City Attorney

Date: _____

City of Homer

Memorandum No. 11-084

To: Mayor & Council

From: Anne Marie Holen, Special Projects Coordinator

Through: Walt Wrede, City Manager

Date: June 8, 2011

Re: Ordinance 11-27 – Support for Homer Playground Project

Ordinance 11-27 is intended to support one of the goals of the Karen A. Hornaday Hillside Park Master Plan; specifically the creation of a new improved playground to replace the worn-out play structures currently at the park. The ordinance authorizes transfer of $5,000 to the Homer Foundation where it will serve as seed money for a community-wide campaign led by a new group called the Homer Playground Project (HoPP).

This group of volunteers has now held three meetings and shows all indications of having what it takes to coordinate a successful campaign using the community-built playground model. It is a model that has been used successfully within the last few years in Soldotna, Seward, and Talkeetna and HoPP members have been in communication with project leaders in all those towns. The formation of HoPP makes the goal of a new playground at Karen Hornaday Park entirely realistic within a relatively short timeframe. The goal is to raise at least $200,000 by the end of summer 2012 and, with a lot of volunteer labor, build the playground over the course of five or six days. The City, of course, will have authority to approve design and construction plans and will own the playground when it is completed.

HoPP is well aware that the playground needs to reflect community input and be built to established safety standards and also with long-term durability in mind. Both Angie Otteson, Parks Maintenance Coordinator, and Mike Illg, Community Recreation Specialist, are attending HoPP meetings and expect to remain involved through the duration of the campaign. HoPP is also planning to work with professional playground consultants with extensive experience designing and facilitating community-built playgrounds.

To accomplish its goal by the end of summer 2012, HoPP needs to move quickly and efficiently. Immediate needs include developing a website complete with a graphic image (logo) representing the campaign, raising public awareness, contracting with a playground design firm, and then launching into the design process. It is important that HoPP have access to seed money right away to cover some of these costs. HoPP has already raised money from its membership but before it can kick off the campaign in a big way in the community, additional funds are needed.

A separate ordinance in your packet (Ordinance 11-22), introduced May 24, authorizes certain expenditures for improvements at Karen Hornaday Park, including $5,000 for the playground, in keeping with a recommendation from the Parks and Recreation Commission. Ordinance 11-27 will simply transfer those funds to the Homer Foundation to support the efforts of HoPP. The

Homer Foundation has already agreed to serve as fiscal agent to HoPP, which will allow community members, businesses, and foundations to make donations to the Homer Foundation in support of the playground project. HoPP will also be seeking to leverage the initial $5,000 in a grant application to the Homer Foundation.

A Memorandum of Agreement between the City of Homer, HoPP, and the Homer Foundation is being drafted to clarify responsibilities of each organization in this effort. It is hoped that the MOA will be approved by June 17, at which time the Homer Playground Project can proceed full-steam.

RECOMMENDATION:

The formation of HoPP is an exciting development. Based on what I have observed so far at three meetings and in daily correspondence with HoPP leaders, I believe they have the skills, energy, and commitment to succeed in their goal. Their offer to help raise funds and coordinate volunteers to build a new playground should be welcomed by the Homer City Council and supported with an initial contribution of $5,000.

Session 11-03, a Special Meeting of the Parks and Recreation Advisory Commission was called to order by Chair Bremicker at 6:35 p.m. on April 19, 2011 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BREMICKER, HARRALD, BRANN, CARLINSCHAUER, CUMMING, LILLIBRIDGE, AND ARCHIBALD

STAFF: CITY MANAGER WALT WREDE
PUBLIC WORKS DIRECTOR CAREY MEYER
RECREATION SPECIALIST MIKE ILLG
DEPUTY CITY CLERK I RENEE KRAUSE

APPROVAL OF THE AGENDA

HARRALD/BRANN - MOVED TO APPROVE THE AGENDA AS PRESENTED.

There was no discussion.

The agenda was approved by consensus of the Commission.

APPROVAL OF MINUTES *(Minutes are approved during Regular Meetings.)*

There were no minutes for approval.

PUBLIC COMMENTS REGARDING ITEMS ON THE AGENDA

There were no comments.

VISITORS

There were no visitors in attendance.

RECONSIDERATION

There were no items scheduled for reconsideration.

STAFF AND COUNCIL REPORTS/COMMITTEE REPORTS/BOROUGH REPORTS

There were no Staff Reports submitted.

PUBLIC HEARINGS

No public hearings were scheduled.

PENDING BUSINESS

None.

NEW BUSINESS

A. Preliminary Engineering for Karen Hornaday Park
   a. Bridge over Woodard Creek- Volunteer Engineer - Visitor
   b. How the Preliminary Engineering Scope of Work will be Developed and Scheduled

City Manager Wrede gave a summary on the reports given to council at the last council meeting. There were comments that doing the road realignment would be very costly and there is not much future in getting funding for completion of this project. In response to a question from the Commissioners he believed council would like more defined line items that can be included specifically with an ordinance.

Commissioner Harrald recapped the decisions made at the last meeting, it was acknowledged that there is a lot going on in Phase I and II but that there is no information on what is feasible, such as the bridge, so if down the line the Friends of Woodard Creek or another group(s) may be able to go for a grant this would allow them some idea if it is even feasible to place a bridge in that spot.

Chair Bremicker noted that council wants direction and line items and agreed with getting some numbers on what it will cost with the preliminary engineering.

Discussion ensued on the following points:
- Relocating the road to make pedestrian and bicyclist traffic safer.
- the feasibility of installing a pedestrian bridge across Woodard Creek
- there was no current knowledge of the cost to install a bridge, realign the road and drainage issues and engineering would assist in directing future decisions.
- the drainage issues were large and impacted a number of features at the park
- temporary spot fixes were not wanted and considered a waste of funds.
- Staff agreed with drainage repair and preliminary engineering for the park.
- it was agreed that by solving the drainage issues the parking lot would be in better condition.
- explained how the need for a bridge originated.
- the ball fields deserved a real fix not just a band aid.
- use of natural elements to deal with drainage and water issues
- slope and sloughing
- Repair and Replace the playground facilities - unsafe and in severe disrepair - Commissioner Brann volunteered to fix.
- The use of the gangway currently in the Port and Harbor possession possible use as bridge over creek.
- The need to get something tangible completed as the future of obtaining additional funding or grants is very slim.
- Public Works Director offered to supply information and cost figures and assist with engineering on some of the items to complete some portions of the overall project that can be realized by the community.
- Playground improvements
- Overall Master plan is a twenty year effort.
- the parking lot and road realignment would be extremely costly due to the materials, equipment and labor needed.

LILLIBRIDGE/CUMMING - MOVED TO DIRECT STAFF TO DRAFT AN ORDINANCE OUTLINING LINE ITEM EXPENDITURES FOR THE FOLLOWING; PRELIMINARY ENGINEERING TO INCLUDE ROAD REALIGNMENT, AND THE DRAINAGE ISSUES FOR THE PARKING, PLAYGROUND AND BALLFIELDS; AND UP TO $5,000 FOR LITTLE LEAGUE TO IMPLEMENT BALLFIELD IMPROVEMENTS, AND NEW PLAYGROUND EQUIPMENT.

Discussion included the importance to the community to make improvements to the ballfields this season; why the engineering was needed to implement permanent drainage fixes and repairs which would provide immediate improvement to the overall area.

ARCHIBALD/HARRALD - MOVED TO RECOMMEND AMENDING THE AMOUNT TO INCLUDE $10,000 FOR BALLFIELD IMPROVEMENTS.

Commissioner Archibald explained that there are numerous improvements and that increasing the amount would allow for repairs to the dugouts, purchase new equipment, etc.

VOTE. (First Amendment) YES. NON-OBJECTION. UNAMINOUS CONSENT.

Motion carried.

CARLINSCHAUER/LILLIBRIDGE - MOVED TO INCLUDE THE BRIDGE OVER WOODARD CREEK BACK INTO THE PRELIMINARY ENGINEERING REQUEST.

There was a brief discussion on the importance to include the bridge in the preliminary engineering report. It would allow them and the other groups to plan whether the overall project is feasible or will need to be delayed or not done at all due to the cost.

VOTE. (Second Amendment) YES. HARRALD, BREMICKER, ARCHIBALD, CARLINSCHAUER, BRANN, LILLIBRIDGE

VOTE. NO. CUMMING.

Motion carried.

LILLIBRIDGE/HARRALD - MOVED TO AMEND THE MOTION TO INCLUDE $5000 FOR PLAYGROUND IMPROVEMENTS.

Discussion on designating a specific amount and making it nonspecific for playground improvements instead of limiting it to new equipment since there was more that could be done and needed than equipment. City Manager Wrede commented that the amendment is good and explained that it offers flexibility.

VOTE. (Third Amendment) YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE. (Main Motion) YES. LILLIBRIDGE, BRANN, CARLINSCHAUER, ARCHIBALD, BREMICKER, HARRALD, CUMMING.

Motion carried.

INFORMATIONAL MATERIALS

A. City Manager Wrede Report from the City Council Packet for the Meeting on April 11, 2011
B. Memorandum dated March 18, 20111 to City Manager Wrede and Public Works Director Meyer
Re: Parks & Recreation Advisory Commission Recommendations for Karen Hornaday Park Funding from Planning Technician Engebretsen

There was no discussion on the informational materials.

COMMENTS OF THE AUDIENCE

There were no audience comments.

COMMENTS OF THE COUNCIL MEMBER *(if one is assigned)*

None.

COMMENTS OF STAFF MEMBERS

City Manager Wrede responded to Commissioner Harrald outlining the process that is followed by the Finance Department regarding the project funding.

Public Works Director Meyer and Deputy City Clerk Krause had no comments.

COMMENTS OF THE COMMISSION

Commissioner CarlinSchauer had no comments.

Commissioner Harrald questioned the City Manager if the monies appropriated would be available immediately.

Commissioner Cumming appreciated Walt and Carey attending the meeting and answering their questions.

Commissioner Lillibridge reminded the Commissioners about the Park Walk through on Wednesday April 20, 2011 at 5:00 p.m. They will meet in the parking lot and carpool to the Spit.

Commissioner Archibald commented that he will be out the next eight weeks and will hopefully be able to participate telephonically. He appreciated Walt and Carey attending this special meeting.

Commissioner Brann commented they have a lot on their plate but they are making some progress.

COMMENTS OF THE CHAIR

Chair Bremicker commented that everyone has done a good job and thanked the staff.

ADJOURN

There being no further business to come before the Commission Chair Bremicker ad journed the meeting at 8:35 p.m. There will be a Spring Parks Walk Worksession on Wednesday, April 20, 2011 at 5:00 P.M. The next regular meeting is Thursday, MAY 19, 2011 at 5:30 p.m. at the City Hall Cowles Council Chambers.

_____

RENEE KRAUSE, CMC, DEPUTY CITY CLERK I

Approved:_____

CITY MANAGER'S REPORT

CITY OF HOMER
POLICE DEPARTMENT

4060 HEATH STREET HOMER, AK 99603-7609

EMERGENCY 911
TELEPHONE (907) 235-3150
TELECOPIER (907) 235-3151

MEMORANDUM 11-080

DATE: June 3, 2011

TO: Mayor Hornaday and Council
City Manager Wrede

FROM: Mark Robl, Chief of Police

SUBJECT: Borough CAD Program

The police department is withdrawing from participation in the borough's program to install computer aided dispatch systems in all dispatch centers in the borough. Unanticipated personnel shortages in dispatch have contributed to scheduling problems that are making it very hard to contribute the man-hours to the project that it needs. Even an infusion of more funding for overtime will not alleviate this problem. Additionally, there are many unanswered questions about how much maintaining the system will cost us in the future. It is certain to put a continuing strain on our dispatch supervisor's time which is already completely allocated and then some. I have now learned that the potential benefits of a CAD system to a small agency such as ours are few and will not be realized for years to come. Combined with the potential future unknown costs and the certainty of the increased manpower requirements, I cannot find suitable justification to utilize our limited resources to pursue a CAD system for Homer.

City of Homer

Memorandum

To: **Mayor and Council**

From: **Terry Felde**

Date: **June 6, 2011**

Re: **Department Statistics**

STATISTICAL REPORTS FOR **April,** 2011.

- Clerks
- Police
- Animal Shelter
- Fire
- Port & Harbor
- Public Works
- Library

City of Homer
491 E. Pioneer Ave
Homer, AK 99603

Phone: 907-235-8121 ext 2222
Fax: 907-235-3148
E-mail: tfelde@ci.homer.ak.us

April 2011 Clerk Statistics

Monthly Statistics	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
City Council													
City Council Meetings	8	6	9	6									29
Overtime - hours	12	8.5	17	8									45.5
Agendas Prepared	12	12	20	18									62
# of Pages in Packet	958	552	608	604									2722
# of Packets Distributed	54	54	54	54									216
# of Tentative Agendas Distributed	18	18	18	18									72
# of Action Agendas Distributed	38	38	38	38									152
Minutes	5	3	5	2									15
# of Minutes Distributed	95	57	95	38									285
Commissions/Boards/Committees etc.													
Planning Commission Meeting	2	1	2	2									7
Overtime - hours	4.5	2	4	6									16.5
# of Packets Distributed	6	6	6	6									24
# of Agendas Distributed	28	28	28	28									112
Minutes	2	1	2	2									7
# of Minutes Distributed	28	28	28	28									112
Economic Development Commission Meeting	1	0	0	0									1
Overtime - hours	1.5	0	0	0									1.5
# of Pages in Packet	100	0	0	0									100
# of Packets Distributed	13	0	0	0									13
# of Agendas Distributed	14	0	0	0									14
Minutes	1	0	0	0									1
# of Minutes Distributed	14	0	0	0									14
Port and Harbor Commission Meeting	1	1	1	1									4
Overtime - hours	2.5	2	1	1.5									7
# of Pages in Packet	74	199	46	50									369
# of Packets Distributed	10	10	10	10									40
# of Agendas Distributed	14	14	14	14									56
Minutes	1	1	1	1									4
# of Minutes Distributed	14	14	14	14									56
Parks and Recreation Commission Meeting	1	1	1	1									4
Overtime - hours	0.5	3.25	3.25	3.25									10.25
# of Pages in Packet	104	28	276	8									416
# of Packets Distributed	14	14	14	14									56
# of Agendas Distributed	14	14	14	14									56

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April 2011 Clerk Statistics

Minutes	1	1	1	1									4
# of Minutes Distributed	13	14	14	14									55
Library Advisory Board Meeting	1	0	1	1									3
Overtime - hours	2	0	1.75	2									5.75
# of Pages in Packet	24	18	150	52									244
# of Packets Distributed	10	10	10	10									40
# of Agendas Distributed	14	14	14	14									56
Minutes	1	0	1	1									3
# of Minutes Distributed	14	0	14	14									42
Transporation Advisory Committee Meeting	0	0	1	0									1
Overtime - hours	0	0	1.5	0									1.5
# of Pages in Packet	0	0	26	0									26
# of Packets Distributed	0	0	13	0									13
# of Agendas Distributed	0	0	13	0									13
Minutes	0	0	1	0									1
# of Minutes Distributed	0	0	13	0									13
Public Arts Committee Meeting	1	1	1	0									3
Overtime-hours	1.25	1.5	0	0									2.75
# of Pages in Packet	74	80	0	0									154
# of Packets Distributed	10	10	0	0									20
# of Agendas Distributed	14	14	14	0									42
Minutes	1	1	0	0									2
# of Minutes Distributed	14	14	0	0									28
Lease Committee Meetings	1	1	0	1									3
Overtime - hours	0	0	0	0									0
# of Pages in Packet	98	152	0	106									356
# of Packets Distributed	14	14	0	14									42
# of Agendas Distributed	14	14	0	14									42
Minutes	1	1	0	1									3
# of Minutes Distributed	14	14	0	14									42
Permanent Fund Committee Meetings	1	0	0	1									2
Overtime - hours	1	0	0	0.75									1.75
# of Pages in Packet	5	0	13	5									23
# of Packets Distributed	13	0	17	13									43
# of Agendas Distributed	17	0	13	17									47
Minutes	1	0	1	1									3
# of Minutes Distributed	17	0	17	17									51

April 2011 Clerk Statistics

Special Committees/Task Force Meetings	2	3	2	1									8
Overtime - hours	1	2	3	0									6
# of Pages in Packet	48	75	60	54									237
# of Packets Distributed	30	30	20	10									90
# of Agendas Distributed	42	40	28	14									124
Minutes	2	3	1	1									7
# of Minutes Distributed	28	40	14	14									96
Records Requests													
# of Record Log Requests	13	12	17	12									54
Staff Time Processing Requests	5.5	6.5	1.50	2.50									16.00
Revenue from Requests	$88.50	$62.50	$37.75	$48.50									$237.25
LIDs													
LID Reports	0	0	0	0									0
Phase I	0	0	0	0									0
Phase II	0	0	1	0									1
Phase III/Assessment District	0	0	0	0									0
Final Assessment Rolls	0	0	0	0									0
Neighborhood Meetings	0	0	0	1									1
License/Permits													
Liquor Licenses Processed	10	1	2	1									14
Gaming Permits Processed	7	1	1	0									9
Legislative													
Ordinance	2	8	2	4									16
Resolution	14	10	13	10									47
Memorandum	15	13	25	9									62
Mayor													
Appointments	1	0	5	4									10
Certificates	1	0	5	4									10
Proclamations	2	1	0	4									7
Recognition	1	1	2	1									5
Advertisements													
Public Hearings	3	3	3	4									13
# of Public Hearings Distributed	51	51	51	68									221
Bids/RFPs	4	2	4	6									16
Meeting Notice	4	4	5	4									17
Elections	0	0	0	0									0
# of Elections Distributed	0	0	0	0									0

April 2011 Clerk Statistics

Bids/RFPs													
Bids/RFPs	2	2	4	4									12
# of Plan Holders logged	17	26	22	48									113
Bid Openings	0	0	1	4									5
Cemetery													
Cemetery Plots Sold	1	0	2	12									15
Interments Processed	1	2	1	0									4
Deeds Prepared	1	0	2	1									4
Elections													
Voter Registrations	1	1	0	0									2
Election Training City/State/Borough	0	0	0	0									0
City Election	0	0	0	0									0
# of Absentee By Mail Ballot Requested	0	1	2	0									3
# of Absentee By Mail Ballot Mailed	0	0	0	0									0
# of Absentee in Person Voters	0	0	0	0									0
# of Special Needs Voters	0	0	0	0									0
# Questioned ballots	0	0	0	0									0
State Election	0	0	0	0									0
# of Absentee By Mail Ballot Requested/Mailed	0	1	0	0									1
# of Absentee in Person Voters	0	0	0	0									0
# of Special Needs Voters	0	0	0	0									0
# of SPH & Senior Center Voters	0	0	0	0									0
Correspondence Logs													
Mayor & Council	2	41	47	34									124
Legal Opinions	0	1	1	0									2
File & Website Indexing	0			0									0
Continuing Education													
AML/AAMC	0	0	0	0									0
NWC Institute	0	0	0	0									0
Other	0	1	1	3									5
Record Retention													
Inactivated Records per Box	22	4	5	0									31
Records Destruction	0	0	0	15									15
Records Report	0	0	0	0									0
Records Office Inventory	5	0	0	0									5

April 2011 Clerk Statistics

Permanent Records Scanned per Box	0		0	0									0
Retention Schedule Distributed	0		0	0									0
Courier Duties & Location Visits													
Kiosks	3	3	3	3									12
# of Kiosk Visits	12	12	12	15									51
All Hopped Up Expresso	2	0	0										2
Other Activities													
Monthly Calendar & Lobby Board Updates	2	2	2	2									8
Radio Report	4	4	4	2									14
Recording Documents	1		0	0									1
Appeals Filed	0		0	0									0
Ethics Complaint Filed	1		0	0									1
Employee Newsletters	1	1	1	1									4
Citywide Newsletters Mailed	1330	0	0	1428									2758
Citywide Newsletters Emailed	544		0	585									1129
Notaries	4	4	5	1									14
Manual Updates													
Homer City Code Supplements	0	0	0	0									0
Council Operating Manual	0	0	0	0									0
Procurement Manual	0	0	0	0									0
Fee Schedule	0	0	0	0									0
Port Tariff #600	0	0	0	0									0
Property Management Policy & Procedures	0	0	0	0									0
Records Retention Schedule	0	0	0	0									0
City Directory	2	0	1	1									4
Other Manual Updates													
Alaska Administrative Code			0	0									
Alaska Statutes			0	0									
Building Use - Non City													
# of Room Rentals Exempt	1	3	1	1									6
# of Room Rentals Charged	0	0	0	0									0
Rental Revenue	$0.00	$0.00	$0.00	$0.00									$0.00

CITY OF HOMER
POLICE DEPARTMENT

4060 HEATH STREET HOMER, AK 99603-7609

EMERGENCY 911
TELEPHONE (907) 235-3150
TELECOPIER (907) 235-3151

MEMORANDUM

DATE: May 27, 2011

TO: City Manager Wrede

FROM: Chief Mark Robl

SUBJECT: Monthly Report, April 2011

Police Department

The Police Department was very busy in April. We recorded 397 incidents and made 117 arrests. Our officers also issued 48 traffic citations and issued 50 traffic warnings. The monthly statistical report is attached for your review.

Steve Smith came back to work for us in a limited duty status. He completed a major review and clean up of our evidence room. He was cleared to return to full duty on May 1st. We are very happy to have him back.

Many of our arrests last month were due to multiple Temporary Restraining Order violations by three different individuals. There was an increase in alcohol related violations and crimes as well.

Lt Rosencrans went to a firearms training course last month. Sgt Shealy attended a radar instructor's course. Sgt Hutt went to the state's Highway Safety Summit.

Dispatch has hired Jeri Trail to fill one of the vacant positions, with training starting this month. Lynn Haught has been out on medical leave for knee surgery since mid April, hopefully to return sometime in early June. Schedules have been tightly stretched to provide coverage.

Homer Jail

The Jail was also very busy last month and broke all records for monthly activity. No significant events occurred. The monthly statistical report is attached for your review.

Animal Shelter

No significant events occurred at the shelter last month. The monthly statistical report is attached. It reflects an increase in business as well.

CITY OF HOMER
POLICE DEPARTMENT

4060 HEATH STREET HOMER, AK 99603-7609

EMERGENCY 911
TELEPHONE (907) 235-3150
TELECOPIER (907) 235-3151

Following is a summary of reported activity for the Homer Police Department:

APRIL	2011
Incidents	397
Arrests	117
Citations	48
Jail Bookings	83
Jail Days Served	108
Prisoners Transported to other DOC Facility	10

Mark H. Robl, Chief of Police

Monthly Incident Summary

Abandoned Vehicle	4
Agency Assist Inside Alaska (other than AST)	35
Agency Assist/AST	3
Animal Related Offense/Complaint	19
Arrest Warrant Service	1
Assault (Fourth Degree)	2
Assault/Family/Strongarm	1
Assault/Non-Family/Other Weapon	1
Assist Fire Department	5
ATV Complaint	2
Burglary/Force/Non-Residence	2
Burglary/Force/Residence	1
Burglary/No Force/Non-Residence	1
City Ordinance (all others)	5
Civil Problem/Assist/Standby	14
Conceal Merchandise	2
Criminal/Malic Mischief/Personal	3
Disturbance - Other	10
Domestic Dispute	12
Driving While Intoxicated-Alcohol	8
Drug Information	2
Drug Investigation	1
DV Service Attempt	1
DV Writ Service	4
DWLS/R/C	6
False Alarm	4
Followup (specify related CF)	1
Found Property	4
Fraud (other than Bad Checks)	4
Fugitive from Justice	1
Harassment	4
Hit&Run/Leave Scene of Accident	1
Industrial Accident	1
Information/Other	2
Intoxicated Pedestrian	2
Juvenile Pickup Order	3
Lost Property	8
Minor Consume or Possess	1
MVA - Damage	5
Pass School Bus w/Red Lights	1
Patrol Request	2
Probation Violation	2
Protective Custody/Mental	2
Provide Transport	1
Prowler/Peeping Tom	1
Public Assist	2
Public Assist (counter traffic)	2
Reckless Driving	1
REDDI (ReportEvery Drunk Driver Immediately)	12
Runaway Juvenile	6
School Presentation (DARE)	1
Security Checks - All Others	3
Security Checks - Bars	5
Sex Abuse/Minor	2
Sex Offender Registration	4
Sexual Assault/Minor	1
Subpoena/Summons Service	4
Suspicious Circumstances	28
Suspicious Vehicle	2
Taxicab Inspection/Fixit Tickets	14
Theft from Building	2
Theft from Yard	1
Theft of Bicycle	2
Theft of Firearm	1
Threats	2
Traffic (Criminal-all others)	3
Traffic (Non-Criminal-all others)	15
Traffic Control	1
Traffic Hazard	6
Traffic Warning	50
Trespass	5
TRO Violation	5
VID	2
Violation of Conditional Release	2
Warrant Arrest (FTA)	5
Welfare Check	13

Monthly Arrests Summary

Assault/Family/Strongarm	1
Assault/Non-Family/Other Weapon	4
Burglary/Force/Non-Residence	1
Disorderly Conduct	1
Driving While Intoxicated-Alcohol	9
DWLS/R/C	9
Fail to Provide Proof of MV Insurance	5
Juvenile Pickup Order	1
Minor Consume or Possess	4
Possess/Use MJ (MICS VI)	4
Probation Violation	2
Protective Custody/Alcohol	1
Protective Custody/Mental	2
Sex Abuse/Minor	1
Sexual Assault/Minor	1
Theft III (charge only)	1
Theft IV (charge only)	2
TRO Violation	59
Violation of Conditional Release	2
Warrant Arrest (FTA)	7

Monthly Citation Summary

Total Count for Ticket Type A	**7**
Total Count for Ticket Type E	**2**
Total Count for Ticket Type P	**7**
Total Count for Ticket Type T	**32**

Type A = Animal Cite
Type E = Equipment/Tobacco Cite
Type P = Parking Cite
Type T = Moving/City Ordinance Cite
Type S = Court Summons

Tuesday, May 03, 2011

LT. DWIGHT KING
DEPARTMENT OF CORRECTIONS
4500 DIPLOMACY DRIVE #109
ANCHORAGE, AK 99508

MONTHLY CONTRACT JAIL REPORT CERTIFICATION

Month APRIL, 20 11

Facility Reporting: **Homer Community Jail**

Total Number of Prisoners: 83

Total Number of Man-Days Served: 108

** Number of Prisoner Transports to another DOC Facility: 4

** Number of Prisoners Transported to another DOC Facility: 10

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND ACCURATE ACCOUNTING OF THE SERVICES RENDERED.

Certifying Officer: R. BITTA
(Printed Name)

Title: LJO

(Signature)

**** Indicates transports made by Homer Community Jail Staff**

NOTE: This form must accompany the Monthly Booking Report.

CITY OF HOMER
POLICE DEPARTMENT

4060 HEATH STREET HOMER, AK 99603-7609

EMERGENCY 911
TELEPHONE (907) 235-3150
TELECOPIER (907) 235-3151

MONTH END ACTIVITY REPORT - ANIMAL SHELTER

TO: Chief Mark Robl

FROM: Coastal Animal Care

REPORTING PERIOD: APR 2011

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTALS
BOARDERS	0	2	0	4									6
CITATIONS ISSUED	0	0	2	5									7
COMPLAINTS	14	15	26	22									77
EUTHANIZED	7	9	7	6									29
IMPOUNDS	3	5	3	6									17
REPORTED BITES	0	0	0	0									0
REPORTED LOST	25	32	37	24									118
ROAD KILLED	0	1	2	2									5
TURN INS from inside city													
STRAYS	10	7	8	10									35
OWNER TURN IN	4	15	11	11									41
RETURN TO OWNER	3	7	5	6									21
ADOPTED	5	4	9	6									24
TURN INS from outside city													
STRAYS	0	5	0	2									7
OWNER TURN IN	5	0	5	5									15
RETURN TO OWNER	0	2	2	1									5
ADOPTED	9	18	7	6									40
QUARANTINE	0	0	0	0									0
MISC SVC (Non-City Res)	18	12	9	12									51
OTHER (explain)	0	10	2	0									12
TOTAL INCIDENTS	103	144	135	128									510

need a home field trips

Homer Volunteer Fire Department

604 east pioneer avenue
homer, alaska 99603
907/235-3155
fax 907/235-3157
fire@ci.homer.ak.us

TO: Walt Wrede, City Manager
FROM: Robert Painter, Fire Chief
DATE: May 23, 2011
SUBJ: April Activity Report

EMERGENCY SERVICE ACTIVITY

Emergency Calls APRIL	'06	'07	'08	'09	'10	'11
Fire	9	6	3	5	9	4
EMS	36	42	26	48	39	36
Total Responses	45	48	29	53	48	40

Calls To Date

	'98	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11
Fire	23	23	32	48	27	46	25	41	30	26	29	27	22	15
EMS	101	108	95	103	92	126	115	122	137	174	184	188	133	132
Total	124	131	127	151	119	172	140	163	167	200	213	215	155	147

	2006	2007	2008	2009	2010	2011
Community Loss	$240K	$244K	$391K	$71K	$82K	$2,036K
Property Saved	$544K	$1,102K	$1,850K	$191K	$155K	$1,790K

MEMBER EFFORT in hours (Month/Year to Date)

	'07 Mon/YTD	'08 Mon/YTD	'09 Mon/YTD	'10 Mon/YTD	'11 Mon/YTD
Alarm	251/1,457	258/1,919	734/1,256	267/878	160/919
Training	271/684	338/1,741	328/1,141	643/1,753	101/1,105
Prevention	55/87	23/69	106/121	72/91	28/61
Other	60/260	91/306	37/266	72/229	54/290
Total:	637/2,487	710/4,035	734/2,783	1,054/2,950	343/2,374

GENERAL COMMENTS

The Homer Safe Kids Fair was held in spite of the rainy weather (although the Bike Rodeo was cancelled). Attendance was a bit lower than previous years but everyone had a great time learning about safety and healthy living. April is also the start of the Wildfire Season for the entire state, though in the last few years wildfires haven't been a problem this early in the season (we have seen wildfires as early as mid March on the Peninsula). Our reserve engine (Engine 4) will be readied for use as a wildland/structure protection engine as soon as the risk of freezing is gone (since the unit is still stored outside due to space limitations). This unit would be available to supplement HVFD's ability to respond to wildfire inside and outside city limits and could be released to use by the Division of Forestry if needed for larger "project" fires outside of Homer.

"The team that cares."

HOMER VOLUNTEER FIRE DEPARTMENT
MONTHLY ACTIVITY REPORT
For Month of APRIL 2011

Type of Alarm & Location

Location / Service/Alarm Type	Homer		Kachemak City		K.E.S.A.		Other	
	M	YTD	M	YTD	M	YTD	M	YTD
Emergency Medical	36	131	0	1	0	0	0	0
Fire, Structural		6		0		0		0
Fire, Wildlands	1	1		0		0		0
Fire, Vehicle	1	2		0		0		0
Rescue Services	1	1		0		0		0
Public Assist	1	5		0		0		0
Total Fire	4	15	0	0	0	0	0	0
Combined Fire/EMS	40	146	0	1	0	0	0	0

Fire Loss/Save by Location

Location	Fire Loss		Fire Save	
	Month	Year-to-Date	Month	Year-to-Date
Homer	$1,500	$2,035,500	0	$1,790,000
Kachemak City	0	0	0	0
K.E.S.A.	0	0	0	0
Other	0	0	0	0
Totals	$1,500	$2,035,500	0	$1,790,000

Department Training and Other Activities Conducted

Activity/Class	Date	Members	Member-Hours	Total Hours
Tuesday EMS Training	4/5	15	2.0	30.0
Tuesday FIRE Training	4/12	21	2.5	52.5
Tuesday FIRE Training	4/26	12	1.5	18.0
Shift Change/Rig Cks.	April	12	4.0	48.0
Dept. Services	April	3	2.0	6.0

Public Education/Prevention Activities

Activity	Date	Attendees	Members Assisting	Member Hours	Total Hours
Head Start – school visit	4/25	19	2	2.0	4.0
Safe Kids Fair	4/30	200	6	4.0	24.0

Total Manhours of Combined Activities and Alarms

Activity	EMS Service	Fire Service	Combined Monthly	Combined Year-to-Date
Alarms	137.4	22.8	160.2	918.5
Training	30.0	70.5	100.5	1,105.0
Prevention			28.0	60.5
Other			54.0	290.0
Total Hours	167.4	93.3	342.7	2,374.0

City of Homer
Port / Harbor

4350 Homer Spit Road
Homer, Alaska 99603-8005

Telephone *(907) 235-3160*
Fax *(907) 235-3152*
E-mail *Port@ci.homer.ak.us*
Web Site *http://port.ci.homer.ak.us*

TO: Walt Wrede, City Manager

FROM: Bryan Hawkins, Port Director/Harbormaster

DATE: May 2, 2011

RE: Month End Report to City Manager for April 2011

Enclosed are the monthly statistical and performance report for March 2011, the April Staff Report, the two accumulative reports on the docks, and the ice/crane report through May 1, 2011.

Port & Harbor
Monthly Statistical & Performance Report

For the Month of: **March 2011**

Moorage Sales	2011	2010
Daily Transient	45	35
Monthly Transient	21	30
Semi-Annual Transient	5	5
Annual Transient	2	2
Annual Reserved	0	0

Grid Usage		
1 Unit = 1 Grid Tide Use	2011	2010
Wood Grid	8	5
Steel Grid	4	5

Services & Incidents	2011	2010
Vessels Towed	0	2
Vessels Moved	11	7
Vessels Pumped	1	2
Vessels Sunk	0	1
Vessel Accidents	0	0
Vessel Impounds	0	0
Equipment Impounds	0	0
Vehicle Impounds	0	0
Property Damage	0	0
Pollution Incident	7	1
Fires Reported/Assists	0	0
EMT Assists	0	0
Police Assists	1	0
Public Assists	12	9
Thefts Reported	0	0

Crane Hours	2011	2010
	251.7	164.3

Stall Wait List		
No. on list at Month's End	2011	2010
18' Stall	3	5
20' Stall	0	2
24' Stall	15	28
32' Stall	39	36
40' Stall	28	35
50' Stall	14	22
75' Stall	6	7
Total:	105	135

Docking & Beach/Barge Use		
1 Unit = 1 or 1/2 Day Use	2011	2010
Deep Water Dock	17	5
Pioneer Dock	36	7
Beach Landings	1	0
Barge Ramp	6	0

Wharfage (in short tons)		
In Tons, Converted from Lb./Gal.	2011	2010
Seafood	1,287	1,224
Cargo/Other	67	3,328
Fuel	35,227	20,565

Ice Sales	2011	2010
For the Month of March	147	247
Year to Date Total	147	247

Difference between 2010 YTD and 2011 YTD: 100 tons less

U:Office/Stats-Monthly/March 2011

City of Homer
Port / Harbor

4350 Homer Spit Road
Homer, Alaska 99603-8005

Telephone *(907) 235-3160*
Fax *(907) 235-3152*
E-mail *Port@ci.homer.ak.us*
Web Site *http://port.ci.homer.ak.us*

PORT & HARBOR STAFF REPORT

By Bryan Hawkins, Port Director/Harbormaster
Prepared for the April 27, 2011 Port & Harbor Commission Meeting

April 20, 2011

1. Administration

Staff met with:

Ruth Carter, Harvey Smith of ADOT & City Manager – East Harbor Technical Report
Steve Russell, ADEC – Community Spill Response Agreement
Carol Kerkvliet, ADF&G – Fish Lagoon Improvements/Maintenance
Alaskan Association of Harbormasters & Port Administrators – Board Meeting Teleconference
Mark Swanson, Prince William Sound Advisory Commission – CISPRI Oil Spill Response Drills
ATS Alaska – Pre-construction Meeting for Crane Card Access System Upgrade
Marine Trades Committee
Moffat & Nichol Engineering – Future Engineering Projects
Lease Committee Meeting
Petro Marine Services & AMHS – Pipeline & Warehouse Construction Project
USCG Marine Safety Detachment – Facility Security Plan Audit
Jeff Breakfield, ADF&G – Teleconference re: Load & Launch Ramp Improvements
Mckibben Jackinski, Homer News – Homer Spit Parking

Interviews and hiring of the seasonal harbor assistants was completed April 15th. We welcome back Ineke Buchman and David Craig, and new this season is Drew Brown. Two more assistants are slated to begin at later dates.

2. Operations

The harbor's occupancy rate has been growing steadily with the onslaught of spring. There are currently 481 vessels moored in the harbor. The demand for transient moorage, fresh water, refuse disposal, uplands parking, and shore power is prevalent as many of the commercial vessels mobilize for the spring and summer fisheries.

Unfortunately, one of the byproducts of fleet mobilization is oil spills. Six oil spills were reported to the NRC during a 30 day period. Operations staff was involved with clean up efforts in each spill. On a brighter side, the Port & Harbor hosted SERVS oil spill drills from April 6th through April 10th. The use of the D/W/D and 200' of transient moorage on system 4 were dedicated to SERVS' M/V Endurance and several of its micro barges. Exercises involved approximately 40 local commercial fishing vessels enlisted as potential responders.

- Passive fee collection at the L&L ramp began April 1st with the iron ranger. Harbor assistants are now staffing the collection booth.
- Harbor officer, Elton Anderson, represented the Homer Harbor with the HCOC at the Great Alaska Sportsman's Show from March 31st through April 3rd.
- While working graveyard shift, Harbor Officer II, Aaron Glidden, effectively responded to an EMS call involving a patient who had slipped and cut his head.
- Operations staff began posting signage and delineating the 30 acres parking lots for the summer seasonal parking lay-out.
- Tidal grids and beach landings have been very busy during the 8 day period of "dual" minus tides.
- The winter metered power policy expired April 15th. Participating vessels are required to return to their proper mooring assignments.
- SVT's Kachemak Voyager began seasonal transportation between Homer and Seldovia on April 5th.

3. **Other**

- The RFP for the Crane 7 Refurbishment was awarded to Alaska Hydraulics of Anchorage, Alaska.
- Two groups of the Homer Cub Scouts were given educational tours of the Port facilities. Thanks to Dan Storrs and Elton Anderson for showing what the Homer Harbor and the Harbormaster is all about.

u:\\office\staffreports\2011\April

Water Usage 2011

PIONEER DOCK ###### minimum charge
$102.00 CONX

DATE	VESSEL	Begin Read	End Read	Gal.	Charged	Conx Fee
01/01/11	Vigilant	431800	434700	2900	$ 194.05	$ 102.00
01/16/11	Pacific Wolf &DBL54	1449100	1459900	10800	$ 419.14	$ 102.00
01/20/11	Pacific Wolf &DBL54	min per BH		0	$ 194.05	$ 102.00
01/20/11	Tustumena	1459900	1476400	16500	$ 640.37	$ 102.00
01/22/11	Vigilant	448250	449500	1250	$ 194.05	$ 102.00
01/23/11	Tustumena	1476474	1485800	9326	$ 361.94	$ 102.00
01/28/11	Pacific Wolf &DBL54	1485820	1488900	3080	$ 194.05	$ 102.00
02/06/11	Tustumena	1488900	1497100	8200	$ 318.24	$ 102.00
2/15/11	Tustumena	1497100	1504800	7700	$ 298.84	$ 102.00
4/20/11	Tiglax	1,509,900	1510800	900	$ 194.05	$ 102.00
	Pacific Wolf & DBL 54	127241	129205	1964	$ 194.05	$ 102.00
	Tustumena	1513844	1520990	7146	$ 277.34	$ 102.00
				0		
				0		
				0		
				0		
				0		
				0		
				0		
				0		
				0		
results in missing begin/end reads				**69766**	**$ 3,480.17**	**$ 1,224.00**

DWD $ 194.05 minimum charge
$102.00 CONX

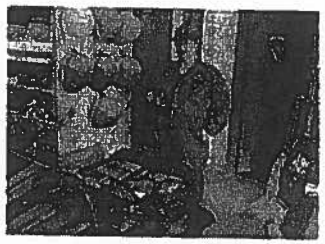
DATE	VESSEL	Begin Read	End Read	Gal.	Charged	Conx Fee
01/07/11	Vigilant	434560	448280	13720	$ 532.47	$ 102.00
02/01/11	Vigilant	449000	452000	3000	$ 194.05	$ 102.00
02/10/11	Vigilant	452900	455850	2950	$ 194.05	$ 102.00
2/18/11	Vigilant	455000	457000	2000	$ 194.05	$ 102.00
04/05/11	Vigilant	457000	458370	1370	$ 194.05	$ 102.00
04/08/11	Cross Point	458000	464000	6000	$ 232.86	$ 102.00
04/16/11	Maritime Maid	464000	467900	3900	$ 194.05	$ 102.00
04/19/11	Vigilant	467890	470160	2270	$ 194.05	$ 102.00
				0		
				0		
				0		
				35210	**$ 1,929.63**	**$ 816.00**

Date From	Date To	Crane Hours (Weekly)	Crane YTD	Tons of Ice (Weekly)	YTD Ice
1/3/2011	1/9/2011	6.7	6.7	0 shut down for maintenance	
1/10/2011	1/16/2011	23.5	30.2	0 shut down for maintenance	
1/17/2011	1/23/2011	18.3	48.5	0 shut down for maintenance	
1/24/2011	1/30/2011	18	66.5	0 shut down for maintenance	
1/31/2011	2/6/2011	10.7	77.2	0 shut down for maintenance	
2/7/2011	2/13/2011	19.1	96.3	0 shut down for maintenance	
2/14/2011	2/20/2011	26.8	123.1	0 shut down for maintenance	
2/21/2011	2/27/2011	30.1	153.2	0 shut down for maintenance	
2/28/2011	3/6/2011	58.3	211.5	0 shut down for maintenance	
3/7/2011	3/13/2011	76.3	287.8	57	57
3/14/2011	3/20/2011	79.1	366.9	46	103
3/21/2011	3/27/2011	38	404.9	44	147
3/28/2011	4/3/2011	39.2	444.1	31	178
4/4/2011	4/10/2011	27.1	471.2	21	199
4/11/2011	4/17/2011	56.1	527.3	83	282
4/18/2011	4/24/2011	43.1	570.4	33	315
4/25/2011	5/1/2011	79.7	650.1	81	396
5/2/2011	5/8/2011				
5/9/2011	5/15/2011				
5/16/2011	5/22/2011				
5/23/2011	5/29/2011				
5/30/2011	6/5/2011				
6/6/2011	6/12/2011				
6/13/2011	6/19/2011				
6/20/2011	6/26/2011				
6/27/2011	7/3/2011				
7/4/2011	7/10/2011				
7/11/2011	7/17/2011				
7/18/2011	7/24/2011				
7/25/2011	7/31/2011				
8/1/2011	8/7/2011				
8/8/2011	8/14/2011				
8/15/2011	8/21/2011				
8/22/2011	8/28/2011				
8/29/2011	9/4/2011				
9/5/2011	9/11/2011				
9/12/2011	9/18/2011				
9/19/2011	9/25/2011				
9/26/2011	10/2/2011				
10/3/2011	10/9/2011				
10/10/2011	10/16/2011				
10/17/2011	10/23/2011				
10/24/2011	10/30/2011				
10/31/2011	11/6/2011				
11/7/2011	11/13/2011				
11/14/2011	11/20/2011				
11/21/2011	11/27/2011				
11/28/2011	12/4/2011			shut down for maintenance	
12/5/2011	12/11/2011			shut down for maintenance	
12/12/2011	12/18/2011			shut down for maintenance	
12/19/2011	12/25/2011			shut down for maintenance	
12/26/2011	1/1/2012			shut down for maintenance	

City of Homer - Public Works Department
Monthly Statistics - 2011

Type Work	January Labor Hrs.	January # WO's	February Labor Hrs.	February # WO's	March Labor Hrs.	March # WO's	April Labor Hrs.	April # WO's	May Labor Hrs.	May # WO's	June Labor Hrs.	June # WO's
Scheduled	1859	442	1952	376	1167	411	1976	508				
Repairs	364	111	448	84	563	94	456.5	79				
Contract (billings)	9.5	18	1.5	15	5	14	15	29				
Admin	0	9	131.5	9	163	7	55.5	9				
PW Totals	2232	580	2533	484	1898	526	2503	625	0	0	0	0
Current Backlog	0	34		43		35	37					

Type Work	July LBR HRS	July #WOS	August LBR HRS	August #WOS	September LBR HRS	September #WOS	October Labor Hrs.	October # WO's	November Labor Hrs.	November # WO's	December Labor Hrs.	December # WO's
Scheduled												
Repairs												
Contract (billings)												
Admin												
PW Totals	0	0	0	0	0	0	0	0	0	0	0	0
Current Backlog												



OUR NEW LEAD MECHANIC

Year to Date Totals	
Labor Hrs	9,166
Work Orders	2,215
Current Backlog WO's	37

Previous Year's Totals (12 months)

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Labor Hrs	19,547	21,754	31,834	31,929	33,456	34,805	35,116	33,566	38,526	33,222	36,164	30,943	34,160.00	9,166
Wrk Ordrs	3,024	3,158	5,015	5,543	6,036	6,438	6,573	6,758	6,852	6,761	6,553	5,785	7,372.00	2,215
Backlog	177	137	146	278	238	129	183	255	196	182	111	80	48	0

Public Works Labor Hours by Department

					Facilities & Bldgs.								Vehicles/Equip							
	HERC	Airport	City Hall	Police Dept	Fire Dept	Public Lib.	Pt/Harbor	Used Oil	PW Bldg	Parks	PW Misc.	An Shelter	City Hall	Port/Harbor	Police Dept.	Fire Dept	PW Equip		Totals	
January	52.5	154	26	9	21	37	171	98	151	108	1173	14	0	55	24	25	103		2,219	
February	62	140	41	10	3	55	273	66	273	115	1218	19	0	35	32	3	71		2,413	
March	48.5	96	35	18	4	27	138	76	21	146	1016	15.5	0	149	2	29.5	81.3		1,901	
April	102	73.0	32.5	21	0	27.0	234.5	130.0	82.0	277.0	1176.3	14.5	2	71.00	62.5	15.00	170.3		2,490	
May																			0	
June																			0	
July																			0	
August																			0	
September																			0	
October																			0	
November																			0	
December																			0	
Totals	265	462	134	56	28	145	817	370	527	646	4,583	63	2	309	121	72	425		9,022	0

	January	February	March	April	May	June	July	August	September	October	November	December	Total Hrs:
Utility Locates MHrs	1	2		14									17

Total Facilities Man Hours = 7,079 (to date)
Total Parks Maint Hours = 646 (to date)
Total Harbor Maint Hours = 1,186 (to date)
Total Vehicle Maint. Hours = 928 (to date)

Total Hours - Vehicle & Equip. Maint. 928 (to date)

** Notes
1. Assumed maintenance of Port Facilities 09/1999
2. Assumed maintenance of Airport Facility 7/1/00
3. Assumed maintenance of Homer Educational/Recreation Center (HERC) 7/15/00
4. Monthly hours may vary due to employee vacation time(s) and ongoing work in progress.
5. Did not break out Capital Projects - accurate information would come from time sheets.
6. Agreement between City of Homer and Kachemak Emergency Services ended 2009

\\Pubwrks\Ops\Spreadsheets\statistics-NEW.mnth.xlsx

Homer Public Library Statistical Summary for 2011

Today's Date:
06-May-11

	Jan 11	Feb 11	Mar 11	Apr 11	May 11	Jun 11	Jul 11	Aug 11	Sep 11	Oct 11	Nov 11	Dec 11	Y.T.D. TOTALS
CIRCULATION													
Total # of items	7320	6437	10289	9061									33107
INTERLIBRARY LOANS													
Incoming (Borrowed)	71	56	79	78									284
Outgoing (Lent)	89	62	105	26									282
STUDY ROOM USE													
# of groups	175	200	206	166									747
# of people	460	493	507	404									1864
MEETING ROOM USE													
# of groups	20	15	17	19									71
ATTENDANCE													
TOTAL (Unduplicated)	9826	9247	10894	10683									40650
* Story Tour & Music	186	191	238	218									833
* Science Circle	8	11	0	0									19
* Internet Users	3331	3303	3992	3768									14394
* Programs	90	97	99	103									389
NEW CARDS ISSUED													
City	28	27	34	26									115
Borough	25	34	39	28									126
Transient (ITEM)	3	0	0	4									7
VOLUNTEER HOURS													
# of persons	108	86	75	127									396
# of hours	205.75	170.5	165	289.55									830.8
MATERIALS ADDED													
Books	174	84	212	98									568
Audio	0	2	13	6									21
Video	20	12	39	6									77
Serials	0	1	0	1									2
Electronic Resources	0	0	0	0									0
MATERIALS REMOVED													
Books	98	171	305	96									670
Audio	4	0	30	1									35
Video	0	21	9	4									34
Serials	0	1	0	0									1
Electronic Resources	0	0	0	0									0
REVENUES DEPOSITED													
Fines/Fees/Copies	1541.50	1600.60	2159.10	2021.45									7,322.65
Building Fund (0810)	0.00	0.00	0.00	0.00									0.00
Library Gift (0830)	0.00	0.00	0.00	0.00									0.00
Grants	0.00	0.00	0.00	0.00									0.00
TOTALS	1,541.50	1,600.60	2,159.10	2,021.45	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	$7,322.65

Office of the City Clerk

Jo Johnson, CMC, City Clerk
Melissa Jacobsen, CMC, Deputy City Clerk II
Renee Krause, CMC, Deputy City Clerk I

491 E. Pioneer Avenue
Homer, Alaska 99603
(907) 235-3130
(907) 235-8121
ext: 2224, 2226, or 2227
Fax: (907) 235-3143
Email: clerk@ci.homer.ak.us

MEMORANDUM - REPORT

TO: MAYOR HORNADAY AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK mj

DATE: JUNE 7, 2011

SUBJECT: CURRENT BID(S) AND REQUEST FOR PROPOSALS

INVITATION TO BID FOR PRISONER MEALS - HOMER JAIL - Sealed bids will be received at the Office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska, until Thursday, June 9, 2011 at 2:00 p.m., at which time they will be publicly opened and read in preparation of Prisoner Meals-Homer Jail.

CITY ATTORNEY REPORT

COMMITTEE REPORT(S)

Office of the City Clerk

Jo Johnson, CMC, City Clerk
Melissa Jacobsen, CMC, Deputy City Clerk II
Renee Krause, CMC, Deputy City Clerk I

491 E. Pioneer Avenue
Homer, Alaska 99603
(907) 235-3130
(907) 235-8121
ext: 2224, 2226, or 2227
Fax: (907) 235-3143
Email: clerk@ci.homer.ak.us

MEMORANDUM 11-085

TO: Mayor Hornaday and Homer City Council

FROM: Transportation Advisory Committee

DATE: June 2, 2011

SUBJECT: Recommending Right Turns Only off Streets Between Pioneer Avenue and Lake Street

At the May 17, 2011 regular meeting of the Transportation Advisory Committee the Committee discussed and approved a recommendation to make the roads between Lake Street and Pioneer Avenue, which access the bypass, right turn only thoroughfares during the summer when our traffic increases substantially.

The Committee considered the following points:

- Many small towns use this type of traffic control.
- There is no need to acquire rights-of-way.
- It maintains the integrity of the bypass as it does not stop or slow down traffic.
- It may only increase travel time by a few minutes.
- Right turn only signs could be installed over stop signs and removed after labor day.
- The cost of signage is minimal compared to the cost of a traffic light.
- There has been no visible progress from the State in dealing with the traffic issues at Main Street.

The Committee acknowledged the challenges that may be encountered as it is a State right-of-way and there are steps that will need to be taken to get ADOT approval for this plan.

Recommendation: Direct the City Manager to write a letter to the appropriate parties of Alaska DOT and ask the state to look into the feasibility and do the necessary studies for this project.

Fiscal Note: Staff time and cost of signage.

PENDING BUSINESS

NEW BUSINESS

RESOLUTION(S)

CITY OF HOMER
HOMER, ALASKA

City Manager/Finance

RESOLUTION 11-054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, ACCEPTING THE 2010 COMPREHENSIVE ANNUAL FINANCIAL REPORT WITH AUDIT AND FINANCIAL STATEMENTS AND ACKNOWLEDGING THE MANAGEMENT LETTER SUBMITTED BY THE CITY'S INDEPENDENT AUDITOR, MIKUNDA, COTTRELL, & CO. AND AUTHORIZING THE CITY MANAGER TO EXECUTE FINANCIAL REPORT.

WHEREAS, Mikunda, Cottrell, & Co. conducted the annual audit, submitted the 2010 Comprehensive Annual Financial Report, with the audit with financial statements, and the management letter was delivered for review and distributed to the Mayor and City Council June 2011; and

WHEREAS, Mikunda, Cottrell, & Co. made a public presentation during the Committee of the Whole and the Regular Meeting of June 13, 2011.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska, that the 2010 Comprehensive Annual Financial Report with audit and financial statements is accepted and that the management letter is acknowledged as submitted by Mikunda, Cottrell, Co. the City's independent auditor.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 13th day of June, 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

Fiscal information not required.

CITY OF HOMER
HOMER, ALASKA

City Manager/Police Chief

RESOLUTION 11-055

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, APPROVING AND ACCEPTING THE RENEWAL OF THE JAIL SERVICE CONTRACT FOR FY 2012 WITH THE STATE OF ALASKA IN THE AMOUNT OF $611,099.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The Jail Contact with the State of Alaska generates $611,099.00 in revenue for the City of Homer and is budgeted; and

WHEREAS, Police Chief Robl recommends approval and acceptance of this renewal.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves and accepts the renewal of the Jail Service Contract for FY 2012 with the State of Alaska in the amount of $611,099.00 and authorizes the City Manager to execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 13th day of June, 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

Fiscal information: $611,099.00 budgeted in Account 100.030.4503.

CITY OF HOMER
POLICE DEPARTMENT

4060 HEATH STREET HOMER, AK 99603-7609

EMERGENCY 911
TELEPHONE (907) 235-3150
TELECOPIER (907) 235-3151

MEMORANDUM 11-081

DATE: June 6th, 2011

TO: Walt Wrede, City Manager

FROM: Mark Robl, Chief of Police

SUBJECT: Jail Contract Renewal

Our contract for operating the jail with the state expires at the end of June. The state proposes to renew the contract for fiscal year 2011 for $611,099. I am very pleased to report that this is a substantial increase over last year's contract of $426,244. I recommend that we obtain council approval to renew this contract. Jail operations are budgeted at $641,639.

Fiscal Note: Revenue, $611,099 to 100.030.4503

STANDARD AGREEMENT FORM FOR PROFESSIONAL SERVICES

1. Agency Contract Number	2. ASPS Number	3. Financial Coding	4. Agency Assigned Encumbrance
2021005		20665500-15905-76900006-73076	2021005
5. Vendor Number	**6. Project/Case Number**		**7. Alaska Business License Number**
CIH84724	**Community Jail: Homer**		not applicable

This contract is between the State of Alaska,

8. Department of	Division	
Corrections	Institutions	hereafter the State, and

9. Contractor
City of Homer, Police Department — hereafter the Contractor

Mailing Address	Street or P.O. Box	City	State	ZIP+4
4060 Heath Street		Homer	AK	99603

10.

ARTICLE 1. Appendices: Appendices referred to in this contract and attached to it are considered part of it.

ARTICLE 2. Performance of Service:

2.1 Appendix A (General Provisions), Articles 1 through 14, governs the performance of services under this contract.

~~2.2 Appendix B sets forth the liability and insurance provisions of this contract.~~ See Appendix C for indemnity and insurance related language.

2.3 Appendix C sets forth the services to be performed by the contractor.

ARTICLE 3. Period of Performance: The period of performance for this contract begins July 1, 2011, and ends June 30, 2012.

ARTICLE 4. Considerations:

4.1 In full consideration of the contractor's performance under this contract, the State shall pay the contractor a sum not to exceed $ 611,099.00 in accordance with the provisions of Appendix D.

4.2 When billing the State, the contractor shall refer to the Authority Number or the Agency Contract Number and send the billing to:

11. Department of	Attention: Division of
Corrections	Administrative Services, Accounting
Mailing Address	**Attention:**
PO Box 112000, Juneau, AK 99811-2000	Devra Hayes (ph. 907-465-3478)

12. CONTRACTOR

Name of Firm: City of Homer

Signature of Authorized Representative | Date

Typed or Printed Name of Authorized Representative: Walt Wrede

Title: City Manager (ph. 907-235-3150; fax 907-235-3151)

13. CONTRACTING AGENCY

Department/Division: Corrections / Institutions | Date

Signature of Project Director

Typed or Printed Name of Project Director: Bryan Brandenburg

Title: Director, Division of Institutions (ph. 907-269-7409)

14. CERTIFICATION: I certify that the facts herein and on supporting documents are correct, that this voucher constitutes a legal charge against funds and appropriations cited, that sufficient funds are encumbered to pay this obligation, or that there is a sufficient balance in the appropriation cited to cover this obligation. I am aware that to knowingly make or allow false entries or alterations on a public record, or knowingly destroy, mutilate, suppress, conceal, remove or otherwise impair the verity, legibility or availability of a public record constitutes tampering with public records punishable under AS 11.56.815-.820. Other disciplinary action may be taken up to and including dismissal.

Signature of Head of Contracting Agency or Designee | Date

Typed or Printed Name: John Schauwecker

Title: Procurement Manager, CPPB, C.P.M

Dept. of Corrections
Juneau Procurement Section (ph 907-465-3399)

NOTICE: This contract has no effect until signed by the head of contracting agency or designee.

APPENDIX A
GENERAL PROVISIONS

Article 1. Definitions.

1.1 In this contract and appendices, "Project Director" or "Agency Head" or "Procurement Officer" means the person who signs this contract on behalf of the Requesting Agency and includes a successor or authorized representative.

1.2 "State Contracting Agency" means the department for which this contract is to be performed and for which the Commissioner or Authorized Designee acted in signing this contract.

Article 2. Inspections and Reports.

2.1 The department may inspect, in the manner and at reasonable times it considers appropriate, all the contractor's facilities and activities under this contract.

2.2 The contractor shall make progress and other reports in the manner and at the times the department reasonably requires.

Article 3. Disputes.

3.1 Any dispute concerning a question of fact arising under this contract which is not disposed of by mutual agreement shall be decided in accordance with AS 36.30.620-632.

Article 4. Equal Employment Opportunity.

4.1 The contractor may not discriminate against any employee or applicant for employment because of race, religion, color, national origin, or because of age, disability, sex, marital status, changes in marital status, pregnancy or parenthood when the reasonable demands of the position(s) do not require distinction on the basis of age, disability, sex, marital status, changes in marital status, pregnancy, or parenthood. The contractor shall take affirmative action to insure that the applicants are considered for employment and that employees are treated during employment without unlawful regard to their race, color, religion, national origin, ancestry, disability, age, sex, marital status, changes in marital status, changes in marital status, pregnancy or parenthood. This action must include, but need not be limited to, the following: employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. The contractor shall post in conspicuous places, available to employees and applicants for employment, notices setting out the provisions of this paragraph.

4.2 The contractor shall state, in all solicitations or advertisements for employees to work on State of Alaska contract jobs, that it is an equal opportunity employer and that all qualified applicants will receive consideration for employment without regard to race, religion, color, national origin, age, disability, sex, marital status, changes in marital status, pregnancy or parenthood.

4.3 The contractor shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising the labor union or workers' compensation representative of the contractor's commitments under this article and post copies of the notice in conspicuous places available to all employees and applicants for employment.

4.4 The contractor shall include the provisions of this article in every contract, and shall require the inclusion of these provisions in every contract entered into by any of its subcontractors, so that those provisions will be binding upon each subcontractor. For the purpose of including those provisions in an contract or subcontract, as required by this contract, "contractor" and "subcontractor" may be changed to reflect appropriately the name or designation of the parties of the contract or subcontract.

4.5 The contractor shall cooperate fully with State efforts which seek to deal with the problem of unlawful discrimination, and with all other State efforts to guarantee fair employment practices under this contract, and promptly comply with all requests and directions from the State Commission for Human Rights or any of its officers or agents relating to prevention of discriminatory employment practices.

4.6 Full cooperation in paragraph 4.5 includes, but is not limited to, being a witness in any proceeding involving questions of unlawful discrimination if that is requested by any official or agency of the State of Alaska; permitting employees of the contractor to be witnesses or complainants in any proceeding involving questions of unlawful discrimination, if that is requested by any official or agency of the State of Alaska; participating in meetings; submitting periodic reports on the equal employment aspects of present and future employment; assisting inspection of the contractor's facilities; and promptly complying with all State directives considered essential by any office or agency of the State of Alaska to insure compliance with all federal and State laws, regulations, and policies pertaining to the prevention of discriminatory employment practices.

4.7 Failure to perform under this article constitutes a material breach of contract.

Article 5. Termination.

The Project Director, by written notice, may terminate this contract, in whole or in part, when it is in the best interest of the State. The State is liable only for payment in accordance with the payment provisions of this contract for services rendered before the effective date of termination.

Article 6. No Assignment or Delegation.

The contractor may not assign or delegate this contract, or any part of it, or any right to any of the money to be paid under it, except with the written consent of the Project Director and the Agency Head.

Article 7. No Additional Work or Material.

No claim for additional services, not specifically provided in this contract, performed or furnished by the contractor, will be allowed, nor may the contractor do any work or furnish any material not covered by the contract unless the work or material is ordered in writing by the Project Director and approved by the Agency Head.

Article 8. Independent Contractor.

The contractor and any agents and employees of the contractor act in an independent capacity and are not officers or employees or agents of the State in the performance of this contract.

Article 9. Payment of Taxes.

As a condition of performance of this contract, the contractor shall pay all federal, State, and local taxes incurred by the contractor and shall require their payment by any Subcontractor or any other persons in the performance of this contract. Satisfactory performance of this paragraph is a condition precedent to payment by the State under this contract.

Article 10. Ownership of Documents.

All designs, drawings, specifications, notes, artwork, and other work developed in the performance of this agreement are produced for hire and remain the sole property of the State of Alaska and may be used by the State for any other purpose without additional compensation to the contractor. The contractor agrees not to assert any rights and not to establish any claim under the design patent or copyright laws. The contractor, for a period of three years after final payment under this contract, agrees to furnish and provide access to all retained materials at the request of the Project Director. Unless otherwise directed by the Project Director, the contractor may retain copies of all the materials.

Article 11. Governing Law.

This contract is governed by the laws of the State of Alaska. All actions concerning this contract shall be brought in the Superior Court of the State of Alaska.

Article 12. Conflicting Provisions.

Unless specifically amended and approved by the Department of Law the General Provisions of this contract supersede any provisions in other appendices. The contractor specifically acknowledges and agrees that provisions in any form contracts it appends hereto that purport to (1) waive the State of Alaska's sovereign immunity, (2) impose indemnification obligations on the State of Alaska that are not conditioned on legislative appropriation, or (3) seek to limit liability of the contractor for acts of contractor negligence, are expressly superseded by this contract and are void.

Article 13. Officials Not to Benefit.

Contractor must comply with all applicable federal or State laws regulating ethical conduct of public officers and employees.

Article 14. Covenant Against Contingent Fees.

The contractor warrants that no person or agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee except employees or agencies maintained by the contractor for the purpose of securing business. For the breach or violation of this warranty, the State may terminate this contract without liability or in its discretion deduct from the contract price or consideration the full amount of the commission, percentage, brokerage or contingent fee.

ALASKA DEPARTMENT OF CORRECTIONS
CONTRACT FOR COMMUNITY JAILS SERVICES
July 1, 2011 through June 30, 2012

Appendix C
General Terms

Parties

The parties to this contract are the Alaska Department of Corrections, and the Borough/City of **Homer**, herein referred to as the "Borough/City".

1. Services

Provide short-term community jail confinement of persons held under **State** law.

This is a contract for the Borough/City to operate a jail facility and hold prisoners in accordance with this contract and The Standards for Jail Operations adopted by the Governor's Task Force on Community Jails (November 18, 1994 edition), hereafter referred to as "The Standards".

The Standards and the final report of the Governor's Task Force are attached as Appendix E to this contract. As adopted by the Governor's Task Force, and as explained in the Document, Chapter 13, sec. 13.05 of Appendix E, these standards were not, and are not, intended to be used in any legal proceeding to establish a "duty of care", or evidence of a legal duty to any person or entity. Rather, these standards were and are intended:

a. as a statement of professional goals to be achieved;

b. to promote recognition of needed improvements, both as to facilities and operations;

c. to promote efficiency; and

d. to encourage professionalism in the operations of Alaska jails.

As used in this contract, "community jail administrator" has the meaning given in Chapter 13 of The Standards.

As used in this contract, "prisoner" has the meaning given in AS 33.30.901(12), and specifically excludes persons detained under authority of AS 47. This contract allows the Borough/City to hold persons detained under AS 47 in its jail facility, however the Department is authorized to, and will not, compensate the Borough/City for any direct or indirect costs related as AS 47 detainees, including medical or transportation costs.

2. Sole Agreement

This contract is the sole agreement between the parties relating to jail services. There are no other agreements, expressed or implied.

3. Effective Date/Termination/Amendments

This contract is effective **July 1, 2011** and continues in force through **June 30, 2012** except that it may be terminated by either party upon ninety (90) days written notice from the terminating party.

Contract amendments can be incorporated through appendices or attachments mutually agreed upon and signed by both parties.

4. Responsibilities of the parties

General Responsibilities of the Borough/City

The Borough/City Shall

a. Operate a facility for the care and confinement of prisoners in accordance with this contract and with goals set out in The Standards, including any additions or deletions to The Standards by the Commissioner of Corrections following notice to all community jail administrators and an opportunity to comment.

b. Comply with the U.S. Civil Rights Act of 1964, as amended (P.L. 88-35-42 USC secs. 2000e-2 and 2000e-3) and Federal regulations implementing the act in the hiring and treatment of its employees and will not subject any prisoner to discrimination on the grounds of race, creed, color, religion, national origin, sex.

c. Permit reasonable visitation for prisoners as set out in The Standards. A record or log of all prisoner visitors will be kept indicating date, time and identity of each visitor.

d. Protect prisoner property by taking proper precautions and providing the necessary policies and procedures to protect the property from loss or destruction.

e. Not accept a prisoner into the facility under this contract if the person is unconscious or in immediate need of medical attention, and shall not be entitled to reimbursement for immediate medical services provided to such a person. The Borough/City shall provide necessary medical care for prisoners accepted into the facility under this contract, and shall be entitled to reimbursement by the Department for the cost of such care, per Section C6 of this contract.

f. Immediately notify the Department of Corrections, the nearest post of the Alaska State Troopers, and any police agencies in the general vicinity of the jail facility if a prisoner escapes or leaves the premises of the facility without authority. The Borough/City shall make every reasonable effort to return the prisoner to the facility without cost to the Department of Corrections, as long as there are reasonable grounds to believe the prisoner is within the Borough/City limits.

g. Adopt and enforce rules concerning smoking by prisoners and staff consistent with State statutes and regulations, keeping in mind the health and welfare of all prisoners and staff personnel.

h. Maintain prisoner records showing the prisoner's time served, the date and time the prisoner was booked in, the date and time of changes to custody, notations about the prisoner's institutional adjustment, and records of medical and dental treatment. These prisoner records must be in a prisoner's file when they are transferred from the community jail facility to another state correctional facility.

i. Immediately, but, in no event more than 24 hours following receipt of notice, report to the Department of Corrections all claims concerning the jail facility that could foreseeably affect the legal liability of either party to this contract and cooperate with

the Department of Corrections in the defense and/or settlement of the claim.

j. Purchase and maintain in force at all times during the performance of services under this agreement the policies of insurance listed in the contract. Where specific limits are shown, it is understood that they shall be the minimum acceptable limits. If the Borough's/City's policy contains higher limits, the State shall be entitled to coverage to the extent of such higher limits.

k. Provide current certificates of insurance to the Department of Corrections prior to the performance of services under this contract and shall provide for a 30-day prior notice of cancellation, non-renewal or material change to any insurance policy. Failure to furnish satisfactory evidence of insurance or lapse of the policy is a material breach and grounds for termination of the Borough/City's services.

l. Provide and maintain Worker's Compensation Insurance as required by AS 23.30.045 for all employees engaged in work under this contract. The Borough/City shall be responsible for insuring that any subcontractor who directly or indirectly provides services under this contract will maintain Worker's Compensation Insurance. Coverage must include all states in which employees are engaging in work and must include employer's liability protection of not less than $100,000.00 per person and $100,000.00 per occurrence.

m. Provide and maintain comprehensive general liability insurance, with a combined single limit per occurrence of not less than $1,000,000.00 covering activities associated with or arising out of this contract, to include jail keeper's legal liability coverage. The State shall be added as an additional insured under such policies. The Borough/City shall be solely responsible for the payment of claims or losses to the extent they fall within the deductible amount of such insurance. This insurance shall be primary to any other insurance or self insurance carried by the State.

n. Provide and maintain comprehensive automobile liability insurance, covering all owned, hired and non-owned vehicles used during the provision of services under this contract with coverage limits not less than $100,000.00 per person, $300,000.00 per occurrence bodily injury and $50,000.00 property damage.

o. The community jail must use an accounting system that records all expenditures on an ongoing basis and must provide a record of these expenditures to the oversight agency on a quarterly basis in a format prescribed by the oversight agency.

p. The community jail must prepare and present an annual budget request that reflects the necessary resources required for facility operations. Budget requests will be prepared in the manner and detail prescribed by the oversight agency. The annual budget request will include a staffing plan showing in detail staff assignments and the number of full and part-time positions.

q. Annual budget request for fiscal year 2012 is due to the Department's state community jail administrator on October 15, 2011.

r. Annual budget request for fiscal year 2013 is due to the state community jail administrator on October 1, 2011 for inclusion in the annual Department of Corrections' fiscal year 2013 operating appropriations request.

s. By October 1, 2011, the community jail administrator must provide their request for the fiscal year 2013 capital project request. Failure to meet this deadline may result in no capital project request for fiscal year 2013.

t. Quarterly financial reports are due to the state community jail administrator on the following dates:

July – September 2011 – quarterly and year-to-date financial statement due on October 31, 2011

October – December 2011 – quarterly and year-to-date financial statement due on January 31, 2012

January – March 2012 – quarterly and year-to-date financial statement due on April 30, 2012

April – June 2012 – quarterly financial and year-to-date financial statement due on July 31, 2012

u. Provide a monthly accounting of prisoner statistics by the 15th day of the month following the monthly period covered on forms provided by the Department of Corrections. The forms shall include specific information on each prisoner housed during the reporting period to include the prisoner's name, the number of man-days, the charge or reason for incarceration, the dates of incarceration, the arresting agency and other information as requested on the forms.

"Man-day" indicates a prisoner was confined for more than four (4) hours in one twenty-four hour calendar day. If a prisoner had been confined for less than or equal to (4) hours in one calendar day, the accounting shall indicate one-half man-day.

v. Not operate furlough or release programs for pre-sentenced prisoners held, unless ordered by a court. The Borough/City shall not permit a furlough or release for any sentenced prisoners without the consent of the Department of Corrections.

w. Community Jails accessing the Agency's Alaska Corrections Offender Management System (ACOMS) will require all jail personnel using the ACOMS System to undergo a DOC security check. The Community Jail Administrator will submit the following information for each person accessing the ACOMS System for security review by DOC:

(1) Full name

(2) Residence address

(3) Telephone

(4) Date of birth

(5) Valid drivers license and state of issue, or other photo identification

(6) Social Security number

The Jail Administrator, with assistance from the Community Jail Coordinator, will

develop Policy and Procedures for monitoring jail staff to ensure system security, confidentiality and the use of the ACOMS System only for Community Jail business. The Jail Administrator will immediately notify the Community Jail Coordinator if jail staff with access to the ACOMS System leave their employment.

Community Jails will be responsible for ongoing telecommunications costs such as line charges, connection fees and internet service provider fees, etc.

5. General Responsibilities of the Department of Corrections

The Department of Corrections shall:

a. Reimburse the Borough/City for necessary medical care under section C6 of this Contract.

b. Not be responsible for the management of local jail facility prisoner population. It is the policy of the Department of Corrections to detain and confine only prisoners from the normally serviced region of the respective facilities. However, in the case of an emergency or for necessary population or security management purposes, prisoners may be transferred from other areas of the State. Conversely, for the same purposes, prisoners may be transferred from the respective facilities to other areas of the State.

c. Through the Division of Risk Management, provide excess legal liability coverage from claims directly resulting from the Borough/City's services under this contract, that are covered by the primary jail keeper's legal liability policy carried by the Borough/City, excluding any damages awarded as a result of intentional or malicious misconduct, criminal conduct, or outrageous conduct on the part of the Borough/City or its employees or agents. The state will provide coverage of $4,000,000.00 excess of $1,000,000.00 per occurrence and annual aggregate as an excess insurer. All conditions of the primary jail keeper's legal liability policy are considered a part of this excess liability protection. As an additional condition precedent to this excess liability coverage, the Borough/City agrees to immediately report to the State all claims that could foreseeably penetrate to this excess policy level and cooperate with the State in the defense and/or settlement of the claim.

d. Be permitted to inspect, at all reasonable times, any facility used by the Borough/City to house prisoners that are confined, in order to determine if that facility is complying with The Standards and with this agreement.

e. Provide on-going technical assistance and training for community jails requesting access to the ACOMS System. The Department of Corrections will conduct security checks, with information provided by the Jail Administrator, for all jail staff requesting access to the ACOMS System. All related telecommunications charges (such as telephone company lines fees or tolls and internet service provider fees, or special charges for initial line installation) will be the responsibility of the community jail.

6. Medical and Dental Care and Reimbursement

The Borough/City shall:

a. Provide necessary medical care to prisoners accepted into the community jail facility under this contract. Prisoners who require medical attention are to be provided treatment as soon as possible, taking into consideration the nature of the illness or injury. If medical care is provided outside of the jail facility, the community jail administrator shall provide necessary security as required by paragraph 7a of this contract.

As used in this contract, "necessary medical care" has the meaning given in Chapter 13 of The Standards. If requirements of this definition are otherwise met, the following are included within the term "necessary medical care" and subject to reimbursement:

(1) psychological or psychiatric care; and

(2) dental care to:
- i. control bleeding;
- ii. relieve pain;
- iii. eliminate acute infection;
- iv. prevent pulp decay and imminent loss of teeth through operative procedures; and
- v. treat injuries to teeth or repair supporting dental structures, caused by accident or injury.

b. Maintain control of and dispense medicines to prisoners in compliance with The Standards and directions specified by a physician or other qualified health care provider, and take reasonable steps to guard against misuse or overdose of medicines by prisoners.

c. Adopt emergency medical procedures and make available telephone numbers for medical, psychiatric, or other health services, so that staff will have ready access to such information.

d. Obtain approval from the Department before incurring liability for medical care which reimbursement is sought, except in the case of emergency care that must be provided to the prisoner before approval from the Department of Corrections can be obtained. The Borough/City shall make a reasonable effort to obtain approval from the Department of Corrections and shall promptly, but in no event later than the next working business day, notify the Department of Corrections of any emergency for which medical care was provided before such approval could be obtained. Approval from the Department of Corrections will not be unreasonably withheld.
To obtain approval Borough/City staff should contact the Department of Corrections Central Office during normal working hours Monday through Friday 8:00am to 4:30pm at (907) 269-7300, after hours, weekends and holidays contact the Anchorage Correctional Complex Medical Unit at (907) 269-4233.

e. Be entitled to reimbursement from the Department of Corrections for expenses of necessary medical care provided under paragraph 6a and approved under paragraph 6d. In applying for reimbursement, the Borough/City must follow the

procedure set out in paragraph 6f. The Borough/City will not be entitled to reimbursement for the hiring of emergency guards or other medically related security costs, or for medical care for persons

(1) held under the authority of AS 47,

(2) accepted into the facility while unconscious or in immediate need of medical attention,

(3) receiving medical services for elective, cosmetic or other medical services that are not necessary medical care, or

(4) not approved by the Department under paragraph 7d.

Medical services provided to prisoners who have been properly accepted into the Borough/City jail facilities under this contract shall not, however, be challenged by the Department merely because they were rendered immediately or shortly after the prisoner was accepted.

f. Request reimbursement by submitting to the Department of Corrections a properly certified accounting containing:

(1) a copy of the medical bill with the prisoner's name and a description of the services rendered,

(2) a copy of the monthly booking form showing the prisoner's date and time of booking, and

(3) a copy of the medical payment request form.

The community jail administrator will make reasonable effort and take appropriate steps to assure that the Department of Corrections is billed only for necessary and required medical services beyond the payment limits of the prisoner or any insurance carrier or other third-party payer.

7. Transfers and Transportation of Prisoners

The parties agree that:

a. The Borough/City shall provide transportation and supervision of prisoners within local boundaries when the prisoners are outside of the jail facility, other than pursuant to court-ordered release. Supervision must be adequate to prevent escapes, prevent inappropriate contact with others, prevent possession of contraband and provide security for the prisoner and the public.

b. The Borough/City shall immediately notify the Department of Corrections to request that a prisoner be transferred from the facility to one outside of local boundaries because;

(1) a court has ordered the transportation;

(2) the prisoner has been incarcerated in the facility for 10 consecutive days,

unless a court has ordered that the prisoner remain in the facility or the prisoner has signed a written waiver requesting to remain in the facility; or

(3) the community jail administrator believes a transfer is necessary for security or population management reasons.

c. The Borough/City shall continue to hold prisoners, notwithstanding the existence of grounds for a transfer, until the Department of Corrections arranges transportation for the prisoner.

d. The Department of Corrections

(1) may contact the Department of Public Safety to make arrangements for the transportation of prisoners requested under paragraphs 7b(1) or (2), or may request the community jail administrator to directly contact the Department of Public Safety to make transportation arrangements; and

(2) will contact the Department of Public Safety to make arrangements for the transportation of prisoners requested under paragraph 7b(3) when the Department finds that it can reasonably accommodate the request and the community jail administrator clearly demonstrates to the satisfaction of the Department that the transportation is necessary and that it will not interfere with the prisoner's attendance at legal proceedings or create any undue hardship on the prisoner. The Department will not unreasonably deny a request for transfer under this subsection.

e. The Borough/City shall, when the prisoner leaves the facility, furnish the transporting officer with the prisoner's file described in paragraph 4h of this agreement.

ALASKA DEPARTMENT OF CORRECTIONS
CONTRACT FOR COMMUNITY JAIL SERVICES
July 1, 2011 through June 30, 2012

Appendix D
Payment Provisions

1. The total contract amount for the Borough/City of Homer is **$611,099.00** for the period from **July 1, 2011 through June 30, 2012** and represents the total payment due. 7 Beds

2. The Department of Corrections will pay the Borough/City one quarter of the amount specified above, Appendix D paragraph 1, on the first day of each quarter of the fiscal year.

3. It is specifically agreed by the parties that the Department of Corrections is not funded for and will not provide annual in-service training as set out in Section 10.01 of The Standards, unless funding is provided by the Alaska Legislature or the Borough/City.

4. The Borough/City shall be prohibited from utilizing funds received under this contract for any purpose other than operation of community jail facility. Any funds received by the Borough/City under this contract that are utilized for purposes other than those authorized by this contract shall be reimbursed to the State and deposited to the general fund.

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Appendix List:

A General Provisions

~~B Indemnity and Insurance~~ See Appendix C for indemnity and insurance related language

C General Terms

D Payment Provisions
- D2 breakdown of funding

E State of Alaska, Community Jails Program: Standards for Jail Operation
As produced and adopted by the Governor's Task Force on Community Jails, November 1994

ALASKA DEPARTMENT OF CORRECTIONS
CONTRACT FOR COMMUNITY JAIL SERVICES

July 1, 2011 through June 30, 2012
Borough/City of **Homer**

Appendix D2

The following is a breakdown of the total contract amount for **FY2012** for the indicated facility. The contract requires that the funding be used only for the operation of the jail facility and not for any other purpose. It also requires an accounting to specific line items within the jail facility budget. These are the areas intended to be funded by the total contract amount for each fiscal year, unless otherwise amended:

Personnel

Position	Annual Salary	%	12 Month Cost
JSO	60,598.00	100	60,598.00
CJO/PO	14,561.00	100	14,561.00
CJO/PO	44,125.00	100	44,125.00
CJO/PO	44,125.00	100	44,125.00
CJO/Disp.	44,125.00	100	44,125.00
CJO/Disp.	44,125.00	100	44,125.00
$	251.659.00		

Non-Personnel

Item	12 Month Cost
Utilities	3,516.66
Telephone	0
Insurance	9,693.00
Vehicle	1,400.00
Publications	135.00
Supplies	5,425.92
Food	23,298.26
Unallocated	8,000.00
$	51,468.84

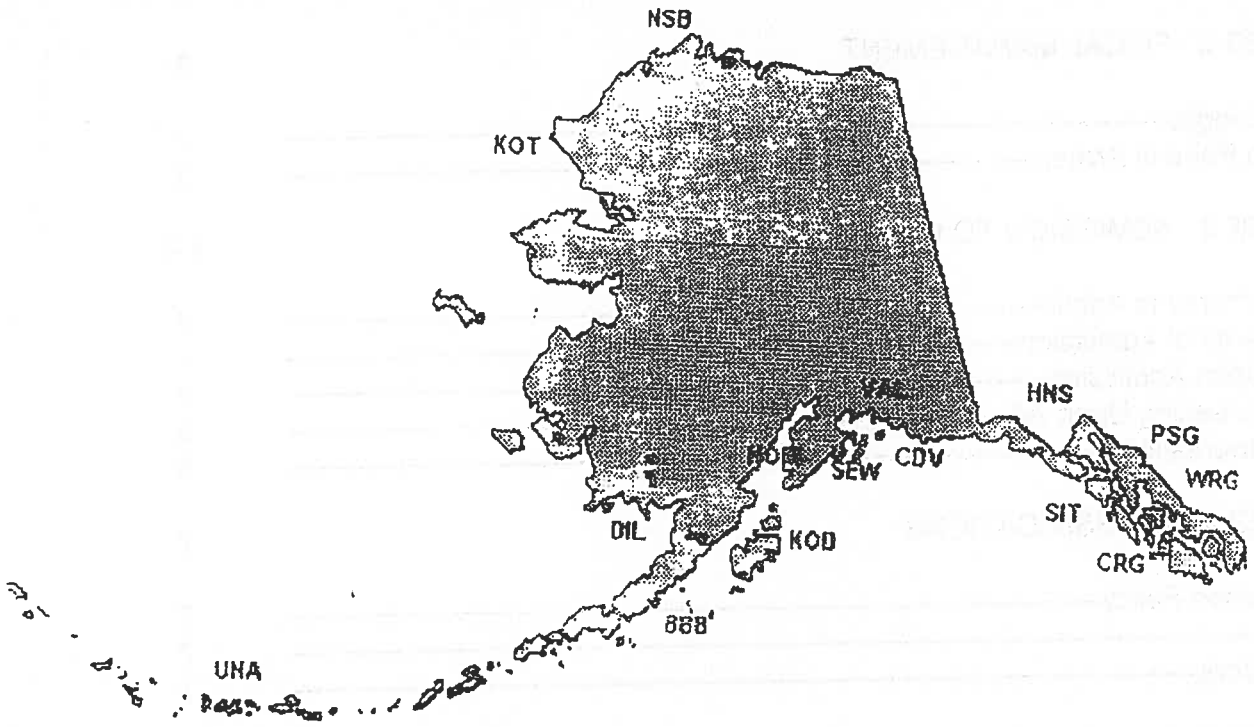
Summary

	12 Month Contract Amount
Personnel Costs	251,659.00
Non-Personnel Costs	51,468.84
Subtotal	303,127.84
Admin Overhead	40,875.20
Total $	344,003.04

Note: +10% for FY 2006	34,400.30
FY 2006 Contract Total:	$ 378,403.34
+10% increase for FY2007	37,840.66
FY2007 Contract Total:	$ 416,244.00
FY2012 Increase:	$ 194,855.00
FY2012 Contract Total:	**$ 611,099.00**

State of Alaska
Community Jails Program

Standards for Jail Operation



As produced and adopted by the Governor's Task Force on Community Jails

November 1994

STATE OF ALASKA
COMMUNITY JAIL STANDARDS

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Note: The Community Jail Standards will be reviewed annually by a committee appointed by the Commissioner of the oversight agency. The committee shall be comprised of at least the community jail coordinator and two community jail administrators. Proposed changes to the Standards shall be provided to all community jail administrators for comment prior to adoption. The committee shall make recommendations to the Commisioner concerning any changes to the Standards.

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TABLE OF CONTENTS

CHAPTER 1

ADMINISTRATION, ORGANIZATION AND MANAGEMENT

Applicability

01.01 These standards apply to the community jails operated by a borough or city government or by an approved private contractor and under contract to the State of Alaska to provide services as defined in section 13.05 of these standards. These standards do not apply to any similar facilities, public or private, not under contract with the State of Alaska to provide such services.

Organizational Structure

01.02 Every community jail must have a designated administrator who is responsible for all jail operations. It is acceptable for the police agency head to be the designated community jail administrator.

01.03 The community jail administrator must maintain a written organizational chart which describes the jail chain of command.

Standards Audit

01 04 Every community jail administrator shall conduct an audit to evaluate compliance with these standards at least every two years. When possible, the audit should be completed with the on site participation of the state community jail coordinator. A copy of the audit and a plan to address deficiencies should be forwarded to the state community jail coordinator and the local government administrator.

Policies and Procedures

01.05. The jail administrator shall develop and maintain a set of written policies and procedures to guide jail operators and define the mission of the facility, and which are consistent with these standards.

01.06 All policies and procedures must be reviewed at least annually and approved by the oversight agency. When policies and procedures are changed, a copy of the old policy must be kept on file at the facility for at least three years.

01.07 Every facility must adopt and enforce a drug free work place policy approved by the oversight agency and consistent with the Federal Drug Free Work place Act of 1988.

CHAPTER 1

ADMINISTRATION, ORGANIZATION AND MANAGEMENT

01.08 There must be a procedure for dissemination of new or revised policies and procedures to all employees.

01.09 Inmates shall have access to policies and procedures that directly effect their rights and responsibilities.

01.10 All local policy and standard operating procedures pertaining to community jails must be made available to the oversight agency for review and approval upon request of the oversight agency.

CHAPTER 2

FISCAL MANAGEMENT

Annual Budget

02.01 The community jail administrator shall prepare and present an annual budget request that reflects the necessary resources required for facility operations. Budget requests will be prepared in the manner and detail prescribed by the oversight agency. The budget request will include a staffing plan showing in detail staff assignments and the number of full and part-time positions.

02.02 The Community Jail must use an accounting system that records all expenditures on an ongoing basis and must provide a record of these expenditures to the oversight agency upon request.

02.03 All cash accounts maintained by the jail must be kept in a designated, secure receptacle.

02.04 The oversight agency may require an annual financial audit of facility expenditures.

02.05 The community jail administrator shall develop a policy and procedure for the handling of inmate funds.

Return to Point of Arrest

02.06 The community jail administrator shall establish a written policy and procedure providing for the return of inmates to the point of arrest in compliance with Alaska Statute 33.30.081 and any other applicable law or regulation.

CHAPTER 3

ADMISSION TO COMMUNITY JAILS

Legal Authority to Admit

03.01 No person may be admitted to a community jail unless:

(a) the arresting or transporting officer executes a remand-to-custody order in the presence of the admitting jail staff member;

(b) the jail, arresting officer or transporting officer produces commitment papers properly executed by a court; or

(c) the officer who has taken custody of a person and seeks to admit that person under AS 47.30.705 or AS 47.37.170(a) or (b), respectively, executes a remand-to-custody order in the presence of the admitting staff member and certifies in writing that he or she has exhausted all other alternatives for placement under AS 47.30.705 or AS 47.37.170(a) or (b), respectively.

(d) Persons under the age of 18 may not be admitted to a community jail except when charged as an adult as permitted under AS 47, upon court order or as otherwise permitted under AS 47. See Classification, Section 4.04 of these standards for housing requirements of persons under 18.

Components of Admission

03.02 The process of admitting a person charged with or convicted of an offense, or in protective custody, includes the searching, fingerprinting in accordance with State law or regulations, or photographing of inmates, inventory and storage of the individual's personal property, medical screening and collection of personal history data.

Search Upon Admission

03.03 The community jails administrator shall develop a policy and procedure regarding searches upon admission consistent with the following provisions:

(a) Community jail staff shall pat search an inmate and hand carried items for weapons or other contraband immediately upon entrance to a community jail.

(b) Except as provided in (c) and (d) of this section, a full and complete search of an inmate and the inmate's personal effects must be made to complete the admissions process. The purpose of the search is to account for property, prevent the introduction of contraband or weapons, and ascertain the inmate's true identity. Jail staff shall require the inmate to undress as part of the search upon admission.

(c) Notwithstanding (b) of this section, an inmate detained on a bailable offense must be afforded an opportunity to post bail for release before an inventory search of the inmate's property is conducted or the inmate is strip searched. If the inmate is able to post bail or otherwise arrange release within one hour after entrance into the jail, an inventory or strip search may not take place.

(d) Notwithstanding (b) of this section, an inmate detained on a misdemeanor or other minor offense may not be strip searched unless there exists a reasonable suspicion that the inmate is concealing a weapon or contraband. Reasonable suspicion may be based on the crime charged, the particular characteristics of the inmate including any prior arrest record, and the circumstances of the arrest. A written record must be made of any strip search conducted under this section, and must detail the reasonable suspicion justifying the search.

(e) A body cavity search may only be performed as described in Section 06.14 of these standards.

(f) A staff member of the same sex as the inmate shall conduct a strip search of the person in accordance with Sections 06.10 and 06.11 of these standards.

Health Screening Upon Admission

03 04 A health screening must be conducted on all inmates upon admission into a community jail as required under Section 05.05 of these standards.

CHAPTER 3

ADMISSION TO COMMUNITY JAILS

03.05 No person may be admitted to a community jail if unconscious or in immediate need of medical attention. The initial admission process may not be commenced until the admitting staff member is satisfied that the inmate has received appropriate medical attention.

Inmate Orientation

03.06 As soon as reasonable, upon initial admission all inmates must be provided written notice about the facility's rules and services.

03.07 Community jail staff shall provide an orientation to the jail within the first 72 hours of an inmate's incarceration. Each inmate must have access to information about the facility's rules governing inmate treatment and conduct, listing of services available, methods of seeking information or assistance, procedures for making complaints, emergency procedures, and any other information necessary to enable the inmate to adapt to the routine of the jail. Community jails shall make a reasonable effort to provide an interpreter, if necessary, to communicate this information.

CHAPTER 4

CLASSIFICATION

Classification Policy

04.01 The community jail administrator shall establish a written policy and procedure governing inmate classification.

04.02 All inmates shall be subject to a classification system which assigns inmates to appropriate levels of custody and housing requirements.

04.03 Inmates may not be subjected to discrimination in classification decisions on the basis of race, color, creed, national origin, sex (except as required for privacy) or economic status.

Housing

04.04 The inmate classification system shall provide for the separate housing of the following categories of inmates:

(a) Male inmates shall be housed separate and apart from female inmates;

(b) Except when remanded as adults, persons under the age of 18 shall be housed in separate quarters so that the minor cannot communicate with or view adult inmates;

(c) Persons requiring administrative segregation shall be housed separately from other inmates.

Inmate Work

04.05 Jails with an inmate work program including jail maintenance, public work projects and community service must have a written plan for inmate work assignment.

04.06 Furlough and work release programs must be administered as directed by the oversight agency consistent with state laws and regulations.

CHAPTER 5

HEALTH CARE SERVICES

Health Care Services Policy

05.01 The community jail administrator shall develop a written plan to provide emergency and necessary medical care to inmates comparable with that in the community.

05.02 Written policies and procedures governing the delivery of medical, mental health and dental services must be approved by the oversight agency in conjunction with the Department of Corrections Inmate Health Care Unit. The policy must address the following areas:

(a) Health screening - completion of health appraisal form;

(b) Disposition of emergency medical needs before admission;

(c) Referral and care of mentally ill, suicide-prone, retarded and disabled inmates;

(d) Arrangements for detoxification;

(e) Arrangements for emergency and necessary medical care;

(f) Management of pharmaceuticals;

(g) Notification of next of kin in case of serious illness. injury or death; and

(h) Isolation of and treatment of inmates with communicable diseases.

05.03 A first aid kit must be maintained in the jail. The community jail administrator shall ensure the monthly inspection and maintenance of the kits.

05.04 The community jail administrator shall establish a written procedure for inmates to report sickness, injury or need for health care (i.e. medical, dental and mental health). Inmates must be advised of this procedure upon admission to the jail.

Health Screening Procedure

05.05 A staff member trained in accordance with Section 10.03 of these standards shall perform a health screening on all inmates at the time of

admission to the facility. The results of the health screening must be recorded on a form approved by the oversight agency. The health screening form must document the following:

(a) Current illness and health problems, including dental problems, sexually transmitted diseases, tuberculosis, hepatitis and other infectious diseases;

(b) Special health requirements and medication taken;

(c) Use of alcohol or drugs which includes types, methods, date or time of last use, and history of problems that may have occurred after ceasing use;

(d) Indicators of suicidal behavior;

(e) Past or present treatment or hospitalization for mental disturbances;

(f) Indicators of possible mental illness;

(g) Behavior to include state of consciousness, mental status, appearance, conduct, tremor, sweating or pain;

(h) Body deformities, trauma markings, bruises, jaundice, rashes and evidence of body vermin;

(i) Placement in the jail or referral to health care services; and

(j) Inmate injuries reported at time of the initial booking process.

Tuberculosis Testing

05.06 All inmates who remain in the jail longer than three days should be provided a PPD test (Purified Protein Derivative of tuberculin also known as a Mantoux test) for tuberculosis, when available from public health services.

CHAPTER 5

HEALTH CARE SERVICES

Infectious Disease

05.07 Inmates suspected of having contagious or infectious diseases must be isolated immediately from other inmates and be examined by a health care professional as soon as possible. In cases where removal to a hospital is not ordered, the physician's instructions regarding care of the patient and sanitizing of eating utensils, clothing, and bedding must be carefully followed and documented.

Detoxification

05.08 The community jail administrator shall establish a written protocol, approved by the oversight agency, for inmate detoxification.

Informed Consent

05.09 Except in a medical emergency, all examinations, treatment, and procedures must be conducted with informed consent. An exception may be made at the discretion of the treating health care provider when public health concerns require immediate intervention.

Management of Pharmaceuticals

05.10 Written procedures must be established to provide for the proper management of pharmaceuticals including the following:

(a) Upon admission of an inmate, a designated staff person shall verify with a physician or other qualified medical staff the contents of all medication containers and the need for continued use;

(b) All prescriptions must be labeled with the inmate's name, and the name of the prescribing physician as well as the prescription number, type of medication, prescribed dosage, time to be distributed, date of prescription, and expiration date;

(c) All prescription medications must be securely stored within the jail;

(d) All prescriptions must be distributed in the prescribed dosage at the prescribed time by designated jail employees, who have received appropriate training in the distribution of medications in a jail environment; and

(e) All distribution of medications must be recorded on the form approved by the oversight agency.

Health Records

05.11 All active inmate health records must be maintained in accordance with Section 07.03 of these standards.

CHAPTER 6

SECURITY

Jail Security

06.01 The community jail administrator shall establish a written policy and procedure to govern all aspects of jail security and control. The written policy and procedure must address, at a minimum, the following:

(a) inmate supervision and management;

(b) inmate and facility searches and contraband control;

(c) control of keys, tools and weapons;

(d) security inspections and maintenance of security systems;

(e) emergency procedures; and

(f) inmate transportation.

06.02 The jail must have a security perimeter designed to prevent access to the facility by unauthorized personnel, to prevent escape, to separate inmates from access to confidential business conducted at the facility and to separate inmates from visual and physical contact with the public.

06.03 All security perimeter entrances, cell block doors, and doors opening into a corridor within the security perimeter must be kept secured except when in use. Doors to vacant and unoccupied cells in housing units, and in storage units must be kept secured at all times.

06.04 The community jail administrator shall maintain records of weekly facility inspections of all locks, bars, windows, floors, walls, ventilators, access plates, glass panels, protection screens, doors and other security equipment. The community jail administrator shall promptly correct any identified problems.

Inmate Supervision and Management

06.05 The community jail administrator shall ensure that inmates are viewed personally by facility employees often enough to maintain their safekeeping but in no event less than one time per hour. The community jail administrator shall ensure that more frequent direct observation be made of persons who are violent, suicidal, mentally ill, visibly intoxicated

or incapacitated by alcohol or drugs, or who have other special problems or needs warranting closer observation.

06.06 Light levels in all inmate housing areas must be at least 20 foot candles measured three feet above the floor. Night lighting levels must permit adequate illumination for supervision, yet not unduly hinder restful sleep.

06.07 The jail must have a system to physically count inmates. At least three documented inmate counts, during which the inmate's physical presence is confirmed must be conducted every 24 hours.

Searches and Contraband Control

06.08 Each facility must be regularly searched for prohibited articles. Searches must be periodic and timed so that they are not anticipated. Jail Officers shall thoroughly inspect each cell for contraband prior to assignment of an inmate and shall inspect each cell upon the removal of an inmate.

06.09 Searches of individual inmates must be reasonably related to the security interests of the facility. All searches must be conducted in a manner which preserves the dignity of the inmate to the greatest extent possible.

06.10 All searches must be of the least intrusive type necessary to satisfy the safety and security needs of the facility. Absent exigent circumstances, all strip searches must be conducted by facility employees of the same sex as the inmate, except for qualified medical personnel acting at the direction of facility personnel. When a strip search is conducted by an officer of a different sex from that of the prisoner being searched, a second officer must be present during the search, and the search conducted with the same regard for dignity and privacy as a non-exigent search.

06.11 All strip and body searches must be conducted in an area made private from the observation of persons not involved in conducting the search. Additional staff who are responsible for providing security during the search may be present .

CHAPTER 6

SECURITY

06.12 Strip searches may be conducted under the following circumstances:

(a) upon initial admission, except as set out in Section 03.03; of these standards

(b) upon apprehension from an escape or attempted escape;

(c) upon initial admission to segregation;

(d) upon re-entry into a facility after leaving the security perimeter or grounds;

(e) at the conclusion of a contact visit;

(f) upon returning from an area where tools were present or in use, or other similar circumstances;

(g) upon return from the grounds of a facility which are accessible for the introduction of contraband, and other similar circumstances; or

(h) if reasonable suspicion exists to believe that the inmate possesses contraband, weapons, criminal evidence, or other things concealed which present a threat to the safety and security of the facility.

06.13 All pat searches should be conducted by facility employees of the same sex if available and on duty. Inmates are subject to pat search by facility staff at any time.

06.14 An inmate is subject to a body cavity search only if probable cause exists to conclude that the prisoner possesses contraband inside a body cavity. A body cavity search may be conducted only by qualified medical personnel in the presence of facility staff of the same sex as the inmate being searched. A written record must be made of any body cavity search and must detail the facts supporting probable cause justifying the search.

06.15 The community jail administrator shall maintain a list of items designated as contraband and shall describe contraband in inmate rules and visiting rules. All contraband items found during facility or inmate searches must be seized and the details of the search and seizure must be documented. When a crime is suspected or a rule violation alleged to have been committed within the facility, all evidence must be maintained and made available to proper authorities.

CHAPTER 6

SECURITY

Key, Tool and Weapon Control

06.16 All jail employees must be familiar with the locking system of the jail and be able to release inmates immediately in the event of a fire or other emergency. The community jail administrator shall ensure that the keys and locking devices are in working condition.

06.17 The community jail administrator shall establish a key control system which includes, at a minimum, the following provisions:

(a) All keys not issued to employees must be stored in a secure depository which is inaccessible to unauthorized persons at all times.

(b) There must be an accounting procedure for the issuance and return of keys.

(c) A duplicate set of keys must be maintained in a separate, secure place.

(d) Inmates are prohibited from handling keys which operate security locks.

(e) A key inventory must be maintained in which each lock is identified with its location, number of keys available, and key labels recorded.

(f) Precautions must be made to ensure the security and operation of non-key operated locks such as electrical switches or mechanical levers.

06.18 The community jail administrator shall establish a tool control system which includes, at a minimum, the following provisions:

(a) All jail owned tools and other potentially dangerous equipment must be secured in a locked area or outside the security perimeter.

(b) Jail employees shall carefully monitor the use of tools and equipment by maintenance and repair workers within the security perimeter to ensure that tools are not left unattended, lost or forgotten.

(c) Tools and equipment that are used by inmates within the security perimeter may only be used under the direct supervision of jail employees.

Firearms, Chemical and Other Weapons

06.19 Except in emergency situations, no firearms, chemical agents, or other weapons may be permitted within the security perimeter.

06.20 All firearms, chemical agents, and other weapons assigned to the facility must be stored in an arsenal, vault or other secure area under lock and outside of the security perimeter.

Use of Force

06.21 Facility staff may not use physical force, chemical agents or mechanical restraints upon an inmate except when necessary in self defense, to protect a person from imminent physical harm, to enforce a lawful order of a staff member in the face of physical resistance by an inmate, to carry out medical instructions, to prevent escape or serious damage to property, or in the conducting of a search, and only then, to the extent necessary and for a period reasonably necessary to accomplish its purpose.

06.22 Jail employees discharging firearms, using chemical agents or any other weapon, or use of other force to control a situation, shall document the incident in a written report to the community jail administrator before going off duty.

Fire Safety and Emergency Procedures

06.23 Community jails must have a written policy and procedure providing for fire prevention and suppression practices, periodic fire drills and emergency evacuation procedures to ensure the safety of inmates, visitors and staff.

CHAPTER 6

SECURITY

06 24 Documentation of inspections conducted by the State of Alaska, Division of Fire Prevention or other qualified entity must be maintained. The community jail administrator shall make every effort to ensure that the facility is in compliance with fire protection life safety codes. The community jail administrator shall request annual inspections.

06.25 Community jail administrators shall develop a written evacuation plan for use in the event of fire and major emergencies. The plan must include routes of evacuation and provisions for housing of inmates after evacuation. An evacuation route must be clearly posted where it is visible to both inmates and staff. Periodic drills must be conducted.

Emergency Electrical Power

06.26 Community jails must have equipment necessary to provide emergency electrical power to maintain essential services, security and safety in the event of a power failure.

06.27 Electrically controlled locks must be designed to open automatically or operate with manual key operation, or be connected to an automatic backup electric power source.

Emergency Lighting

06.28 The facility must provide an emergency source of lighting capable of adequate illumination for supervision and evacuation in the event of a power failure.

CHAPTER 7

OPERATIONS

Inmate Records

07.01 An individual case record on each person admitted to a community jail must be opened and maintained. This record must contain all legal documentation pertaining to the inmate's incarceration and information concerning the prisoner which might affect the facility security or the inmate's adjustment to incarceration. The record must include information relating to the inmate's time accounting, including documentation of the time spent in custody. An inventory of all cash and valuables taken from the inmate at the time of booking must be recorded in the inmate file.

07.02 Individual case records on persons committed into protective custody shall be maintained as required in AS47.37.170. Protective custody, as authorized by AS47 does not constitute an arrest and no entry or other record may be made to indicate that the person detained has been arrested or charged with a crime, except that a confidential record may be made which is necessary for the administrative purposes of the facility to which the person has been taken or which is necessary for statistical purposes where the person's name may not be disclosed.

07.03 A health record must be maintained in the individual's confinement record and secured in a separate envelope that ensures confidentiality. The health record must contain all relevant health care information concerning the prisoner.

Food Service

07.04 The community jail administrator shall develop written policies and procedures to govern the facility's food service operation.

07.05 Three meals, two of which are hot, must be served at regular times daily with not more than 14 hours between the evening meal and breakfast; except that inmates may be served two nutritionally adequate meals on Saturdays, Sundays and holidays.

07.06 Provisions must be made for special diets when an inmate's religious beliefs require adherence to particular dietary practices. Jail staff shall contact appropriate clergy to secure diet specifications. In providing religious diets, the jail may exclude items containing alcohol, controlled substances, or other food items which may interfere with the orderly operation of the community jail.

CHAPTER 7

OPERATIONS

07.07 Food may not be withheld, nor may the basic menu be varied for a disciplinary sanction. However, finger food may be substituted for a hot meal when an inmate throws or otherwise misuses food.

07.08 Each facility must comply with the regulations established by the State of Alaska, Department of Environmental Conservation for sanitation, storage, preparation and service of food.

07.09 The community jail administrator shall request periodic inspections of the food service facilities and operations. The results of the inspection must be documented and corrective action taken as needed.

07.10 Written records must be maintained of all meals served, including special diets and the time and date served.

07.11 All garbage, dishes, utensils and other food service equipment must be promptly removed from cells and eating areas and properly accounted for. Disposable items may not be reused.

Sanitation and Maintenance

07.12 The community jail administrator or designee shall conduct at least weekly sanitation and maintenance inspections which must be documented. Corrective action must be taken as needed.

07.13 A jail housekeeping plan must be developed to provide for daily housekeeping and regular maintenance by inmates and staff.

07.14 All plumbing, lighting, ventilation equipment, furnishings, and security hardware must be kept in good working order.

07.15 The community jail administrator will ensure that a sink with hot and cold running water as well as a working toilet are available to every inmate.

07.16 Facilities will maintain temperatures within the facility between 65 degrees and 80 degrees at all times. If temperatures exceeds or falls below this range, immediate steps will be taken to restore the temperature.

CHAPTER 7

OPERATIONS

Inmate Personal Hygiene

07.17 Shower facilities must be provided at a minimum ratio of one shower for every 8 inmates. Water temperature at the shower head must be thermostatically controlled to a range between 100 - 120 degrees Fahrenheit.

07.18 Inmates must be provided with the following articles as soon as practical unless release is imminent:

(a) soap,

(b) toothbrush and toothpaste,

(c) comb,

(d) products for female hygiene needs,

(e) towels,

(f) bedding and linen.

07.19 Inmates confined overnight must be provided a clean, firm, fire retardant mattress, a clean sheet or mattress cover, and clean blanket(s) sufficient to provide comfort under existing temperature conditions.

07.20 Inmates confined longer than seven days must be furnished clean bedding at least once a week. At least three towel exchanges must occur during a week.

07.21 Toilet articles and bedding may be removed from the cell when necessary for the safety of the inmate or security of the facility.

Mail

07.22 The community jail administrator shall establish a written policy and procedure to govern inmate mail.

07.23 The length, source, or volume of mail an inmate may send or receive may not be limited, except where necessary for reasons of public safety, facility order, or security.

CHAPTER 7

OPERATIONS

07.24 Inmate mail, both incoming and outgoing, may not be rejected except where there is reason to believe that the correspondence threatens the safety and security of the facility, an inmate, any public official or the general public, or is being used in the furtherance of illegal activities.

07.25 Incoming correspondence from attorneys, courts, government officials, officials of the confining authority or organizations that assist persons in the exercise of their legal rights may be opened only to inspect for contraband, but may not be read except pursuant to a court order. Such correspondence may be opened only in the presence of the inmate to whom it is addressed.

07.26 Except as provided in Section 07.25 of these standards, inmate mail, both incoming and outgoing, may be opened and inspected for contraband. Cash, checks, and money orders must be removed from incoming mail and promptly secured and recorded on the inmate's account. The inmate must be given a receipt for funds that are removed from any mail. If contraband is discovered in either incoming or outgoing mail, it must be removed and its disposition properly recorded.

07.27 If any publication, correspondence, or contents of a package, or any other form of mail is rejected, the sender, if known, and the person to whom it is addressed must be notified in writing of the item rejected and the reasons for the rejection. Any item which is rejected must be returned to the sender or placed in the inmate's property, unless it contains illegal matter or is kept for evidence.

07.28 Inmates must be permitted to send sealed letters to attorneys, courts, government officials, officials of the confining authority, or any other organization determined by the court to receive privileged mail.

07.29 Upon request, inmates must be provided with writing supplies and postage for letters to their attorneys, the courts, government officials and officials of the confining authority. These supplies must be provided at no expense to indigent inmates.

07.30 Incoming and outgoing mail must be delivered in a timely fashion.

CHAPTER 7

OPERATIONS

Telephone

07.31 The community jail administrator shall establish a written policy and procedure that provides for inmate access to telephone services. The community jail administrator may establish reasonable hours for use consistent with facility operations.

07.32 Inmate calls may only be monitored or recorded as described in AS 33.30.231.

07.33 The facility may require that any costs for telephone toll calls be paid by the inmate or the party called.

07.34 Inmates must be allowed to make a reasonable number of telephone calls to their attorneys. Calls to attorneys may not be monitored. Inmates must be allowed to make telephone calls to their attorneys beyond the normal work day when necessary.

07.35 Telephone calls may be restricted as a result of disciplinary action except to the inmate's attorney or state ombudsman.

Visitation

07.36 The community jail administrator shall establish a written policy and procedure to govern visiting.

07.37 The jail must have an established visiting schedule with sufficient hours set aside weekly to fulfill the visiting opportunities of inmates in the facility. Time for visiting must be scheduled on at least two days each week, one of which must be during the weekend.

07.38 Each inmate, except as otherwise individually determined by the community jail administrator under Section 07.40 of these standards, shall have the opportunity for at least one hour of visiting each week in one or more visits. Visits must be at least 15 minutes in duration.

07.39 Minor children who are accompanied by a parent or legal guardian may be permitted to visit inmates.

CHAPTER 7

OPERATONS

07 40 Visitation may be restricted or the visitor excluded for one or more of the following reasons:

(a) The visitor refuses to register and show proper identification, consent to search, or to abide by the visiting rules;

(b) The visitor represents a clear and present danger to the facility;

(c) The visitor has a past history of disruptive conduct at the facility;

(d) The visitor appears to be under the influence of alcohol or drugs;

(e) The inmate refuses the visit; or

(f) A determination by the community jail administrator that the visit or visitor may jeopardize security or the orderly operation of the facility.

07 41 The written rules governing visitor conduct and responsibilities must be conspicuously posted in the visitor's area. If a visitor fails to abide by the rules, the visit may be terminated.

07.42 Visitors shall be required to register prior to admission to the visiting area.

07.43 The community jail administrator may, under extenuating circumstances, make special arrangements for inmate visitation when visits cannot reasonably coincide with regular visiting hours.

07.44 Except as provided in Section 07.46 of these standards, facility employees may monitor a visitor's conversations when proper notice is given and may observe visitation as necessary to maintain appropriate levels of security.

07.45 The facility must provide inmates adequate opportunities to meet with attorneys and the clergy. Attorneys and clergy must be permitted to visit inmates at reasonable hours other than during regularly scheduled visiting hours.

07.46 Visits with attorneys and clergy may not be subject to auditory monitoring, however may be visually observed as necessary to maintain appropriate levels of security.

CHAPTER 7

OPERATIONS

07.47 When requested, visits with attorneys or clergy must be of the contact type unless jail staff determines there is a substantial security justification to restrict the visit to a secure visit . When a contact visit is not allowed, the jail officer shall document the reasons for the restriction and notify the community jail administrator as soon as practical.

07.48 Attorneys and clergy may be pat searched prior to a contact visit. Any brief cases or packages are also subject to search.

Religious Activities

07.49 Inmates must be allowed to practice the religion of their choice as provided by the 1993 Religious Freedom Restoration Act and may have access to clergy, publications, and religious symbols, subject to limitations necessary to maintain facility security and order.

Community Programs and Services

07.50 Access to programs must be provided based on the available community resources and inmate need. The community jail administrator shall determine the offering of such programs consistent with inmate security and the orderly operation of the jail.

Exercise and Recreation

07.51 Inmates held in custody beyond 15 days must be provided opportunities for active physical exercise at least one hour per day, five days per week outside their cell. Rooms designated for exercise must be adequate in size and security to serve the inmate population. Day rooms may be acceptable, provided sufficient space is available.

Reading Materials

07.52 Reading materials must be available to all inmates on a daily basis, during hours set by the community jail administrator; and should include: a current local newspaper, current magazines and a reasonable selection of books.

CHAPTER 7

OPERATIONS

07.53 The community jail administrator may deny material that is obscene, interferes with or has adverse impact on rehabilitation, or incites or encourages any form of violence or other criminal activity.

CHAPTER 8

GRIEVANCES AND COMMUNICATION

Grievance Procedure

08.01 Community jails must have a written grievance procedure to provide an avenue for inmates to express and resolve problems. Inmates must be advised of the grievance procedure.

Communication With Staff

08.02 The community jail administrator shall develop written procedures for inmate communication with staff. All inmates must be apprised of the procedures.

CHAPTER 9

STAFFING

Requirements

09.01 Community jails must maintain 24 hour supervision of inmates by at least one employee who is trained at least to the extent provided in 09.07 of these standards and is able to identify and immediately respond to emergencies at any time inmates are housed in the jail.

09.02 Community jails must have sufficient staff to perform all functions relating to the security, custody, supervision of inmates and operation of the jail.

09.03 Consistent with Section 06.05 of these standards, electronic surveillance may not substitute for personal observations by facility staff, but may supplement them.

Hiring Standards

09.04 The community jail administrator shall establish standards for the selection of staff who will be responsible for the supervision of inmates. These standards are subject to review and approval by the oversight agency.

Minimum Qualifications for Community Jail Officers

09.05 Community jail officers must meet the following minimum qualifications:

(a) Must be at least 19 years of age;

(b) Must not have a prior felony conviction;

(c) Must not have any conviction for sale of illegal drugs;

(d) Must not have any conviction for the use of any drugs other than marijuana and must not have a conviction for use of marijuana or for misdemeanor assault within three years of application.

(e) Must be able to read, understand, and apply jail rules and policies.

(f) Must have ability to see, hear and respond to routine and emergency duties and responsibilities as described in the facility procedures.

(g) Must have work experience or reputation which demonstrates a good reputation, good work habits, and fairness to all cultures.

(h) Must comply with the Drug Free Work Place policy as required by Section 01.07 of these standards.

Emergency Guard Hires

09.06 Emergency guard hires will be conducted in accordance with state law and will only be made when normal staffing is not available to fulfill the requirement for 24 hour supervision of inmates. Emergency guards may only be utilized for up to 5 consecutive days.

09.07 The community jail administrator shall develop a brief training module in either written or video tape form for presentation to any person hired as an emergency guard. The training module must provide specific instructions to the emergency guard concerning the recognition of emergencies concerning inmates and the course of action to be taken when an emergency arises. The training module must be reviewed by an emergency guard each time hired regardless of past training experience.

09.08 The training module may also include information concerning other operational and/or administrative matters that the community jail administrator wishes to include.

09.09 Whenever a change is made to the training module for emergency guard hires, it must be submitted to the oversight agency for approval.

09.10 Prior to an emergency guard supervising inmates, the community jail administrator shall verify that the emergency guard has been given the training module to insure that the emergency guard can identify and immediately respond in an appropriate manner to emergencies concerning the inmates being supervised.

09.11 The community jail administrator shall develop a form which must be submitted with the emergency guard hire payment packet, and signed by

the emergency guard and the person providing the training module certifying that the emergency guard has undergone the training.

Code of Ethics

09.12 The community jail administrator shall adopt a code of ethics consistent with the standard established in 13 AAC 85.230(d).

CHAPTER 10

TRAINING

Minimum Training

10.01 Community jail administrators shall complete a 40 hour jail administrators course within one year of employment, and 24 hours of annual in-service training provided by the oversight agency.

10.02 All new employees of community jails must be provided an orientation program appropriate to job assignments within the first week of employment.

10.03 Within the first year of employment, a community jail officer whose position involves supervision or regular contact with inmates must be provided 80 hours of minimum basic training in the following areas:

(a) Security and search procedures;

(b) Supervision of inmates;

(c) Use of force and methods of self-defense;

(d) Report writing;

(e) Rights and responsibilities of inmates;

(f) Fire and emergency procedures;

(g) Communication skills and interpersonal relations;

(h) Special needs inmates;

(i) Recognition of the signs and symptoms of mental illness and retardation, substance abuse, physical deficiencies and suicide prone behavior;

(j) Cross cultural awareness;

(k) Legal issues and liability concerning corrections;

(l) First aid, cardiopulmonary resuscitation, and emergency trauma treatment;

(m) Inmate/staff health issues and concerns and proper distribution of medication;

(n) Staff duties, statutes, regulations and local facility rules, procedures and policies and community jail standards.

Prior Training

10.04 Community Jail Officers with prior training that meets or exceeds the minimum standards and is approved by the oversight agency will satisfy the requirements of Section 10.03 of these standards.

In-service Training

10.05 All Community Jail Officers must be provided a minimum of 24 hours of in-service correspondence or APSC certified training annually.

Training Records

10.06 The community jail administrator shall maintain a complete and current record of all training received for each jail officer.

CHAPTER 11

INMATE DISCIPLINE

Disciplinary Policy

11.01 The community jail administrator shall provide written rules of inmate conduct that specify prohibited acts within the facility and the penalties that may be imposed. Prohibited acts and penalties must be approved by the oversight agency.

Minor Infractions

11.02 Procedures for dealing with minor rule infractions may include restrictions of privileges, a warning, verbal reprimand, or counseling. The procedures must include:

(a) Informing the inmate of the specific charges;

(b) Providing an opportunity for the inmate to explain or deny the charges before any decision is made;

(c) Notifying the inmate of any report placed in the inmate's file and or intended action;

(d) Providing the inmate with the right to appeal any disciplinary decision or action.

Disciplinary Process

11.03 The community jail administrator shall establish a written policy for hearing cases involving the loss of good time or punitive segregation. The process must include:

(a) Informing the inmate of the specific charges;

(b) Providing the inmate with a 48 hour notice of the intended time of the hearing;

(c) Providing an inmate advisor upon the request of an inmate and agreement by the requested advisor;

(d) Conducting a hearing under the direction of an impartial person;

(e) Providing an opportunity for the inmate to explain or deny the charges and an opportunity to present witnesses and evidence;

(f) Provision for tape recording the hearing;

(g) Notifying the inmate of the resulting decision; and

(h) Providing the inmate with the right to appeal any disciplinary decision or action.

Loss of Good Time

11.04 A community jail may not forfeit any good time of a state prisoner, but may recommend a forfeiture to the Department of Corrections.

Law Violations

11.05 When an inmate allegedly commits an act that constitutes a felony, the case must be referred to the appropriate authority for possible prosecution.

CHAPTER 12

FACILITY RATED CAPACITIES

Capacity

12.01 Community jails will be assigned a maximum capacity by the oversight agency in accordance with these standards. When the capacity is exceeded, the community jail administrator shall take reasonable steps to reduce the number of inmates to the maximum capacity. The number of persons a facility may house in a particular cell, unit, or jail will be based upon available square footage, sanitary fixtures, staffing, facility programming and fire, life safety codes, other physical plant features, and other relevant factors specified in these standards as determined by the oversight agency.

Maximum Days

12.02 The oversight agency will rate each facility for the length of time an inmate may be continuously incarcerated at the facility. Absent a written waiver by the inmate, a court order, or an inability to transfer an inmate due to weather or other conditions beyond the control of the facility or the agency responsible for the transport, any inmate who exceeds the rated length of time must be transferred to a State Correctional facility as soon as practical.

CHAPTER 13

DEFINITIONS

13 01 **ADMINISTRATIVE SEGREGATION** - A form of separation from the general population when the continued presence of the inmate would pose a serious threat to life, property, self, staff or other inmates; or to the security or orderly running of the jail. Administrative segregation may not be used for disciplinary reasons.

13.02 **ADMISSIONS** - The process of accepting inmates for incarceration at a community jail after the receiving staff has ensured that the committing agent has presented the proper documentation confirming jurisdiction over the inmate who is remanded.

13.03 **BODY CAVITY SEARCH** - The intrusive manual, mechanical or instrument examination of a prisoner's body appendages and openings . Body cavity searches may be conducted only by a physician or other qualified medical personnel.

13.04 **CHEMICAL AGENT** - An active substance such as oleoresin capsicum (OC - a common brand name is "CAPSTUN"), tear agents (CS), or other active chemical agents utilized by law enforcement personnel to deter or control activities which might cause personnel injury or property damage.

13.05 **COMMUNITY JAIL** - A community jail in Alaska is neither a "Detention Facility" nor a "Holding Facility" as those terms are defined and used by the American Correction Association (ACA) standards. A community jail is a confinement facility under contract with the State of Alaska and operated by a borough, city, or approved contractor which holds persons under authority of State law:

(a) who are committed in order to secure their attendance as witnesses in criminal cases;

(b) who are charged with a crime and awaiting court proceedings;

(c) who are sentenced to confinement with 30 days or less to serve;

(d) who are sentenced and awaiting transport to the a Department of Corrections facility;

(e) who are committed for contempt, or upon civil process, or by other authority of law including immigration or other federal agencies

(f) who are sentenced prisoners within 30 days of release and returning to the local community;

(g) who are held under AS 47.

13.06 **COMMUNITY JAIL ADMINISTRATOR** - The Chief of Police, Director of Public Safety or other supervising employee responsible for the operation of the jail.

13.07 **COMMUNITY JAIL OFFICER (CJO)** - A community jail officer may be a full time jail officer, police officer or staff with combined duties such as dispatch and jail. A CJO must meet the minimum qualifications and complete required training.

13.08 **COMMUNITY RESOURCES** - Any individual, public or private organization or agency which offers services which can meet the needs of the jail.

13.09 **CONTRABAND** - Any item possessed by inmates or found within the confinement area of the jail which is declared illegal by law or not specifically approved by the jail for inmate possession.

13.10 **DAY ROOM SPACE** - A secure area, directly adjacent to an inmate living area used for inmate activities such as showering, exercise, recreation, and dining. Spaces originally designed for movement, such as corridors, are not day room spaces.

13.11 **DETENTION** - The confinement of an inmate in a secure area.

13.12 **DISTRIBUTION OF MEDICATION** - The disbursement of medication from a stock or prescription container per package instructions.

13.13 **EXIGENT CIRCUMSTANCES** - Any set of circumstances which requires immediate action to address a threat to the security and/or order of community jail.

13.14 **GRIEVANCE** - A written complaint filed by an inmate with the community jail administrator concerning personal health and welfare or the operations of the jail.

CHAPTER 13

DEFINITIONS

13.15 **HEALTH RECORDS** - A file containing a written account of medical examinations and treatments maintained separately from inmate records in a confidential envelope.

13.16 **HEALTH SCREENING** - A system of structured observation and initial health assessment for inmates newly introduced into a facility.

13.17 **INMATE** - Any person confined in a jail facility under authority of State law.

13.18 **LIFE SAFETY CODE** - A manual published by the National Fire Protection Association specifying minimum standards for fire safety necessary in the public interest; as used in these standards, the term specifically means the Life Safety Code adopted and interpreted by the Alaska State Fire Marshall.

13.19 **NECESSARY MEDICAL CARE** - That level of medical care required to be given a prisoner if a health care provider exercising ordinary skill and care at the time of observation concludes with reasonable medical certainty; (1) that the prisoner's symptoms evidence serious disease or injury; (2) that such disease or injury is curable or might be substantially alleviated; and (3) that the potential for harm to the prisoner, by reason of delay or denial of care, could be substantial. The test is one of medical necessity and not simply that which may be considered merely desirable.

13.20 **OBSCENE** - Words, gestures, language, books, newspapers, periodicals or other written or pictorial materials that the average person, applying contemporary community standards, would find depicts or describes, in a patently offensive way, ultimate sexual acts, masturbation, excretory functions, lewd exhibition of the genitals or sexual sado-masochistic activity; that the work, taken as a whole, appeals to the prurient interest; and that the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

13.21 **OVERSIGHT AGENCY** - The state agency which has direct administrative and oversight responsibility to contract for community jails.

13.22 **PAT SEARCH** - A visual and physical pat-down of a person's clothing and body parts which are feasible without the removal of clothing.

CHAPTER 13

DEFINITIONS

13.23 **PROTECTIVE CUSTODY** - A form of custody authorized by AS47 and utilized for the purposes of providing direct supervision of incapacitated or severely intoxicated persons as authorized by AS47.37.170 or persons believed to be in need of direct supervision due to mental illness as authorized by AS47.30.705 or by order of a court.

13.24 **PUNITIVE SEGREGATION** - Separation from the general population by confinement to a single cell as a result of rule violations. Punitive segregation may occur only after a finding of a rule violation.

13.25 **SAFETY EQUIPMENT** - Fire-fighting equipment (chemical extinguishers, hoses, water supplies, alarm systems, sprinkler systems), gas masks, fans, first-aid supplies, and other equipment to ensure the safety of staff, inmates, and visitors.

13.26 **SECURITY PERIMETER** -The outer portions of a jail which actually provide for secure confinement of inmates.

13.27 **STATE COMMUNITY JAIL COORDINATOR** - The liaison person appointed by the oversight agency to coordinate community jail contracts, budgets and compliance with community jails standards.

13.28 **STRIP SEARCH** - An examination that includes the visual inspection of an inmate, including a visual inspection of the outer genital area and inside the mouth, nostrils, and ears for the detection of weapons, contraband, physical abnormalities, and a thorough search of all the inmate's clothing after the inmate disrobes.

CITY OF HOMER
HOMER, ALASKA

City Manager/Police Chief

RESOLUTION 11-056

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, APPROVING AND ACCEPTING THE RENEWAL OF THE SPECIAL SERVICES CONTRACT FOR FY 2012 WITH THE ALASKA DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF $36,000.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The Alaska Department of Public Safety, State Troopers Special Services Contract pays the City for the provision of services related to assistance in the efficient conduct of the Alaska Department of Public Safety business within the general geographic region of the City of Homer; and

WHEREAS, Services provided include pre-arraignment prisoner care and access to and utilization of professional facilities and equipment instrumental to the overall efficient and effective operation of law enforcement and emergency response component; and

WHEREAS, The Special Services Contract is an annually budgeted revenue in the amount of $36,000.00 to be paid in four payments of $9,000.00; and

WHEREAS, The Alaska Department of Public Safety has requested renewal of the contract for a one year period from July 1, 2011 through June 30, 2012.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Homer, Alaska, hereby approves and accepts the renewal of the Special Services Contract for the FY 2012 with the Alaska Department of Public Safety in the amount of $36,000.00 and authorizes the City Manager to execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 13th day of June, 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

Fiscal Impact: Revenues of $36,000.00 budgeted in 100.030.4505.

CITY OF HOMER
POLICE DEPARTMENT

4060 HEATH STREET · HOMER, AK 99603-7609

EMERGENCY 911
TELEPHONE (907) 235-3150
TELECOPIER (907) 235-3151

MEMORANDUM 11-082

DATE: May 20th, 2011

TO: Walt Wrede, City Manager

FROM: Mark Robl, Chief of Police

SUBJECT: Special Services Contract Renewal

The State Troopers have requested to renew the special services contract with them. I recommend that we obtain permission from the council to enter into this contract with the state.

We have had a special services contract with the troopers for over 25 years. After they moved to the Anchor Point post a few years ago the only remaining service of significance that we provide to them is pre-arraignment prisoner care. Arrestees must be arraigned within 24 hours of being arrested. After arraignment they become wards of the state Department of Corrections and we are compensated for dealing with them through the state jail contract.

The Troopers propose to renew this contract at last years rate of $36,000. I feel that is fair compensation for the service we provide to them.

ALASKA DEPARTMENT OF PUBLIC SAFETY
CONTRACT FOR SPECIAL SERVICES

July 1, 2011 to June 30, 2012

The parties. The parties to this contract are the Alaska Department of Public Safety (hereinafter referred to as the "Department") and the City of Homer (hereinafter referred to as the "City").

Sole Agreement. The City and the Department undertake this contract under the terms set forth below. This contract is the sole agreement between the parties relating to special services, and there are no other agreements, express or implied.

Effective Date/Termination/Amendments. This contract is effective July 1, 2011 and continues in force until June 30, 2012; except that it may be terminated by either party upon thirty (30) days written notification to the other. This agreement may be amended by written agreement of the parties.

1. The Department will pay the City for services provided in accordance with, and under the terms of, this contract. Payments will be made quarterly in the amount of $9,000.00, for a total of $36,000.00. Payment for services provided under this contract will be made in four annual payments in the amount of and covering the periods indicated below:

Period Covered	Amount	Payment Process Can Be Initiated
07/01/11 – 09/30/11	$9,000.00	10/01/11
10/01/11 – 12/31/11	$9,000.00	01/01/12
01/01/12 – 03/31/12	$9,000.00	04/01/12
04/01/12 – 06/30/12	$9,000.00	06/01/12
12 Month Total	**$36,000.00**	

2. The City will provide and perform the services specified in this contract to the satisfaction of the Department, in support of Department personnel and operations.

ALASKA DEPARTMENT OF PUBLIC SAFETY
CONTRACT FOR SPECIAL SERVICES

July 1, 2011 to June 30, 2012

SPECIFIC PROVISIONS

3. The City will:

a. permit limited but continued access to and utilization of professional facilities and equipment instrumental to the overall efficient and effective operation of law enforcement and emergency response component (i.e. squad room, temporary work desk, kitchen, weight and exercise room, locker room, interview rooms, evidence processing room and equipment, intoximeter, video and training material, and other general building facilities).

b. provide continued transport and security of prisoners from the Homer Jail to Homer Court for hearings and arraignments; persons remanded to custody by the Court from Homer Court to Homer Jail; persons in custody prior to arraignment; and persons committed under Title 47 to the South Peninsula Hospital in Homer.

IN WITNESS OF THIS AGREEMENT, the undersigned duly authorized officers have subscribed their names on behalf of the Department and the City respectively.

For the City of Homer:

By_____

Printed Name_____

Official Title_____

Date_____

For the Department of Public Safety:

By_____

Printed Name_____

Official Title_____

Date_____

CITY OF HOMER
HOMER, ALASKA

City Clerk

RESOLUTION 11-057

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, AWARDING CONTRACTS FOR THE PUBLIC WORKS GRAVEL SUPPLY 2011, 2012, AND 2013 TO THE FIRMS OF R/C LAND IMPROVEMENTS OF ANCHOR POINT, ALASKA, IN THE AMOUNT OF $37,514.00 AND BROWN CONSTRUCTION COMPANY, INC. OF HOMER, ALASKA, IN THE AMOUNT OF $950.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The Invitation to Bid was advertised in the Homer Tribune on April 20 and 27, 2011 and posted on the City's website as required by the City's Procurement Manual; and

WHEREAS, Seven bids were received, with one deemed non-responsive, and R/C Land Improvements and Brown Construction Company, Inc. were determined to be the lowest responsive bidders for the sand and gravel to supply the City for 2011, 2012, and 2013; and

WHEREAS, R/C Land Improvement's bid for Winter Sand at $12.66 per cubic yard, 2" Minus Gravel at $13.66 per cubic yard, and Type II Gravel at $10.66 per cubic yard, for a total of $37,514.00 was the lowest responsive bid; and

WHEREAS, Brown Construction Company, Inc.'s bid for Airport Sand at $19.00 per cubic yard was the lowest responsive bid; and

WHEREAS, These awards are not final until written notification is received by R/C Land Improvements of Anchor Point, Alaska, and Brown Construction Company, Inc. of Homer, Alaska, from the City of Homer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves the contract awards for the Public Works Gravel Supply 2011, 2012, and 2013 to the firm of R/C Land Improvements of Anchor Point, Alaska, in the amount of $37,514.00 and Brown Construction Company, Inc. of Homer, Alaska, in the amount of $950.00 and authorizes the City Manager to execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 13th day of June, 2011.

CITY OF HOMER

_____

JAMES C. HORNADAY, MAYOR

ATTEST:

_____

JO JOHNSON, CMC, CITY CLERK

Fiscal Note: $18,990.00 Acct. No. 100.174.5202 Winter Sand
$16,392.00 Acct. No. 100.172.5202 2" Minus Gravel
$950.00 Acct. No. 100.149.5202 Airport Sand
$2,132.00 Acct. No. 100.172.5202 Type II Gravel

CITY OF HOMER
PUBLIC WORKS DEPARTMENT

Jan C. Jonker, Superintendent
3575 Heath St.
Homer, Alaska 99603

Telephone: (907)235-3170
Fax: (907)235-3145
EMAIL : jjonker@ci.homer.ak.us

MEMORANDUM 11-083

To: **Walt Wrede, City Manager**

From: **Jan C. Jonker, Superintendent**

Date: **May 20, 2011**

Subject: **Public Works Annual Gravel Supply Contracts ~ 2011-2013 (3-Years)**

On May 05, 2011 bids were opened for the annual Public Works Gravel Supply Contracts. These contracts are three-year renewable contracts. The bid results are as follows.

Bidder Name	Winter Sand Per Cubic Yard	2" Minus Grvl Per Cubic Yard	D-1 Gravel Per Cubic Yard	Airport Sand Per Cubic Yard	Type II Grvl Per Cubic Yard
A & D Services	$18.75	Nb	$26.25	Nb	$16.00
DIRTT Co., LLC	$16.50	$17.00	$19.50	$20.50	$13.50
Gregoire Const.	Deemed	Non-responsive	Not on bidders	List	
Twin Peaks Const.	Nb	$22.30	$28.90	Nb	$16.80
R/C Land Develop.	$12.66	$13.66	Nb	Nb	$10.66
Dibble Creek Rock	$18.23	Nb	Nb	Nb	Nb
Brown Const. Co. Inc.	$18.00	$19.00	$20.30	$19.00	$15.00

Nb = no bid submitted

Recommendation

Award the following three-year renewable contracts. (These are the 2011 bid quantities.)

- Winter Sand – R/C Land Development, Anchor Point, AK. (1,500 cy x $12.66/yd = $18,990.00)
- 2" Minus Gravel – R/C Land Development, Anchor Point, AK. (1,200 cy x $13.66/yd = $16,392.00)
- Airport Sand – Brown Construction, Homer, AK (50 cy x $19.00/yd = $ 950.00)
- Type II Gravel – R/C Land Development, Anchor Point, AK. (200 cy x $10.66/yd = $2,132.00)

Note: We are not purchasing D-1 material at this time, but have requested a bid for future needs.

Fiscal Note

• Winter Sand	100.174.5202	$32,000 available
• 2" Minus Gravel	100.172.5202	$48,000 available
• Airport Sand	100.149.5202	$ 3,500 available
• Type II Gravel	100.172.5202	$48,000 available

BIDDER'S NAME	Sand 8/15-9/15	Sand 4/30	9/15- 2" Minus by 8/7	2" Minus 8/7-4/30	D-1 by 8/7	D1 8/7-4/30	Airport Maint. Sand by 8/7	Airport Maint. Sand 8/7-4/30	Type II Gravel by 8/7	Type II Gravel 8/7-4/30
RC Land Improvements	$ 12.66	$ 18.50	$ 13.66	$ 19.50	no bid	no bid	no bid	no bid	$ 10.66	$ 16.66
Brown Construction Co.	$ 18.00	$ 18.00	$ 19.00	$ 19.00	$ 20.30	$ 20.30	$ 19.00	$ 19.00	$ 15.00	$ 15.00
Dirtt Co LLC	$ 16.50	$ 20.50	$ 17.00	$ 21.00	$ 19.50	$ 23.50	$ 20.50	$ 25.50	$ 13.50	$ 17.50
Gregoire Construction	Non Responsive		Not on plan holder's list							
A&D Services	$ 18.75	$ 22.50	$ 18.75	$ 22.50	$ 26.25	$ 30.25	$ 18.75	$ 22.50	$ 16.00	$ 20.00
Dibble Creek Rock	no bid	no bid	no bid	no bid	no bid	no bid	$ 18.23	$ 25.00	no bid	no bid
Twin Peaks	no bid	no bid	$ 22.30	$ 22.30	$ 28.90	$ 28.90	no bid	no bid	$ 16.80	$ 16.80

CITY OF HOMER
HOMER, ALASKA

City Clerk

RESOLUTION 11-058

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, AWARDING CONTRACTS FOR THE CITY OWNED DREDGE SPOILS TO THE FIRMS OF HERNDON CONSTRUCTION LLC IN THE AMOUNT OF $1,050.00 AND HOMER BOAT YARD OF HOMER, ALASKA, IN THE AMOUNT OF $1,050.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The Invitation to Bid was advertised in the Homer News on May 12 and 19, 2011 and posted on the City's website as required by the City's Procurement Manual; and

WHEREAS, Two bids were received and both Herndon Construction LLC and Homer Boat Yard were determined to be the lowest responsive bidders for the dredge spoils; and

WHEREAS, Herndon Construction LLC and Homer Boat Yard both bid $5.25 per cubic yard for 200 cubic yards; and

WHEREAS, These awards are not final until written notification is received by Herndon Construction LLC and Homer Boat Yard of Homer, Alaska, from the City of Homer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves the contract awards for the City Owned Dredge Spoils to the firms of Herndon Construction LLC and Homer Boat Yard of Homer, Alaska, each in the amount of $1,050.00, and authorizes the City Manager to execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 13th day of June, 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

Fiscal Note: Revenue: $2,100.00 Acct. No. 400-601-4902

CITY OF HOMER
BID TALLY SHEET

PROJECT: Invitation to Bid on City Owned Dredge Spoils
DUE DATE & TIME: May 26, 2011 2pm
CITY CLERK'S OFFICE

BIDDER NO.	BIDDER NAME & ADDRESS	
1.	Herndon Construction LLC PO Box 262 Homer, AK 99603	$5.25 per cubic yard for 200 cubic yards
2.	Homer Boat Yard Mike Stockburger 2559 Kachemak Drive Homer, Alaska 99603	$5.25 per cubic yard for 200 cubic yards
3.		

Staff Present: Melissa Jacobsen, Deputy City Clerk; Jo Earls, Accounting Technician, Rachel Tussey, Port & Harbor Administrative Assistant

Comments:

CITY OF HOMER
HOMER, ALASKA

City Clerk

RESOLUTION 11-059

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, AWARDING A CONTRACT TO ARNO CONSTRUCTION, OF HOMER, ALASKA, IN THE AMOUNT OF $6,720 FOR THE CONSTRUCTION OF THE WEST HOMER ELEMENTARY TRAIL AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The City Council on April 12, 2011 authorized a budget of $9,000 to construct the West Homer Elementary Trail project (Ordinance 11-11); and

WHEREAS, As required by the City's Procurement Manual, Public Works solicited bids from local contractors; and

WHEREAS, Four bids were opened on May 17, 2011 ranging from $6,720 to $10,800; and

WHEREAS, Arno Construction was determined to be the low responsive bidder; and

WHEREAS, This award is not final until written notification is received by Arno Construction of Homer, Alaska, from the City of Homer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves the award of the construction of the West Homer Elementary Trail Improvements to Arno Construction of Homer, Alaska, in the amount of $6,720 and authorizes the City Manager to execute the appropriate documents to complete construction.

PASSED AND ADOPTED by the Homer City Council this 13th day of June, 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

Fiscal Note: $6,720, Acct. No. 165-375 (HART Trails Reserve)

CITY OF HOMER
PUBLIC WORKS
3575 HEATH STREET HOMER, AK 99603

TELEPHONE (907)235-3170
FACSIMILE (907)235-3145

MEMORANDUM 11-086

To: Walt Wrede, City Manager

From: Carey Meyer, Public Works Director

Date: May 24, 2011

Subject: **West Elementary Trail Project**
Construction Contract Award Recommendations

The City opened bids for this project on May 17. Four bids were received:

Firm	Location	Bid Amount
Arno Construction	Homer, AK	$ 6,720
East Road Services	Homer, AK	$ 9,500
Paul's Services	Anchor Point, AK	$ 8,899
Collins Excavation Services	Homer, AK	$10,800

The low bid for this project is within the budget previously approved by the Council at their meeting on April 12 (Ord. 11-11).

Recommendations:

The City Council award the construction contract for the Homer West Elementary Trail Project to Arno Construction, Homer, Alaska in the amount of $6,720, and authorize the City Manager to execute all appropriate documents to complete construction.

CITY OF HOMER
HOMER, ALASKA

City Manager/
Public Works Director

ORDINANCE 11-11

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING THE FY 2011 OPERATING BUDGET BY APPROPRIATING $9,000 FROM THE HOMER ACCELERATED ROADS AND TRAILS FUND (HART) FOR THE CONSTRUCTION OF THE WEST HOMER ELEMENTARY TRAIL PROJECT.

WHEREAS, The Council authorized the expenditure of HART funds in the 2008 City operating budget to complete this project; and

WHEREAS, Capital project funding must be used within three years; and

WHEREAS, Due to workload, the project was not completed within the three year time period; and

WHEREAS, The project is now ready for construction and has had the continued support of the Kenai Peninsula Borough School District, adjacent neighbors, the Parks and Recreation Advisory Commission, and the Transportation Advisory Committee; and

WHEREAS, To complete the project, the City Council must reauthorize HART funding.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby amends the FY 2011 Operating Budget by appropriating $9,000 from the Homer Accelerated Road and Trail Fund (HART) for the construction of the West Homer Elementary Trail.

Expenditure:

Account No.	Description	Amount
165-375	(HART Trails Reserve) West Homer Elementary Trail Construction	$9,000

Section 2. This is a budget amendment ordinance, in temporary in nature, and shall not be codified.

ENACTED BY THE HOMER CITY COUNCIL this 11th day of April, 2011.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

ATTEST:

JO JOHNSON, CMC, CITY CLERK

YES: 6
NO: 0
ABSENT: 0
ABSTAIN: 0

First Reading: 3/29/11
Public Hearing: 4/11/11
Second Reading: 4/11/11
Effective Date: 4/12/11

Reviewed and approved as to form:

Walt Wrede, City Manager

Date: 4/19/11

Thomas F. Klinkner, City Attorney

Date: 4-21-11

CITY OF HOMER
HOMER, ALASKA

Wythe

RESOLUTION 11-060

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, ESTABLISHING A COMMITTEE TO DEVELOP A PORT AND HARBOR IMPROVEMENT REVENUE BONDING PLAN AND PROVIDE COMMITTEE REVIEW AND OVERSIGHT THROUGHOUT THE IMPLEMENTATION AND COMPLETION OF ANY APPROVED PLAN.

WHEREAS, The City of Homer Capital Improvement Plan (CIP) contains a variety of repair and improvement items for the Port & Harbor district, many of which have been languishing on the CIP list for a number of years with the continued hope of receiving funding from State and Federal agencies; and

WHEREAS, The Homer City Council recognizes the Port and Harbor Enterprise as a vital economic contributor to the community and as such desires to maintain and improve the facilities to ensure continued economic vitality and support economic development within the community; and

WHEREAS, State and Federal funding of these projects becomes increasingly unlikely due to economic shortfalls at all levels of government; and

WHEREAS, The Port and Harbor is an Enterprise Fund which generates revenues that can be allocated to the repayment of financed projects, which qualifies the Enterprise Fund for Revenue Bonding consideration; and

WHEREAS, The Port and Harbor Enterprise Fund currently has no indebtedness; and

WHEREAS, The current Port and Harbor Enterprise Fund depreciation reserve account has a balance of $1,653,816 as of December 31, 2010.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, supports the establishment of a committee to develop a plan for the implementation of a Port and Harbor Improvement Revenue Bonding Project; and

BE IT FURTHER RESOLVED that the committee will consist of six members, three representatives from the Homer City Council (to be appointed by the Mayor and approved by the Council), the Harbormaster, and two members from the Port and Harbor Advisory Commission (to be selected by the Port and Harbor Advisory Commission). Other staff members will provide administrative and consultative support as requested by the committee or directed by the City Manager.

BE IT FURTHER RESOLVED that the committee will make a recommendation to the Council not later than November 1, 2011, including information on the process for revenue bond funding, a proposed timeline for project completion in not longer than three years with a beginning date of no later than June 1, 2012, and including the following items from the Capital Improvement Projects list:

a.	Harbormaster's Office (to be developed as a model over-slope development project and include public restroom facilities with a separated entrance from the building to allow 24-hour access)	$2,875,000
b.	Harbor Entrance Erosion Control	600,000
c.	Ramp 3 Gangway replacement (to include disability access)	1,700,000
d.	Harbor Float Replacement	3,500,000
e.	Upgrade System 5 – Vessel Shore Power & Water	530,000
f.	Fishdock Restrooms	400,000

PASSED AND ADOPTED by the Homer City Council this 13th day of June, 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

Fiscal Note: $6,720, Acct. No. 165-375 (HART Trails Reserve)

CITY OF HOMER
HOMER, ALASKA

Roberts

RESOLUTION 11-061

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, SETTING WATER/SEWER DEPRECIATION RESERVE TRANSFERS TO THE NET CHANGE IN FUND BALANCE ANNUALLY.

WHEREAS, When compiling the budget, the current practice is that the amount of depreciation reserves transferred annually is set during the budget cycle; and

WHEREAS, It would be beneficial to set the amount transferred to depreciation reserves by the residual amount at year end; and

WHEREAS, By amending the procedure to set water/sewer depreciation reserve transfers to the net change, it would allow the economy time to recover and build depreciation reserves by only what the utility can afford; and

WHEREAS, This is classified as the "change in fund balance" in the financial statements.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves setting water/sewer depreciation reserve transfers to the net change in fund balance annually.

PASSED AND ADOPTED by the Homer City Council this 13th day of June, 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

Fiscal information: N/A.

CITY OF HOMER
HOMER, ALASKA

City Clerk

RESOLUTION 11-062

A RESOLUTION OF THE CITY COUNCIL AMENDING THE CITY OF HOMER FEE SCHEDULE UNDER WATER AND SEWER FEES.

WHEREAS, Water and sewer utility services shall be reviewed biennially on odd calendar years and amended, as necessary, to take effect as of July 1, 2011 with the first billing cycle to take effect following July 1; and

WHEREAS, From April to June, 2011 Council reviewed and discussed the water and sewer rates.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska, that the City of Homer Fee Schedule, Water and Sewer Fees is amended as follows:

WATER AND SEWER FEES:

A 15% admin. fee for replacement parts for water/sewer services, functions, pressure reducing valves, sewer saddles, any Public Works Department stock item for resale to public.

(Contact Planning Department - at City Hall, 235-3106. Planning issues the permits.)
Establishing service includes a one time disconnect - $30
Service calls, inspections, repairs not to exceed one hour - $25 per employee plus equipment and materials.

Service calls, inspections and repairs during normal operating hours in excess of one hour labor: actual labor costs by City plus equipment and materials.

Service calls, inspections and repairs after normal operating hours or on weekends/holidays: $50 minimum plus equipment and materials or actual cost incurred by City, whichever is greater.

SEWER FEES:
Sewer Connection and Extension Permit Fee

Single Family/Duplex $255
Multi-Family/Commercial/Industrial $330

Sewer Rate Schedule.

All sewer utility services shall be billed according to the following schedule. This schedule is for monthly sewer services and is in addition to any charges for connecting or disconnecting

the service, installation of the service or any assessment of the improvements.

	Monthly Customer Charge	Charge per Gallon	Usage Charge per 1,000 Gallons of Water
Residential	$20	$0.00997	$ 9.97
Commercial	$20	$0.01264	$12.64

Sewer System Residential or Residential Equivalent Dischargers Who Are Not Water System Users:

Sewer system dischargers who are not water system users shall be charged at the rate of $54.90. Variable rate $34.90 based on 3,500 gallons per month plus monthly customer charge $20. The City reserves the right to adjust this rate based on the characteristics of the service for non-residential or non-residential equivalent users. Customers who receive septic service shall be charged an additional $6.00* per month.

Sewer System Dischargers Who Are Members of Kachemak City LID:
Kachemak City Local Improvement District (LID) members have contributed to the initial cost of the sewer treatment plant and the collection system. Kachemak City LID dischargers connected within the LID and the City of Homer shall bill Kachemak City in one lump sum at the rate of $60.90. Variable rate $34.90 based on 3,500 gallons per month plus monthly customer charge of $20 plus septage cost $6.00* per month for each residential or residential equivalent discharger. Kachemak City shall be responsible for payment to the City of Homer.

Domestic sewer service customers who use large quantities of City water in addition to their domestic use shall be allowed, with the Public Works Director's approval, to install an additional water meter on the domestic water use line for the purpose of metering and charging for domestic sewer system use. Sewer system use will be billed monthly.

The City will allow, upon approval by Public Works and a permit from the Public Works Department, a second water usage meter – called a seasonal sewer meter – for each customer that desires to measure the flow of City water that is not discharged to the sewer system during the summer growing season, June 15 through September 15. Rates noted above do not apply.

Seasonal Sewer Meter Fee is $211.97.

WATER FEES:

Water Connection Fee

Single Family/Duplex $300
Multi-Family/Commercial/Industrial $375

Water Rate Schedule.

All water utility services shall be billed according to the following schedule. This schedule is for monthly water service and is in addition to any charges for connecting or disconnecting the service, installation of the service or any assessment of the improvements.

	Monthly Customer Charge	Charge per Gallon	Usage Charge per 1,000 Gallons of Water
Residential	$25	$0.00442	$ 4.42
Commercial	$25	$0.01140	$11.40
Bulk	$25	$0.01269	$12.69

Meter Size Deposits.

Size (inches)	Residential Users	Nonresidential Users
5/8	$75.00	$220.00
3/4	$80.00	$230.00
1	$90.00	$250.00
1-1/2	$115.00	$310.00
2	$150.00	$370.00
3	$220.00	$525.00
4	$310.00	$730.00
6	$520.00	$1,225.00

$750 meter deposit shall apply to metered fire hydrant connections. The deposit will be returned when the meter is returned undamaged. This deposit may be waived upon the recommendation of the Public Works Superintendent.

If a bulk water customer purchases a meter from the City for measuring the quantity of water purchased, it shall be exempt from the monthly meter service charge. It is the responsibility of the bulk water customer to maintain that meter so the City can accurately determine the amount of water being purchased. In the event the meter fails, it is the bulk water customer's responsibility, at its expense, to repair it or purchase a replacement meter from the City. The City may at any time test the meter for accuracy.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this ____ day of _____, 2011.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

Fiscal Note: Revenue amounts not defined in CY2011 budget.

Office of the City Clerk

Jo Johnson, CMC, City Clerk
Melissa Jacobsen, CMC, Deputy City Clerk II
Renee Krause, CMC, Deputy City Clerk I

491 E. Pioneer Avenue
Homer, Alaska 99603
(907) 235-3130
(907) 235-8121
ext: 2224, 2226, or 2227
Fax: (907) 235-3143
Email: clerk@ci.homer.ak.us

MEMORANDUM 11-0087

TO: MAYOR HORNADAY AND HOMER CITY COUNCIL

FROM: JO JOHNSON, CMC, CITY CLERK

DATE: JUNE 8, 2011

SUBJECT: RESOLUTION 11-062 WATER AND SEWER RATES

Resolution 11-062 as presented are the current water and sewer rates. Council may bring the resolution to the table and discuss. If Council wishes to amend the rates for the July 2011 to June 2013 period of time they may do so by motion.

At the June 27, 2011 meeting there will be a public hearing on Resolution 11-062 and it will be on the table for adoption.

RECOMMENDATION:

Bring Resolution 11-062 to the table for discussion and make amendments to the water and sewer rates if desired.

CITY OF HOMER
HOMER, ALASKA

Roberts

RESOLUTION 11-063

A RESOLUTION OF THE HOMER CITY COUNCIL ENCOURAGING THE KENAI PENINSULA BOROUGH ASSEMBLY TO DESIGNATE 80 ACRES, KENAI PENINSULA BOROUGH PARCEL NUMBER 179-010-26 NORTHWEST OF THE HOMER AIRPORT AS WILDLIFE HABITAT.

WHEREAS, Kachemak Moose Habitat Inc. is a small nonprofit that has preserved more than 1,000 acres of moose habitat on the Southern Kenai Peninsula since 1996; and

WHEREAS, Kachemak Moose Habitat Inc. has an emphasis on conserving land around Beluga Lake adjacent to the Homer Airport Critical Habitat Area, allowing moose to congregate and feed during tough winters and deep snow; and

WHEREAS, Winter moose and wildlife habitat provides high moose populations for recreational hunters; and

WHEREAS, The Homer tourism industry benefits from wildlife viewing; and

WHEREAS, The City of Homer Comprehensive Plan classifies this 80 acres as Conservation use; and

WHEREAS, Conservation land is defined as environmentally sensitive public land with particularly high value for water quality, fish and wildlife, and other open spaces; and

WHEREAS, This action would cause no effect on the city tax revenue as the property would remain in the ownership of the Kenai Peninsula Borough; and

WHEREAS, This piece of property defined as T6S, R13W, Sec 15 SM, NW 1/4 , SE ¼, and NE 1/4, SW ¼ is distant from the current area of airport development; and

WHEREAS, The Kenai Peninsula Borough Assembly has the power to designate this 80 acre parcel as wildlife habitat and may change this designation again in the future.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council encourages the Kenai Peninsula Borough Assembly to designate 80 acres, Kenai Peninsula Borough Parcel Number 179-010-26 northwest of the Homer airport as wildlife habitat.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 13th day of June, 2011.

CITY OF HOMER

_____

JAMES C. HORNADAY, MAYOR

ATTEST:

_____

JO JOHNSON, CMC, CITY CLERK

Fiscal Note: N/A.

Kenai Peninsula Borough

generated on 6/8/2011 1:16:25 PM EDT

Parcel

Parcel Number	Tax Account	Parcel Address	2011 Total Value	Data as of	Assess Year
17901026		,	$29,500	6/5/2011	2010

Owner Information

Owner Name	KENAI PENINSULA BOROUGH
Owner Address	144 N BINKLEY ST SOLDOTNA AK 99669-7520
Transfer Date	03/15/2000
Document #	0
Deed Book/Page	300 120

Location / Description

Taxing Unit	20	Base MAP	AR70
Deeded Acreage	80.0000	Legal Desc.	T 6S R 13W SEC 15 Seward Meridian HM NW1/4 SE1/4 & NE1/4 SW1/4

Parcel Type

Property Class Code	100 Residential Vacant

Assessment Information

2011 Land Value	$29,500
2011 Imp. Value	$0
2011 Total Value	$29,500
Prior Land Value	$29,500
Prior Imp. Value	$0

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY ATTORNEY

COMMENTS OF THE CITY CLERK

COMMENTS OF THE CITY MANAGER

COMMENTS OF THE MAYOR

COMMENTS OF THE CITY COUNCIL

ADJOURNMENT