

City Council
August 22, 2011
Monday

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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2011
AUGUST/SEPTEMBER

Monday 22nd **CITY COUNCIL** Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.

Tuesday 23rd **KAREN HORNADAY PARK COMMITTEE** 5:30 p.m.

Wednesday 24th **PORT AND HARBOR ADVISORY COMMISSION** Regular Meeting 5:00 p.m.

Thursday 25th **1% FOR THE ARTS SELECTION COMMITTEE** 1:00 p.m.

Friday 26th **SPIT PARKS AND RECREATION COMMITTEE** 1:00 p.m.

Monday 5th **CITY OFFICES CLOSED** in observance of Labor Day.

Tuesday 6th **LIBRARY ADVISORY BOARD** 5:00 p.m.

Wednesday 7th **PLANNING COMMISSION** Worksession 5:30 p.m. and Regular Meeting 7:00 p.m.

Thursday 8th **KACHEMAK DRIVE PATH COMMITTEE** 5:30 p.m.

Monday 12th **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 Mondays 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
BARBARA HOWARD, COUNCILMEMBER - 11
DAVID LEWIS, COUNCILMEMBER - 11
FRANCIE ROBERTS, COUNCILMEMBER - 12
KEVIN HOGAN, COUNCILMEMBER - 12
MARY E. (BETH) WYTHER, COUNCILMEMBER - 13
BRYAN ZAK, COUNCILMEMBER - 13
City Manager, Walt Wrede
City Attorney, Thomas Klinkner

<http://www.cityofhomer-ak.gov/cityclerk> for 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/COMMITTEE OF THE WHOLE
491 E. PIONEER AVENUE
HOMER, ALASKA

AUGUST 22, 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. **2012 Budget – Guiding Principles** Page 7
4. **Revenue Sources for General Fund** Page 9
5. **REGULAR MEETING AGENDA**
6. **COMMENTS OF THE AUDIENCE**
7. **ADJOURNMENT NO LATER THAN 5:50 P.M. NEXT REGULAR MEETING IS SCHEDULED FOR MONDAY, SEPTEMBER 12, 2011 AT 6:00 P.M. THE NEXT COMMITTEE OF THE WHOLE IS SCHEDULED FOR MONDAY, SEPTEMBER 12, 2011 AT 5:00 P.M. A WORKSESSION IS SCHEDULED FOR MONDAY, SEPTEMBER 12, 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.

DRAFT FY 2010 OPERATING BUDGET

GUIDING PRINCIPLES

The following guiding principles were used in preparing the Draft FY 2010 City Operating Budget. This is the overall framework within which important policy and fiscal decisions were made.

City Council Priorities

- No new taxes or increases in tax levies.
- No new user fees or increases in fee rates.
- Preserve and protect fund balances and reserve accounts.
- Priority for basic/core municipal services. If cuts need to be made, eliminate funding for non-core services and programs first.
- Allow local voters to decide whether unprepared foods should continue to be exempt from the City Sales Tax.
- Provide a conservative draft budget which assumes that the economic downturn will continue next year and that the ballot proposition will fail.

City Manager Priorities

- Avoid departmental cuts that jeopardize the core mission and primary service delivery.
- Avoid overreacting, cutting too deeply, and causing damage to services that would be difficult to restore, until more revenue information becomes available.
- Suspend contributions to reserve and depreciation accounts for one year and simultaneously, suspend expenditures from those accounts.
- Place a high priority on workforce morale, productivity, and competitiveness when considering expenditure reduction options.
- Achieve workforce and personnel expense reductions through attrition, retirements, limited layoffs, and suspending COLA's.
- Avoid budget cuts that look good on paper but which in reality, are not likely to save money.
- Recommend a 1 year moratorium on all new capital projects.
- Recommend a 1 year moratorium on all new equipment purchases.
- Recommend a 1 year moratorium on all new programs or services.



City of Homer
Finance
491 East Pioneer Avenue
Homer, Alaska 99603-7645

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Web Site www.ci.homer.ak.us

Date: August 16, 2011
To: City Council
Thru: Walt Wrede *W. Wrede*
From: Regina Murras
Subject: Year To Date Sales Tax Receipts

Please find the attached Sales Tax Analysis for receipts through July, 2011.

Receipts are reported when received in the General Fund from the Borough. We usually receive monies for the month by the last week of that particular month. (Give or take a couple of days).

To date, the sales tax revenues exceed the 2011 budget by \$151,391. This number fluctuates tremendously throughout the year as many factors may come into play. For example, if we have lots of rain, tourism is down and so are the sales tax dollars.

Included in this report is a revenue comparison for the General Fund, Water/Sewer and Port and Harbor. It compares 2010 Actual Revenue to that of Year to Date 2011, and the 2011 budget.



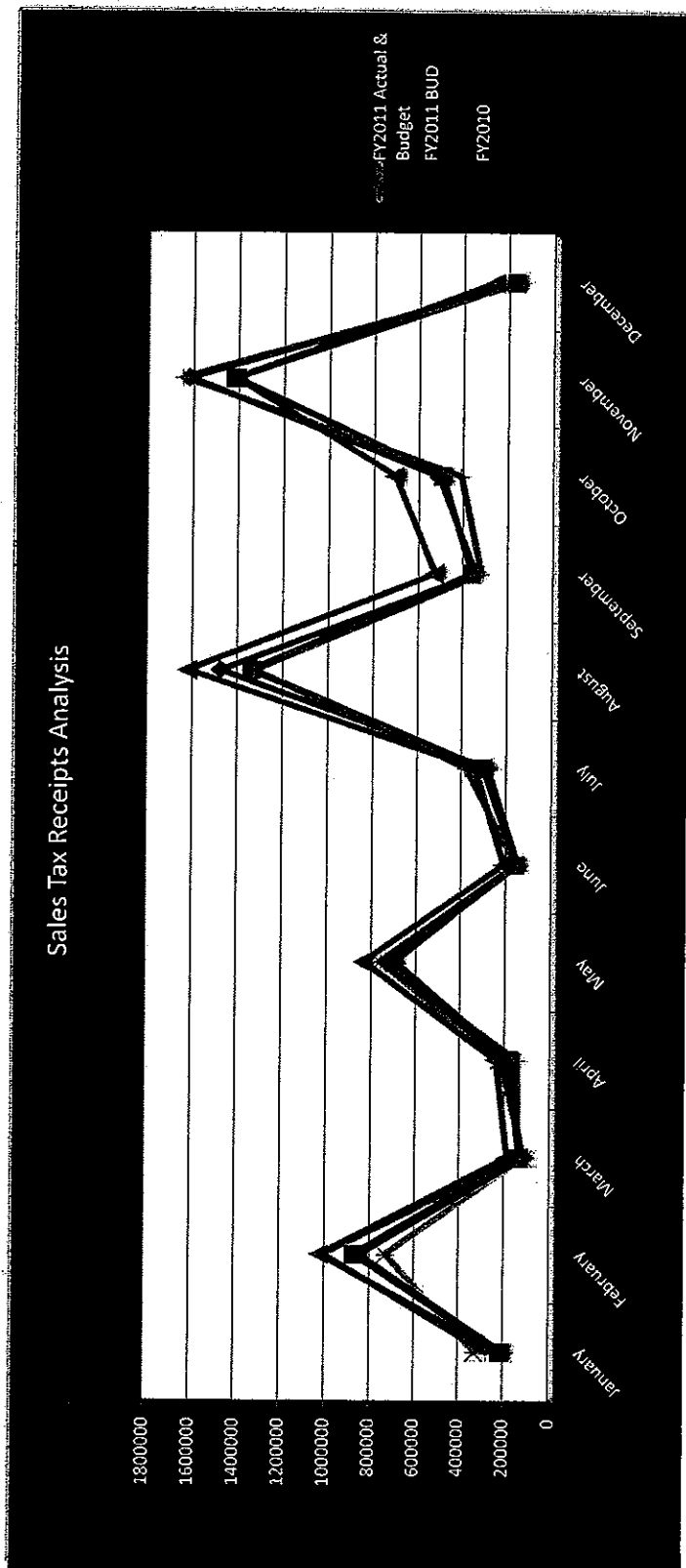
City of Homer

Total Sales Tax Receipts - per KPBR Reports

	January	February	March	April	May	June	July	August	September	October	November	December	Total
FY2002	235,388	380,279	109,320	231,443	316,236	126,174	382,955	677,665	277,455	450,518	687,874	155,641	4,030,948
FY2003	224,815	483,914	113,038	158,745	513,963	138,171	295,314	826,740	276,163	451,811	752,585	150,531	4,385,789
FY2004	173,383	608,080	118,185	159,742	511,976	169,754	278,260	973,217	282,216	358,798	984,426	128,990	4,747,028
FY2005	156,436	631,587	119,393	195,704	505,108	260,454	328,133	1,387,454	326,776	503,283	1,258,696	189,159	5,862,184
FY2006	240,620	831,955	222,816	270,840	649,076	239,430	614,911	1,007,800	468,950	472,900	1,195,427	325,981	6,540,706
FY2007	631,651	700,910	189,457	234,994	880,550	131,452	343,623	1,611,240	454,949	531,720	1,629,222	150,320	7,490,087
FY2008	225,658	1,021,315	186,685	237,640	835,054	208,135	337,826	1,617,973	524,035	704,601	1,411,051	257,355	7,567,329
FY2009	271,926	1,008,458	139,485	142,821	754,668	155,318	380,202	1,323,913	316,633	407,923	1,644,807	140,103	6,686,257
FY2010	198,439	847,588	115,033	209,618	707,069	145,958	281,018	1,472,687	339,344	510,455	1,619,213	155,417	6,601,838
FY2011	326,120	727,708	110,958	222,332	759,766	161,408	306,052	1,039,890	374,533	503,697	1,400,376	170,812	6,459,418
				Actual						Budget			

FY2011 BUD	246,076	798,258	112,915	177,577	686,339	142,947	298,841	1,363,894	364,568	501,424	1,444,376	170,812	6,308,027
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2011 Budgeted Numbers:		2011 Actuals	
General Fund	4,205,603		4,306,536
FAVWSP	1,051,212		
FAART - ROAL	946,091		
FAART - TRAIL	105,121		
	6,308,027		6,594,18



City of Homer - Revenue Worksheet

2010 Actual 8/16/2011 YTD 2011 Budget

General Fund

		2010 Actual	8/16/2011 YTD	2011 Budget
100-005-4101	Real Prop Tax	2,703,473.27	208,978.09	2,635,374.00
100-005-4102	Per Prop Tax	171,327.03	6,071.62	167,342.00
100-005-4103	Motr Vehicle Tx	54,662.01	21,385.37	60,000.00
100-005-4104	Prior Years Taxes	25,366.39	-	16,000.00
100-005-4105	Pen/Int Prop Tx	5,334.63	2,947.43	5,000.00
100-010-4201	Sales Tax	4,406,513.71	1,668,924.16	4,205,603.00
100-010-4202	Cooperative Tax	27,582.22	59,183.32	28,582.00
100-010-4203	Liquor License	25,450.00	20,400.00	20,000.00
100-010-4205	Sales Tax Comm	4,000.00	2,000.00	1,000.00
100-015-4301	Driveway Permit	1,650.00	1,555.00	1,400.00
100-015-4302	Sign Permits	550.00	200.00	700.00
100-015-4303	Building Permit	12,600.00	13,250.00	15,000.00
100-015-4304	Peddler Permits	440.00	820.00	400.00
100-015-4305	Animal Licenses	-	-	300.00
100-015-4308	Zoning Fees	5,250.00	2,300.00	5,000.00
100-015-4309	Row Permit	675.00	430.00	300.00
100-015-4314	Taxi/chauffeurs/safety Inspec	1,800.00	450.00	1,800.00
100-020-4401	Fines/Forfeit	13,280.50	6,687.80	17,000.00
100-020-4402	Non Moving Fine	2,270.00	3,564.00	400.00
100-025-4801	Interest Income	15,307.60	22,330.88	30,000.00
100-030-4501	Ak Shared Rev	374,392.00	-	374,392.00
100-030-4503	Prisoner Care	540,506.19	104,061.00	416,244.00
100-030-4504	Borough 911	49,920.00	-	48,480.00
100-030-4505	Police Sp Serv	9,000.00	27,000.00	36,000.00
100-030-4507	Library Grt Ak	12,500.00	-	6,350.00
100-030-4511	Pioner Av Maint	34,000.00	-	34,000.00
100-030-4514	Other Grants	13,500.00	40,000.00	-
100-030-4527	PERS Revenue	218,890.96	-	-
100-030-4909	Restitution	-	44.04	-
100-035-4311	Library Cards	(80.00)	(70.00)	-
100-035-4315	Project Administration Fee	-	674.94	-
100-035-4316	Lid Application Fee	-	100.00	100.00
100-035-4317	Lid Yearly Bill	1,037.04	174.00	1,000.00
100-035-4516	Pw Equip & Serv	12,090.45	2,641.19	4,500.00
100-035-4599	Pioneer Beautif	466.00	720.00	800.00
100-035-4601	Ambulance Fees	114,317.58	84,116.50	210,000.00
100-035-4603	Fire Contr Kachemack City	68,249.70	101,236.85	65,000.00
100-035-4604	EMS Class Fees	-	1,175.00	-
100-035-4607	Other Services	25,464.40	17,814.94	28,725.00
100-035-4608	City Campground	21,596.40	15,625.60	18,000.00
100-035-4609	Animal Care Fee	6,153.00	3,414.00	9,200.00
100-035-4610	Plans & Specs	150.00	575.00	500.00
100-035-4611	City Clerk Fees	655.12	819.65	600.00
100-035-4613	Cemetery Plots	1,600.00	3,800.00	1,800.00
100-035-4614	Community Recreation Fees	29,462.00	18,631.50	28,000.00

City of Homer - Revenue Worksheet

		2010 Actual	8/16/2011 YTD	2011 Budget
100-035-4654	Spit Camping	154,262.43	109,682.00	142,000.00
100-035-4660	Advertising - Community School	2,830.00	1,330.00	2,500.00
100-035-4902	Other Revenue	1,109.58	-	-
100-035-4907	Old School Fees	90,272.28	33,510.46	35,854.00
100-040-4901	Surplus Prop	4,917.30	-	-
100-040-4902	Other Revenue	14,399.89	38,533.40	3,500.00
100-040-4906	Proc Law Suits	-	5.54	-
100-045-4655	Airline Leases	92,584.54	44,502.48	92,000.00
100-045-4656	Concessions	2,099.79	1,066.40	2,000.00
100-045-4657	Car Rental	41,711.46	24,680.05	50,000.00
100-045-4658	Parking Fees	29,384.85	25,537.50	35,000.00
100-045-4659	Vending Machine	360.00	-	360.00
100-045-4660	Advertising	525.00	525.00	525.00
100-099-4981	G/F Admin Water	195,392.00	200,968.00	200,968.00
100-099-4982	G/F Admin Sewer	281,469.00	279,013.00	279,013.00
100-099-4983	G/F Admin P & H	356,894.00	369,068.00	369,068.00
100-099-4984	G/F ADMIN HART	160,951.00	143,140.00	143,140.00
100-099-4985	G/F Admin Hawsp	256,478.00	254,435.00	254,435.00
100-099-4987	G/F ADMIN HART -TRAILS	-	15,904.00	15,904.00
100-145-4311	Library Cards	-	-	-

Water / Sewer Fund

200-400-4527	PERS Revenue	24,918.81	-	-
200-400-4616	Meter Sales Res	460,680.75	260,676.57	455,712.00
200-400-4617	Meter Sales Com	1,154,756.98	720,694.04	1,035,770.00
200-400-4618	Meter Sale Ind	31,318.80	19,971.70	20,000.00
200-400-4661	Connection Fees	14,812.63	10,166.26	17,000.00
200-400-4662	Service & Meters	23,451.72	6,662.36	19,000.00
200-400-4801	Interest Income	4,566.27	4,348.73	25,000.00
200-400-4802	Penalty/Int	8,811.91	4,901.50	6,000.00
200-400-4902	Other Miscellaneous	147,493.41	12,667.26	-
200-500-4527	PERS Revenue	24,918.81	-	-
200-500-4616	Meter Sales Res	634,165.38	349,445.10	711,237.00
200-500-4617	Meter Sales Com	818,798.46	509,724.87	1,144,323.00
200-500-4618	Meter Sale Ind	17,925.44	6,561.48	-
200-500-4662	Service&meter	9,608.97	3,030.00	13,000.00
200-500-4701	RV Dump Station	2,924.39	2,246.68	3,000.00

Port and Harbor

400-600-4515	Ferry Lease	18,000.00	18,000.00	18,000.00
400-600-4527	PERS Revenue	48,468.61	-	-
400-600-4634	Port Storage Fe	20,758.28	18,410.86	16,000.00
400-600-4635	Port Impound Fe	-	-	1,000.00
400-600-4650	Rents & Leases	294,351.19	134,808.98	275,000.00
400-600-4705	Business Licens	35.00	20.00	225.00
400-600-4801	Interest On Investments	574.34	3,400.57	-

City of Homer - Revenue Worksheet

		2010 Actual	8/16/2011 YTD	2011 Budget
400-600-4901	Surplus Prop	49,853.38	888.00	28,000.00
400-600-4902	Other Revenue	1,093.50	6,595.80	500.00
400-601-4245	Waste Oil Disp	7,119.24	1,556.77	8,000.00
400-601-4249	Oil Spill Rec	1,317.40	19.05	1,000.00
400-601-4318	Parking Revenue	15,752.21	13,449.79	16,000.00
400-601-4319	Electrical Supplies	2,342.66	1,230.01	2,500.00
400-601-4624	Berth Trans Mo	371,877.69	192,407.25	397,580.00
400-601-4625	Berth Reserved	871,886.86	14,653.96	849,750.00
400-601-4626	Berth Trans A	129,350.04	34,373.11	113,300.00
400-601-4627	Berth Trans S/A	70,808.60	40,856.89	84,460.00
400-601-4628	Berth Trans Dly	80,767.90	38,427.73	72,100.00
400-601-4629	Metered Enegery	51,912.42	51,066.19	88,000.00
400-601-4644	Pumping	237.60	82.77	1,700.00
400-601-4645	Wooden Grid	6,034.32	4,998.30	9,064.00
400-601-4646	Commerical Ramp	6,978.85	18,022.50	3,605.00
400-601-4647	Berth Wait List	7,012.50	5,140.00	10,300.00
400-601-4648	Steel Grid Fees	15,928.52	7,241.63	15,450.00
400-601-4653	L&L Ramp	84,607.75	49,547.79	103,000.00
400-601-4663	Trans Enrg 110v	31,503.26	13,569.78	33,000.00
400-601-4664	Trans Engy 220v	19,025.33	10,490.97	13,000.00
400-601-4665	Trans Engy 208v	69,572.09	51,134.06	88,000.00
400-601-4666	Comm Ramp Wharf	935.48	9,620.42	2,000.00
400-601-4672	Port Security Revenues	21,870.00	10,327.50	37,800.00
400-601-4802	Penalty/Int	17,489.02	5,769.52	15,000.00
400-601-4902	Other Revenue	49,765.63	23,138.80	55,000.00
400-602-4631	USCG Leases	24,287.30	12,213.32	24,010.00
400-602-4638	PD Fuel Wharfge	128,047.73	92,039.74	103,000.00
400-602-4641	PD Water Sales	7,432.88	5,122.49	10,300.00
400-602-4642	PD Docking	37,631.80	30,864.61	35,020.00
400-603-4206	Fish Tax	73,504.52	4,955.22	110,000.00
400-603-4620	Ice Sales	542,135.68	133,413.34	516,030.00
400-603-4621	Cold Storage	16,640.00	16,068.00	19,261.00
400-603-4622	Crane Rental	250,917.00	129,243.11	257,500.00
400-603-4623	Card Acess Fees	8,648.35	4,812.00	8,240.00
400-603-4637	Seafood Wharfge	49,300.28	22,312.45	48,410.00
400-603-4700	Other Wharf Fd	749.00	729.35	1,236.00
400-604-4633	Stevedoring	8,865.91	4,944.76	15,450.00
400-604-4640	Dwd Wharfage	76,675.23	652.72	61,800.00
400-604-4643	Dwd Docking	63,098.52	48,815.77	73,645.00
400-604-4668	Dwd Water Sales	5,238.70	10,828.62	10,300.00
400-605-4704	Outfall Line	9,400.00	4,800.00	2,400.00
400-606-4706	Fish Grinder	11,319.00	1,490.00	12,360.00

CALL TO ORDER
PLEDGE OF ALLEGIANCE
AGENDA APPROVAL

HOMER CITY COUNCIL
491 E. PIONEER AVENUE
HOMER, ALASKA

AUGUST 22, 2011
MONDAY, AT 6:00 P.M.
COWLES COUNCIL CHAMBERS

**MEETING NOTICE
REGULAR MEETING AGENDA**

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 Special and Regular Meeting minutes of August 8, 2011. City Clerk. Recommend adoption. Page 19
- B. **Memorandum 11-116**, from Clerk, Re: Liquor License Restaurant Designation Permit for Alice's Champagne Palace. Page 33
- C. **Memorandum 11-117**, from Mayor, Re: Appointment of Adi Davis to the Economic Development Advisory Commission as Student Representative. Page 49

6. VISITORS

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Borough Report
- B. **Mayor's Proclamation** - National Preparedness Month, September 2011 Page 53

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

8. PUBLIC HEARING(S)

- A. **Ordinance 11-33**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 8.12.300 to Include Exemptions for Public Transportation Companies Serving More Than 15 Passengers. Roberts/Lewis. Introduction August 8, 2011, Public Hearing and Second Reading August 22, 2011. Page 59

Memorandum 11-120 from Police Chief as backup. Page 61

- B. **Ordinance 11-34**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating \$21,798.25 from the Port and Harbor Reserves for Parking Improvements at the Coast Guard Parking Area Adjacent to the Pioneer Dock. Port and Harbor Director/City Manager. Introduction August 8, 2011, Public Hearing and Second Reading August 22, 2011. Page 65

Memorandum 11-112 from Port and Harbor Director as backup. Page 69

- C. **Ordinance 11-35**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating \$24,000 from the General Fund Reserves to Acquire New Narrow Band Radios for the Public Works Department. Public Works Director/City Manager. Introduction August 8, 2011, Public Hearing and Second Reading August 22, 2011. Page 77

Memorandum 11-113 from Public Works Superintendent as backup. Page 81

9. ORDINANCE(S)

- A. **Ordinance 11-36**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Reappropriating \$15,000 for Drainage and Associated Improvements at the Fire Hall Parking Lot. City Manager/Fire Chief. Recommended dates: Introduction August 22, 2011, Public Hearing and Second Reading September 12, 2011. Page 85

10. CITY MANAGER’S REPORT

A. City Manager’s Report Page 89

B. Bid Report Page 101

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

A. Public Arts Committee

B. Transportation Advisory Committee

C. Permanent Fund Committee

D. Lease Committee

E. City Hall Renovation and Expansion Task Force

13. PENDING BUSINESS

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. Introduction June 13, 2011, Referred to Planning Commission. Recommended dates: Public Hearing and Second Reading September 12, 2011.

Page 103

Memorandum 11-118 from City Planner as backup.

Page 109

14. NEW BUSINESS

15. RESOLUTIONS

A. **Resolution 11-083**, A Resolution of the City Council of Homer, Alaska, Approving and Adopting a 2011-2012 Homer Area Natural Gas Pipeline Project Action Plan. City Manager. Page 121

B. **Resolution 11-084**, A Resolution of the Homer City Council Declaring Friday, September 23, 2011 as Blue and Gold Day in Homer, Alaska. Roberts. Page 125

- C. **Resolution 11-085**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Advisory Planning Commission Bylaws to Amend their Meeting Time to Begin at 6:30 p.m. and End at 9:30 p.m. City Clerk/Planning Commission. Page 127

Memorandum 11-119 from City Planner as backup.

Page 129

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, SEPTEMBER 12, 2011 AT 6:00 P.M. THE NEXT COMMITTEE OF THE WHOLE IS SCHEDULED FOR MONDAY, SEPTEMBER 12, 2011 AT 5:00 P.M. A WORKSESSION IS SCHEDULED FOR MONDAY, SEPTEMBER 12, 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 11-24 a Special Meeting of the Homer City Council was called to Order on August 8, 2011 at 4:00 p.m. by Mayor James C. Hornaday, at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: HOGAN, HOWARD, LEWIS, WYTHE, ZAK
ABSENT: ROBERTS
STAFF: CITY MANAGER WREDE
DEPUTY CITY CLERK JACOBSEN
CITY ATTORNEY KLINKNER

Councilmember Roberts requested excusal. No objection was expressed by Council.

AGENDA APPROVAL

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

The agenda was approved by consensus of the Council.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

NEW BUSINESS

- A. **Memorandum 11-115**, Request For Executive Session Pursuant To As §44.62.310(C)(1 & 5), Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Government Unit And Attorney/Client Privilege. (Briefing On Dietzman Case By Attorney Frank Koziol)

APPROVED without discussion.

The Council adjourned into executive session at 4:03 p.m. and reconvened at 4:35 p.m.

Mayor Pro Tempore Wythe stated the met with their legal council for an update on the status of the Dietzman case and provided instruction for further updates.

COMMENTS OF THE AUDIENCE

There were no comments of the audience.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner had no comment.

COMMENTS OF THE CITY CLERK

Deputy City Clerk Jacobsen had no comment.

COMMENTS OF THE CITY MANAGER

City Manager Wrede had no comment.

COMMENTS OF THE MAYOR

Mayor Hornaday had no comment.

COMMENTS OF THE CITY COUNCIL

Councilmembers had no comment.

ADJOURNMENT

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 4:36 p.m. The next Regular meeting is scheduled for September 12, 2011 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday September 12, 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.

Melissa Jacobsen, CMC, Deputy City Clerk

Approved: _____

Session 11-25 a Regular Meeting of the Homer City Council was called to Order on August 8, 2011 at 6:00 p.m. by Mayor James C. Hornaday, at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: HOGAN, HOWARD, LEWIS, WYTHE, ZAK

ABSENT: ROBERTS

STAFF: CITY MANAGER WREDE
DEPUTY CITY CLERK JACOBSEN
CITY ATTORNEY KLINKNER
POLICE CHIEF ROBL
PORT AND HARBOR DIRECTOR HAWKINS
CITY PLANNER ABOUD
LIBRARY DIRECTOR DIXON

Councilmember Roberts requested excusal. No objection was expressed.

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 change: **RESOLUTIONS-** Resolution 11-81 corrected to Resolution 11-082 A Resolution of The City Council Of Homer, Alaska Adopting The City Of Homer Hazard Mitigation Plan, Approving Its Inclusion As An Annex To The Kenai Peninsula Borough Multi-Jurisdictional Hazard Mitigation Plan, And Adopting The Kenai Peninsula Borough Multi-Jurisdictional Hazard Mitigation Plan.

The amended agenda was approved by consensus of the Council.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There was one who commented.

RECONSIDERATION

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 July 25, 2011. City Clerk. Recommend adoption.

The consent agenda was approved by consensus of the Council.

VISITORS

- A. **Homer Chamber of Commerce**, Monte Davis, Executive Director, 10 minutes.

Monte Davis, Homer Chamber of Commerce Executive Director updated the Council on recent Chamber events. Clean up day was very successful with more than 722 bags of garbage logged and 88 of those bags were recycled. Clean up day is a partnership with Kachemak Bay Lions Club, the Homer/Kachemak Bay Rotary Clubs, Alaska Waste, Kenai Peninsula Borough and Homer Landfill, and many other services. The Shorebird Festival was done in partnership with the US Fish and Wildlife Service and Islands and Ocean Visitor Center, and was a complete success with community members and visitors selling out almost 100% of the events. Next year is the Shorebird Festival's 20th anniversary. The Halibut Derby runs through the end of September, ticket sales are slightly down from last year, but people are still looking for the barn door and tagged fish. In the online contest of the Ultimate Fishing Town USA, Homer ranked in the top 10, the top two towns were in New York. Statistically visitors are up this year between 10 and 12%. Taking into consideration it was down 20% two years ago some of the small businesses in town are still struggling. Mr. Davis said the Chamber is hosting an informational meeting regarding the Catch Share Plan on August 12th at 7 p.m. NOAA has to interpret and regulate the law so there will be representatives here to speak about it. If the law goes into effect it could have serious consequences to for the derby next year. The first Derby Committee meeting is Wednesday night to discuss effects the Catch Share Plan. There have been 10 cruise ship delivering a little over 10,000 visitors. Mr. Davis explained the State has been tracking this and approximately 1 out of 3 cruise visitors come back to Alaska for a 7 to 10 day visit within 3 years with a group of 3.8 people. On the cruise they see spectacular scenery from the time they leave Seattle, but what draws them back is the friendliest communities. Mr. Davis reported that Chamber membership is steady, and the membership drive will be starting soon. The Port and Harbor will be partnering with the Chamber and have a presence in the Pacific Marine Expo in November. It is the largest commercial marine trade show on the west coast serving all aspects of the market and they hope to promote the year round marine trade services in Homer. They have put aside funds to launch a new website by January 1. He reported that the Chamber budget is primarily made up of membership dues, and the Halibut Derby and car raffle funds and he is getting ready to start the annual budget. Mr. Davis commented about the Borough initiative for Economic Development funding on this years ballot and the benefits the communities can expect from those funds.

- B. **Enstar Natural Gas Company**, John Sims, 15 minutes.

John Sims and Charlie Peirce participated in a question and answer session with Council. Enstar representatives encouraged Council to continue to build on the hard work of the community, the City Manager, and Representative Seaton. Enstar is still committed to this project and to finding ways to get this done. They still have to follow the guidelines and economic feasibility is the biggest hurdle right now. There are outstanding tariff pages that Representative Seaton has ideas for using. A key issue to help them in moving forward is for the City to help better define the core users for the first year. It would go a long way in helping them understand the dollars and

cents and volumes of gas needed. An example is that there has been talk of a Local Improvement District and understanding who would be involved in that LID would be very helpful. They anticipate a certain amount of usage per customer and per region and understanding the district would potential help estimate the years down the road. They are aware of the public buildings, like the schools and the state buildings interest. It was argued that Enstar is in the business of development and providing natural gas, the City of Homer is in the business of running a City, and it seems Enstar would be coming in with all this information and we would offer support, but Enstar says the city needs to give the information and help them develop it. Mr. Sims expressed the challenge in defining the customer base and the need to outline the initial improvement district. He explained that Anchor Point was the benefactor of a new find, the flow of the gas, and where the line needed to go. Mayor Hornaday noted that the City provided half a million dollars for that transfer station. Mr. Sims continued that with the work they are doing they anticipate a line this year. There was discussion of costs to develop the main line within the city boundary, surcharge, base rates, and volumetric charges. The scope of the project has changed significantly from when it began so the concern is that if the \$1 surcharge has to be multiplied by 3 or 4, does the consumer lose the incentive to convert to natural gas. He noted the additional upfront consumer cost of change equipment and appliances. Mr. Sims responded that local supply would make a big difference to the project and is wants to speak with anyone who gas they are willing to bring to market. Question was raised what it would take for us to demonstrate that we want and would use the product. Mr. Sims said that establishing that core boundary that will connect the first year would go a long way, he noted that Kachemak City is taking a vote to pay for the distribution system, and that is a very strong message. Enstar expects a return on capital dollars invested, and that is marginal with the City right now. They estimated MCF rate for an average residential user is about \$8.50 so looking at \$9.50 to \$10 with the initial dollar surcharge. The rates are adjusted quarterly. The dollar surcharge was based on full recovery of a \$3.5 million project in 10 years. The surcharge is removed once costs were recovered. Tariff information is available to review on Enstar's website.

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Borough Report

Bill Smith, Borough Assemblymember, commented that the Assembly passed an amendment to term limit ordinance. He explained that the current ordinance has a variable maximum that can be from two years to six years and most terms would be six years. The amendment takes effect on October 14, the variable terms would be from six years and up, to accommodate partial terms. There was concern for the possibility for reapportionment that someone could serve a one year term, then getting another 1 year term and being term limited in two years. He wasn't sure how it would effect his position as he thought he was term limited, but it was pointed out to him that the term limit ordinance as it stands does not prohibit a person from running for office, it prohibits a person from serving. His circumstance is that he can file for office and run. If elected the amended ordinance takes effect after the two year limit for amending an initiative, then, according to the Borough Attorney, he could be sworn into office. He has filed for another term which as it turns out will be for one year, due to reapportionment happening next year. Councilmember Howard commented that the enactment earliest date is October 14 or the Justice Department clearance, whichever comes later. Mr. Smith noted the DOJ has 60 days and that falls before October 14. She asked as a voter, when someone files for office, the vetting process begins at point to verify eligibility. To say that he can run and not serve seems very interesting to

her, so there could be many folks running that are not eligible to run. Mr. Smith responded that there is a listing of things that make you eligible, but the term limits ordinance doesn't say that you are ineligible to run for office, but that you can not serve. Regarding State election code, he noted that if you aren't a resident you aren't eligible to run, and a felon who loses their voter privileges would be prohibited.

B. 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

PUBLIC HEARING(S)

A. Budget Priorities for 2012

There were no public comments.

- B. **Ordinance 11-30**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 10.04.110, Violation-Penalty; Regarding the Payment of Citations for Parking Violations in the Harbor Area. City Clerk. Recommended dates: Introduction July 25, 2011, Public Hearing and Second Reading August 8, 2011.

Memorandum 11-098 from City Clerk as backup.

Mayor Hornaday opened the public hearing. There were no public comments and the public hearing was closed.

Mayor Hornaday called for a motion for the adoption of Ordinance 11-30 by reading of title for second and final reading.

LEWIS/ZAK SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- C. **Ordinance 11-31**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a State of Alaska Public Library Assistance Grant for FY 2012 in the Amount of \$6,500.00, with a Local Match of \$7,000.00 for Books and Library Materials

and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Library Director.

Memorandum 11-099 from Library Director as backup.

Mayor Hornaday opened the public hearing. There were no public comments and the public hearing was closed.

Mayor Hornaday called for a motion for the adoption of Ordinance 11-31 by reading of title for second and final reading.

LEWIS/ZAK SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- D. **Ordinance 11-32**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.34.010, Purpose; Homer City Code 21.24.020, Permitted Uses; and Homer City Code 21.34.030, Conditional Uses; Regarding the Purpose and Uses Permitted in the Conservation Zoning District. Planning. Recommended dates: Introduction July 25, 2011, Public Hearing and Second Reading August 8, 2011.

Memorandum 11-103 from City Planner as backup.

Mayor Hornaday opened the public hearing. There were no public comments and the public hearing was closed.

Mayor Hornaday called for a motion for the adoption of Ordinance 11-32 by reading of title for second and final reading.

LEWIS/WYTHE SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ORDINANCE(S)

- A. **Ordinance 11-33**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 8.12.300 to Include Exemptions for Public Transportation Companies Serving More Than 15 Passengers. Roberts/Lewis. Recommended dates: Introduction August 8, 2011, Public Hearing and Second Reading August 22, 2011.

Letter from Sally Oberstein as backup

Mayor Hornaday called for a motion for the adoption of Ordinance 11-33 for introduction and first reading by reading of title only.

LEWIS/ZAK SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- B. **Ordinance 11-34**, An Ordinance Of The City Council Of Homer, Alaska Amending The Fy 2011 Operating Budget By Appropriating \$21,798.25 From The Port And Harbor Reserves For Parking Improvements At The Coast Guard Parking Area Adjacent To The Pioneer Dock. P&H Director / City Manager

Memorandum 11-112 from Port and Harbor Director as backup

Mayor Hornaday called for a motion for the adoption of Ordinance 11-34 for introduction and first reading by reading of title only.

LEWIS/WYTHE SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried

- C. **Ordinance 11-35**, An Ordinance Amending the FY 2011 Operating Budget by Appropriating \$24,000 from the General Fund Reserves to Acquire New Narrow Band Radios for the Public Works Department. PW Director / City Manager.

Memorandum 11-113 from Public Works Superintendent as backup

Mayor Hornaday called for a motion for the adoption of Ordinance 11-35 for introduction and first reading by reading of title only.

WYTHE/ZAK SO MOVED.

There was discussion regarding the personnel who would be receiving the radios.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

CITY MANAGER'S REPORT

- A. City Manager's Report

1. Narrow Band Radios: This agenda contains an ordinance that would appropriate \$24,510.24 from the Public Works depreciation account to purchase “narrow band” radios for the department. The FCC has mandated that all two way radios be operated on narrow band frequencies by January 1, 2013. Radios that are not narrow band capable must be taken out of service at that time. The Borough Office of Emergency Management is providing funding and technical assistance to public safety departments throughout the Borough to assist in meeting this mandate. HPD and HVFD are participating but PW is not eligible. The conversion to narrow band communications is happening with the public safety agencies on September 1 of this year, less than a month from now. This is well in advance of the deadline. Unfortunately, once that occurs, PW will no longer be able to communicate with HPD and HVFD except by cell phone. This is not good for a variety of reasons. The Public Works Department would be one of the most important first responders we have in an emergency or disaster situation. The fact that they would be unable to communicate with HPD and HVFD is unacceptable. Cell phone service could be easily interrupted and so could the power and land lines. It is important to get new radios for PW ASAP. The department will have to convert anyway by January 1, 2013. That would make this an appropriation next year, in the FY 2012 budget. For public safety reasons, I believe we should do it now. ProComm has the contract to provide radios and product servicing to all of the public safety department s in the Borough for narrow band. In order to provide efficiency and insure interoperability, I recommend that purchase the equipment from the same company.
2. Health Insurance: The next meeting of the Borough Task Force on Health Care Costs is scheduled for August 15. The primary agenda item is getting into more of the details of various health insurance plans, beyond just the cost per employee. Andrea will attend this meeting. So far, the group has not progressed too far into the larger issue which is a discussion about what we might do collectively to help keep health care costs down for all.
3. Coast Guard Parking Improvements: This agenda contains an ordinance appropriating money from the P&H Reserves to make parking improvements at the Coast Guard staff parking area adjacent to the Pioneer Dock. These improvements are part of the broader agreement between the City, AMHS, and USCG to reduce potential conflicts between user groups on Lot 45 A and to maximize convenience and operating capacity for these two very important clients. The City’s lease with the Coast Guard provides for 25 parking spaces. The old land use agreement with AMHS made all of Lot 45 A available for ferry staging and related activities. This has worked fine for a decade. The need for change from the status quo is driven primarily by the fact that the ferry Tustemena is now home ported here and the ferry Matanuska is visiting frequently as well. This means more ferry traffic and a greater for staging at the ferry staging area. As a result AMHS wanted to build a warehouse on Lot 45-A, causing further congestion. You will recall that the agreement includes AMHS giving up any claim to use the Coast Guard parking area on Lot 45 A in exchange for a lease on Lot 48 to be used for the warehouse, staging, and long term employee parking (the new approved lease). AMHS agreed to pave the road to the warehouse. The City agreed to consolidate USCG parking and make a clear delineation between the parking area and the ferry staging area. The funds authorized by this ordinance would remove an existing fence, install barriers between the USCG parking area and the ferry staging area, move the parking area slightly to the west partially onto Lot 20 (also leased to the Coast Guard), construct an access ramp from Lot 20 to the trestle area, and bringing in fill material and compactable material to accomplish the above. This would complete the City’s part of the agreement between the parties.
4. Library Landscaping: Based upon the letters you received from the LAB and the “Friends” and the general reaction I have received from the Council and the public, I have decided to

go ahead and get an estimate from the mowing contractor on how much it would cost to expand the mowing on the library grounds for the remainder of this year. I will look for money in the existing budget to do that. Volunteer work parties will be assembled to work on weeds in the gardens and the alders. Depending upon where Council wants to go with this, additional funding for mowing and seasonal staff may have to be added for next year's budget.

5. Employee Committee: An Employee Committee has been formed and its first meeting will be on August 4th. Andrea Peterson, Regina Mauras, and I will provide staff support and get the Committee the budget and benefit information it needs. My intent is to provide information and facilitation functions only and I will not attempt to guide the employees in any particular direction. The Committee members have been told that their charge will be to disseminate information and solicit input from co-workers and to represent all City employees. They have also been told that they will have direct access to and a dialog with the Council.
6. Tsunami Warning System: Another meeting about the Tsunami warning system was held at the Borough EOC in Soldotna on July 28. Chief Robl attended in person and Chief Painter, Bryan Hawkins and I participated by teleconference. The meeting was purposely held after the City Council considered the 'Opt-Out' resolution. There were many things on the agenda and the meeting lasted approximately three hours. One of the main discussion points was how to move ahead now that Seward, Homer, and Seldovia have all "opted-out." On another front, Chief Painter is researching the possibility of the City establishing its own tsunami warning radio transmitter. This signal would be limited in geographic area and would be similar to the radio messages you can currently get about road conditions or the Whittier tunnel. So for example, when the tsunami warning siren went off, people would be told to tune into AM 88.8 or something like that instead of "tune in to your local radio station". This would allow us to provide locally relevant information and could solve the problem associated with the fact the local stations do not have staff on-site during the evening hours.
7. Old Wooden Dock: In the last report, I mentioned that Petro Marine is currently moving its fuel lines off of the Old Wooden Dock and onto the Pioneer Dock. This is something we have been working on since the Pioneer Dock was constructed. What I forgot to mention was probably the most important piece of the story. After the fuel lines are removed from the old dock, we hope to demolish it because it is a safety hazard and liability. Expect to see a proposal to do this coming your way sometime soon.
8. L.A.W Publications: Attached is a letter from Chief Robl to local businesses. Homer, Kenai, Soldotna, and Seward are all working with L.A.W. Publications which provides excellent educational material about the prevention of substance use and criminal activity. The organization is supported by donations from local businesses and professional organizations. They would like to introduce themselves in Homer and this is Marks' introductory letter.
9. Budget Process: Well, if you needed any more clues that summer is almost over, here is the clincher. The budget process has begun. The Finance Department is preparing the initial data and worksheets for the department heads to work on. As you know, this is a long and fun process. By the time Council approves the budget for next year, there will be snow on the ground and all of your Christmas presents will be wrapped!

City Manager Wrede commented that Council is going to need to talk about the Gas Line. He suggested that he could bring a recommended action plan for them to consider how to move forward. There was no objection expressed.

Regarding a letter provide from a resident about an overcharge for sewer costs, City Manager Wrede said Finance is looking into it and will provide a written response.

Councilmember Hogan questioned how the determination was made to recently deny entry of a vessel into the harbor. City Manager Wrede explained that city code provides the Harbormaster the broad authority to make the determination. The vessel in question has been rejected by us before, as well as other harbors. The City has had problems with derelict vessels and there was no way to determine the status of the vessel and we had no idea if the vessel was insured. The Harbormaster exercised his discretion to deny entry and City Manager Wrede supported the decision.

City Manager Wrede advised the jack up rig in the bay is Escepeda's. The city knew it was coming but did not know it was coming to Kachemak Bay. The Harbormaster has attempted to contact a representative, and he hopes to hear back soon so that the city can give out proper information. The rigs are allowed to anchor up in the bay for up to 14 days. The area is outside city limit, but the city does have great interest in why it is there.

Councilmember Hogan questioned the status of the Coast Guard request to have a windmill on the spit. City Manager Wrede responded that Planning advised them that it is against the zoning code due to lot size. They appreciate the Coast Guards desire to use alternate energy, and will look into alternatives if there are any.

B. Bid Report

CITY ATTORNEY REPORT

COMMITTEE REPORT

- A. Public Arts Committee
- B. Transportation Advisory Committee
- C. Permanent Fund Committee
- D. Lease Committee
- E. City Hall Renovation and Expansion Task Force

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

- A. **Resolution 11-082**, A Resolution Of The City Council Of Homer, Alaska Adopting The City Of Homer Hazard Mitigation Plan And Approving Its Inclusion As An Annex To The Kenai Peninsula Borough Multi-Jurisdictional Hazard Mitigation Plan. Fire Chief / City Manager

Memorandum 11-144 from Fire Chief as backup

Mayor Hornaday called for a motion for the adoption of Resolution 11-082 by reading of title only.

WYTHE/LEWIS SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

COMMENTS OF THE AUDIENCE

There were no comments of the audience.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner had no comment.

COMMENTS OF THE CITY CLERK

Deputy City Clerk Jacobsen had no comment.

COMMENTS OF THE CITY MANAGER

City Manager Wrede had no comment.

COMMENTS OF THE MAYOR

Mayor Hornaday had no comment.

COMMENTS OF THE CITY COUNCIL

Mayor Pro Tempore Wythe had no comments, nor did Councilmembers Howard, Hogan, or Lewis

Councilmember Zak said he was happy to see the ordinance regarding the trolley be introduced, and offered his congratulations to a young business person.

ADJOURNMENT

There being no further business to come before the Council, Mayor Hornaday adjourned the Regular Meeting at 7:10 p.m. The next Regular Meeting is scheduled for September 12, 2011, 2011 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday, September 12, 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.

Melissa Jacobsen, CMC, Deputy City Clerk

Approved: _____

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 11-116

TO: MAYOR HORNADAY AND HOMER CITY COUNCIL

FROM: JO JOHNSON, CMC, CITY CLERK

DATE: AUGUST 16, 2011

SUBJECT: LIQUOR LICENSE RESTAURANT DESIGNATION PERMIT FOR ALICE'S CHAMPAGNE PALACE.

We have been notified by the ABC Board of an application for a liquor license restaurant designation permit within the City of Homer for Alice's Champagne Palace:

Type: Restaurant Designation Permit
Lic #: 253
DBA Name: Alice's Champagne Palace
Premise Address: 195 E. Pioneer Ave., Homer, AK 99603
Owner: Homer Beverages, Inc.
Mailing Address: 1637 Stanton Ave., Anchorage, AK 99508

RECOMMENDATION: Voice non objection and approval for the liquor license restaurant designation permit as listed above.

Fiscal Note: Revenues.



CITY OF HOMER

POLICE DEPARTMENT

4060 HEATH STREET HOMER, AK 99603-7609

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

MEMORANDUM

DATE: August 17, 2011
TO: Melissa Jacobsen, Deputy City Clerk
FROM: Mark Robi, Chief of Police
SUBJECT: Liquor License Restaurant Designation Permit

The Homer Police Department has no objection to the liquor license for the following business:

Restaurant/Eating Place – License #253

Alice's Champagne Palace
Premise Address: 195 E Pioneer Ave. Homer
Owner: Homer Beverages, Inc.
Mailing Address: 1637 Stanton Avenue
Anchorage, AK 99508

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

DATE: August 16, 2011
TO: Mark Robl, Police Chief
FROM: Melissa Jacobsen, CMC, Deputy City Clerk
SUBJECT: Liquor License Restaurant Designation Permit for Alice's Champagne Palace

We have been notified by the ABC Board of application for a restaurant designation permit within the City of Homer for Alice's Champagne Palace:

Lic #: 253
DBA Name: Alice's Champagne Palace
Premise Address: 195 E. Pioneer Ave.
Owner: Homer Beverages, Inc.
Mailing Address: 1637 Stanton Ave. Anchorage, AK 99508

This matter is scheduled for the August 22, 2011 City Council meeting. Please respond with any objections/non-objections to this liquor license renewal by Wednesday, August 17, 2011.

Thank you for your assistance.



State of Alaska
Department of Public Safety
Alcoholic Beverage Control Board

Sean Parnell, Governor
Joseph A. Masters, Commissioner

August 16, 2011

City of Homer & Kenai Peninsula Borough
Attn: City Clerk & Borough Clerk's Office
VIA EMAIL: jjohnson@ci.homer.ak.us & ssaner@borough.kenai.ak.us

New Application Transfer Application Restaurant Designation Permit

Alice's Champagne Palace – License #253

We have received a transfer application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

Alcoholic Beverage Control Board
5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. GIFFORD
Director

/s/ Christine C. Lambert
Christine C. Lambert
Business Registration Examiner
269-0358
Christine.lambert@alaska.gov

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 13 AAC 104.715-794

FEE: \$50.00

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons under the age of 20 for employment. If for employment, please state in detail, how the person will be employed, duties, etc.

This application is for designation of premises where: (please mark appropriate items).

- 1 Under AS 04.16.010(c) Bona fide restaurant/eating place.
- 2 Persons age 16 to 20 may dine unaccompanied.
- 3 Persons under 16 may dine accompanied by a person 21 years or older.
- 4 Persons between 16 and 17 years may be employed. *(See note below).

License Number: 253

LICENSEE: Homer Beverages, Inc

D/B/A: Alice's Champagne Palace

ADDRESS: 1637 Santa Ave Anchorage AK 99508

1. Hours of Operation: 4pm to 1am Telephone # 907-235-6909

2. Have police ever been called to your premises by you or anyone else for any reason: Yes No
If yes, date(s) and explanation(s).

3. *Duties of employees: SEE ATTACHED STATEMENT

4. Are video games available to the public on your premises? NO

5. Do you provide entertainment? Yes No If yes, describe. AUCTIONS, BANQUETS, Plays and Community Events

6. How is food served? Table Service Buffet Service Counter Service Other*

7. Is the owner, manager, or assistant manager always present during business hours? Yes No

*** A MENU AND A DETAILED LICENSED PREMISE DIAGRAM MUST ACCOMPANY THIS APPLICATION ***

I have read and instructed my employees about the provisions contained in AS 04.06.049, 04.16.060, & 13 AAC 104.715-795.

[Signature]
Applicant signature

Local Governing Body Approval - 13 AAC 104.725(e)

4th day of August, 2011
[Signature]
Notary Public in and for Alaska

Date: _____

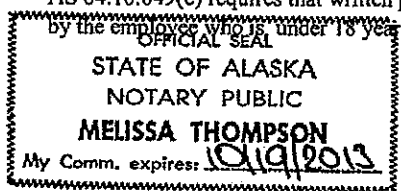
My Commission expires: 10/19/2013

Director, ABC Board

Date: _____

** If more space is required to explain food service, entertainment, etc., please add on back or attach additional page(s).

NOTE: AS 04.16.049(c) requires that written parental consent and an exemption by the Department of Labor must be provided to the licensee by the employee who is under 18 years of age. Persons 18, 19, & 20 years of age are not required to have the consent or exemption.



ABC Board
5848 E Tudor Rd
Anchorage AK 99507

PH: (907)260350
FX: (907)272-9412

Update: 4/19/10

Attachment to line 3, duties of employment:

Anyone under the age of 20 and over the age of 16 would be hired as a dishwasher only.

Duties will include the following:

Washing all pots and pans used by cooks.

Washing all silverware, plates and baskets used by patrons.

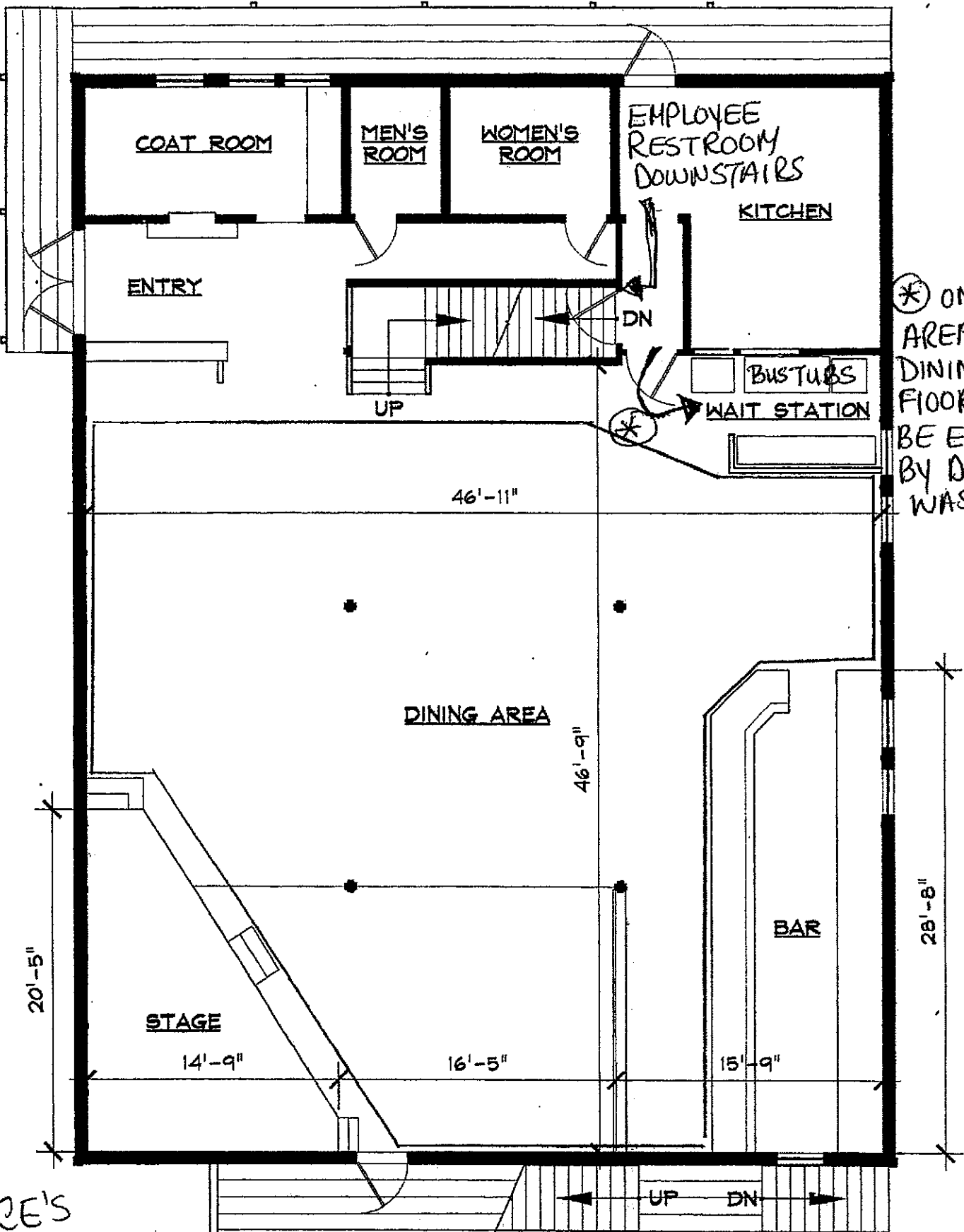
Dishwasher does not handle glasses or bus tables.

Dishwasher does enter the wait station located directly outside kitchen door to pick up and drop off bus
tubs dishes.

Dishwasher only enters dining area to clock on and off shift.

Dishwasher takes out garbage.

Dishwasher puts away all clean items pass through window used for wait station items.

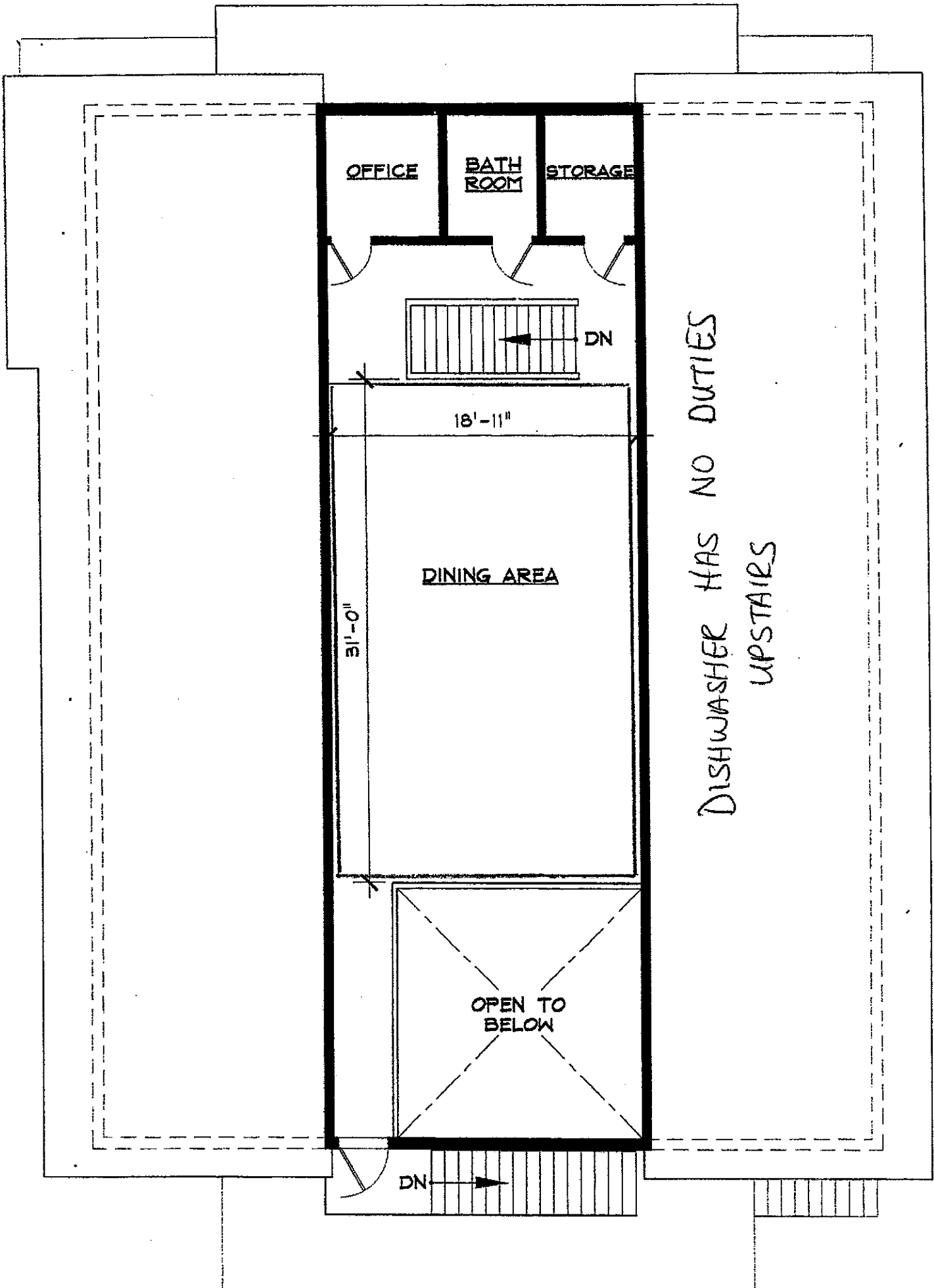


* ONLY AREA OF DINING FLOOR TO BE ENTER BY DISH-WASHER

ALICE'S
CHAMPAGNE
PALACE
6/2011

MAIN LEVEL FLOOR PLAN

SCALE: 1/8" = 4'-0"





Champagne Palace
72 HOMER, ALASKA

Soups

Served with homemade toasted bread

Alice's Hearty Smoked Salmon Chowder... made daily with the freshest of ingredients. Served with warm & toasty

Homemade bread...6

Soup of the Day served steaming hot, made with only the freshest of ingredients...4

Appetizers

Classic Finger food

Calamari tender calamari steak strips, flash fried to a golden brown. Served with fresh lemon & our chipotle dipping sauce...9

Cheese Quesadilla toasty flour tortilla filled with cheddar cheese. Accompanied by a dollop of sour cream, & side of salsa...5 **Add taco beef, seasoned chicken, or tender pulled pork ...additional 4**

Fried Ravioli jumbo cheese ravioli, breaded & fried to perfection. Served with your choice of a warm marinara6

Golden Chicken Tenders white meat chicken tenders fried golden brown & served with our buttermilk ranch or chipotle mayo...8

Also great Buffalo style with blue cheese dipping sauce...9

Piled High Nachos warm fried corn tortilla chips loaded with cheddar cheese, black olives, jalapenos, diced onion, & tomato. Served with a dollop of sour cream & side of salsa9

Add taco beef, seasoned chicken, or tender pulled pork ...additional 4

Magnum Buffalo Wings!! our plump & crispy wings tossed with classic hot or mild buffalo sauce. Make it a meal!

10 wings \$12

20 wings \$22

30 wings...\$33

EVERY MONDAY IS WING NIGHT!! ~40% OFF ALL ORDERS OF WINGS WITH THE PURCHASE OF A PITCHER OF BEER!!

Pork Green Chili Quesadilla cheese quesadilla smothered in our tasty pork green chili & topped with cool sour cream, & jalapenos half 7 or full size 11

Alice's Pork Green Chili Dip a hot crock of our tasty pork green chili. Topped with shredded cheddar, sour cream, & jalapenos. Served with warm toasty tortilla chips!...6

Do not forget to ask about our delicious daily specials!

Burgers

Burgers & Sandwiches that come with "the works" include: lettuce, tomato, onion, mayo, ketchup & mustard. Served with choice of homemade soup, coleslaw, or our famous crispy fries sub sweet potato fries or a salad for only \$2.00

Hand Crafted Hamburger simply a great burger hand crafted from local lean ground beef!
Served with the works...**8.5**

Classic Cheeseburger classic crafted cheeseburger with the works ...**9.5**

Spicy Jack Burger with jalapenos, pepper jack cheese & chipotle mayo, this burger brings the heat...**11**

Patty Melt hand crafted burger, sautéed mushrooms, melted Swiss, atop sweet grilled onions, on toasted rye...**9.5**

Mushroom Swiss Burger fresh sautéed & seasoned mushrooms topped with melted Swiss cheese, then add the works...**11**

The Bleu Burger piled high melted crumbled bleu makes this a favorite! Served with the works..**10**

Lentil Burger loaded with flavor this homemade lentil burger is fully crowned with sautéed fresh mushrooms, & finishes melted Swiss cheese. Served with the works...**9**

Alaskan Salmon Burger wild Alaskan salmon burger, fried to a beautiful toasted pink, tossed in a sweet & spicy ginger sauce, topped with crisp lettuce, fresh tomato, onion & mayo ...**9.5**

Add bacon for a buck fifty

Fries: our famous crispy fries tossed in seasoned salt **Small 2.5 Large 5**

Golden onion rings thick, battered and fried golden...**7**

Pop Fries our famous crispy fries tossed in parmesan, black pepper & olive oil ...**6**

Sweet Potato Fries crispy sweet potato fries tossed in butter & brown sugar **Small 4 Large 7**

Every Tuesday is \$10 Burger & A Brew!!

Brew choice limited to domestic lagers!

Come to Eat & Stay to Party!

Salads

Caesar Salad fresh romaine lettuce tossed in our creamy Caesar dressing & topped with homemade croutons, sprinkled with parmesan...**8**

House Salad fresh greens tossed in our honey pepper vinaigrette & topped with the perfect palate combination of crumbled bleu cheese, mandarin oranges, cranraisins, candied pecans, & a dusting of parmesan cheese...**9**

Buffalo Chicken Salad golden chicken tenders tossed in our classic hot or mild buffalo sauce. Served on a bed of crisp greens with carrots, celery bleu cheese crumbles...**12**

Any salad becomes a meal when you add either Rockfish, or Chicken...5

Add steak... 7

Alaskan Fish & Chips fresh Alaskan rockfish, dipped in our secret beer batter & fried to a golden brown. Served with our hot, crispy fries & coleslaw....**13**

Roadhouse Steak Sandwich seared beef sirloin, sliced thin, placed on a toasted garlic artesian bread, then topped with a mound of crumbled bleu cheese. Finished off with crisp lettuce, tomato, side of horsey sauce & golden onion rings...**13**

Wraps Or Sandwiches

You choose! Also choose from homemade soup or our famous crispy fries!

Alaskan Rockfish Sandwich fresh grilled or beer battered, stacked on a toasted homemade bun with lettuce & tomato. Finished with our house tartar sauce...**9**

Smoky BBQ Pulled Pork tender & juicy pulled pork & sweet grilled onions, tossed in our tangy & smoky bar-b-q sauce. Ladled over sweet pickle. Best on our homemade artesian bread... **8**

Chicken, Bacon, Chipotle Sandwich grilled boneless breast of chicken, honey cured bacon, layered over a slathering of chipotle and fresh onion. Topped with melted cheese, crisp lettuce, and fresh tomato...**10**

Turkey B.L.T classic style BLT, piled with tender turkey breast, smoky, hot, crisp, bacon, & fresh garden green lettuce, tomato with a slathering of mayo...**10**

B.L.T classic style BLT, loaded with smoky, hot, crisp, bacon, & fresh garden green lettuce, tomato with a slathering of mayo...**8**

Smokehouse Turkey roast turkey topped with honey cured bacon, BBQ sauce, melted cheddar and stacked over sweet grilled onions & jalapenos, also with crisp lettuce & fresh tomato...**10.5**

Wine & Beer

White Wine:

- Snap Dragon Chardonnay classic style... 6.5/24*
- San Telmo Torrontes nice & light yet dry... 6/21*
- Clean Slate Riesling soft, light, & not too sweet...7/25*
- Beringer White Zinfandel the one you know & love... 6/21*
- Freixenet Sparkling wine split a refreshing choice...7/25*
- Root 1 Sauvignon Blanc light & pleasant...7/25*

Draft Beer:

- Homer Red Knot...5.5*
- Homer Broken Birch Bitter.5.5*
- Homer China Poot Porter...5.5*
- Full Sail IPA...5*
- Full Moon Honeymoon Summer Ale...5*
- Budweiser...3!*
- New Castle nut brown ale....5*

Red Wine:

- Mirassou Pinot Noir a house favorite...6.5/24*
- Raven's Wood Merlot soft with a nice finish...6/21*
- Menage a Trois a great red blend!...7/25*
- Root 1 Cabernet go with a bold red!...6/21*
- San Telmo Malbec earthy notes...7/25*

Bottled Beer:

- Heineken, Corona, Guinness & 24oz PBR...5*
- MGD, Miller Lite, Bud Lite...4*
- O'Douls...4 Shinerbock....4*
- Pilsner Urquell...5*

Think of Alice's when planning your next event. We would love to do the cooking for you!



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 11-117

TO: HOMER CITY COUNCIL

FROM: JAMES C. HORNADAY, MAYOR

DATE: AUGUST 16, 2011

SUBJECT: APPOINTMENT OF ADI DAVIS TO THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION AS STUDENT REPRESENTATIVE.

Adi Davis is appointed to the Economic Development Advisory Commission as student representative. This is a non-voting member position with the commission.

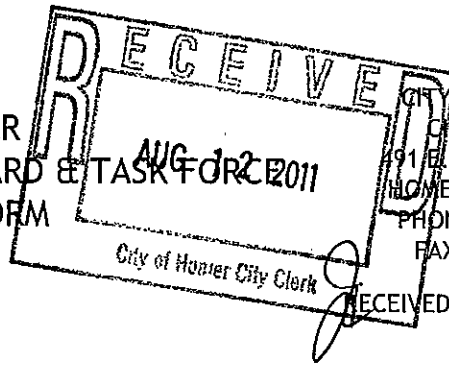
RECOMMENDATION:

Confirm the appointment of Adi Davis to the Economic Development Advisory Commission as student representative.

Fiscal Note: N/A



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



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

Mayor's Office
8/15/11

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 Date

Physical Address City

Mailing Address Zip Code

Phone # Work # Cell #

Email Address

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
<input type="checkbox"/>	ADVISORY PLANNING COMMISSION	1ST & 3RD WEDNESDAY OF THE MONTH AT 7:00 P.M. WORKSESSIONS AT 5:30 P.M.
<input checked="" type="checkbox"/>	<i>Student</i> ECONOMIC DEVELOPMENT ADVISORY COMMISSION	2ND TUESDAY OF THE MONTH AT 6:00 P.M.
<input type="checkbox"/>	LIBRARY ADVISORY BOARD	1ST TUESDAY OF THE MONTH AT 5:00 P.M.
<input type="checkbox"/>	PARKS & RECREATION ADVISORY COMMISSION	3RD THURSDAY OF THE MONTH AT 5:30 P.M.
<input type="checkbox"/>	PORT & HARBOR ADVISORY COMMISSION	4TH WEDNESDAY OF THE MONTH AT 5:00 P.M.
<input type="checkbox"/>	PUBLIC ARTS COMMITTEE	QUARTERLY - 2ND THURSDAY OF THE MONTH AT 5:00 P.M.
<input type="checkbox"/>	TRANSPORTATION ADVISORY COMMITTEE	3RD TUESDAY OF THE MONTH AT 5:30 P.M.
<input type="checkbox"/>	PERMANENT FUND COMMITTEE	QUARTERLY - 2ND THURSDAY OF THE MONTH AT 6:00 P.M.
<input type="checkbox"/>	LEASE COMMITTEE	QUARTERLY - 2ND THURSDAY OF THE MONTH AT 3:00 P.M.
<input type="checkbox"/>	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 mos. yrs.

I am presently employed as:

List any special training, education or background you have related to your choice:

Have you ever served on a similar commission, committee, board or task force?

If so when and where?

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

I am interested in serving on the above because:

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?

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:

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

VISITORS

**ANNOUNCEMENTS
PRESENTATIONS
BOROUGH REPORT
COMMISSION REPORTS**

**CITY OF HOMER
HOMER, ALASKA**

MAYOR'S PROCLAMATION

NATIONAL PREPAREDNESS MONTH, SEPTEMBER 2011

WHEREAS, 2011 marks the ten-year anniversary of the September 11, 2001 terrorist attacks on the United States; and

WHEREAS, In memory of those events, September has annually been declared National Preparedness Month; and

WHEREAS, "National Preparedness Month" creates an important opportunity for every resident of the City of Homer to prepare their homes, businesses, and communities for any type of emergency including natural disasters and potential terrorist attacks; and

WHEREAS, Investing in the preparedness of ourselves, our families, businesses, and communities can reduce fatalities and economic devastation in our communities and in our nation; and

WHEREAS, The Federal Emergency Management Agency's *Ready* Campaign, Kenai Peninsula Citizen Corps, and other federal, state, local, tribal, territorial, private and volunteer agencies are working to increase public activities in preparing for emergencies and to educate individuals on how to take action; and

WHEREAS, Emergency preparedness is the responsibility of every citizen of the City of Homer and all citizens are urged to make preparedness a priority and work together to ensure that individuals, families, and communities are prepared for disasters and emergencies of any type; and

WHEREAS, All citizens of the City of Homer are encouraged to participate in citizen preparedness activities and asked to review the *Ready* Campaign's website at ready.gov and become more prepared.

NOW, THEREFORE, I, JAMES C. HORNADAY, Mayor of the City of Homer, do hereby proclaim September, 2011 as National Preparedness Month, and encourages all citizens and businesses to develop their own emergency preparedness plan, and work together toward creating a more prepared society.

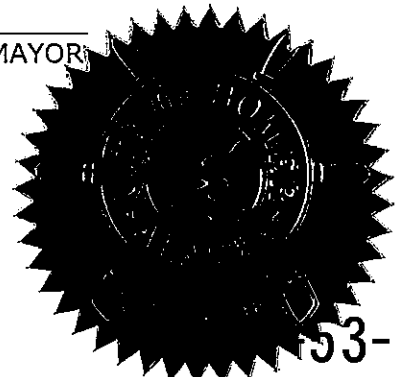
IN WITNESS WHEREOF, I have hereunto set my hand and cause to be affixed the official seal of the City of Homer, Alaska, on this 22nd day of August, 2011.

CITY OF HOMER

ATTEST:

JAMES C. HORNADAY, MAYOR

JO JOHNSON, CMC, CITY CLERK



PUBLIC HEARING(S)

**CITY OF HOMER
PUBLIC HEARING NOTICE
CITY COUNCIL MEETING**

Ordinances 11-33, 11-34 & 11-35

A **public hearing** is scheduled for **Monday, August 22, 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 11-33, 11-34 & 11-35 internet address:
<http://www.cityofhomer-ak.gov/ordinances>

Ordinance 11-33, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 8.12.300 to Include Exemptions for Public Transportation Companies Serving More Than 15 Passengers. Roberts/Lewis.

Ordinance 11-34, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating \$21,798.25 from the Port and Harbor Reserves for Parking Improvements at the Coast Guard Parking Area Adjacent to the Pioneer Dock. Port and Harbor Director/City Manager.

Ordinance 11-35, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating \$24,000 from the General Fund Reserves to Acquire New Narrow Band Radios for the Public Works Department. Public Works Director/City Manager.



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

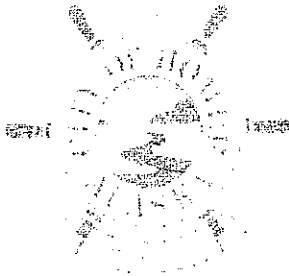
Publish: Homer Tribune: August 17, 2011

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 11-33, Amending Homer City Coode 8.12.30 to Include Exemptions for Public transportation Companies Serving More Than 15 Passengers; Ordinance 11-34, Amending the FY2011 Operating Budget by Appropriating \$21,798.25 from the Port and Harbor Reserves for Parking Improvements at the Coast Guard Parking Area Adjacent to Pioneer Dock; and Ordinance 11-35, Amending the FY2011 Operating Budget by Appropriating \$24,000 from the General Fund Reserves to Acquire New Narrow Band Radios for the Public Works Department 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 August 11, 2011 and that the City Clerk posted same on City of Homer Homepage on August 11, 2011.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 12th day of August, 2011.


Renee Krause, CMC, Deputy City Clerk I



ORDINANCE REFERENCE SHEET
2011 ORDINANCE
ORDINANCE 11-33

An Ordinance Of The City Council Of Homer, Alaska, Amending Homer City Code 8.12.300, State School Bus Operations—Exemptions, To Exempt Vehicles Designed To Transport 16 Or More Persons And Their Operators From The Requirements Of Homer City Code Chapter 8.12.

Sponsor: Roberts

1. City Council Regular Meeting August 8, 2011 Introduction
 - a. Letter from Sally Oberstein as backup
2. City Council Regular Meeting August 22, 2011 Public Hearing and Second Reading
 - a. Memorandum 11-120 from Police Chief as backup
 - b. Letter from Sally Oberstein

CITY OF HOMER
HOMER, ALASKA

Roberts

ORDINANCE 11-33

AN ORDINANCE OF THE CITY COUNCIL OF HOMER,
ALASKA, AMENDING HOMER CITY CODE 8.12.300, STATE
SCHOOL BUS OPERATIONS—EXEMPTIONS, TO EXEMPT
VEHICLES DESIGNED TO TRANSPORT 16 OR MORE
PERSONS AND THEIR OPERATORS FROM THE
REQUIREMENTS OF HOMER CITY CODE CHAPTER 8.12.

THE CITY OF HOMER ORDAINS:

Section 1. HCC 8.12.300, State school bus operations--exemptions, is amended to read
as follows:

8.12.300 State school bus operations--Exemptions. A vehicle that is designed to transport 16 or more persons, including the driver, is exempt from the requirements of this chapter. A chauffeur's license is not required to operate a vehicle that is designed to transport 16 or more persons, including the driver. a. Any person, firm or corporation owning or leasing and operating school bus equipment under a valid existing school bus contract with the state shall be exempt from the provisions of this chapter for the duration of such contract. This exemption shall include transportation to and from sports events and other extra-curricular, school-related activities.

b. Chauffeur's license: Any school bus operator who has a valid and subsisting operator's license from the state and is currently operating under the requirements of the state shall not be required to obtain a chauffeur's license under Sections 8.12.200–8.12.230 of this code. Any such operator, or the school bus contractor by whom he or she is employed, shall furnish a copy of the current operator's license for each operator to be so exempted to the Homer Police Department. This exemption shall be in force when verification of the existence of such a current school bus operator's license satisfactory to the Chief of Police is obtained and the exemption shall continue in effect only so long as the operator holds a current and valid school bus operator's license. Any suspension or revocation of such license shall automatically and concurrently terminate the exemption under this section.

c. Vehicle permit/inspection of vehicles: Any school bus which is inspected by the Alaska State Troopers in accordance with contract requirements within the state is exempt from the inspection requirements of this section. The owner/contractor shall furnish evidence of current vehicle inspection by the Alaska State Troopers to the Homer Police Department for each school bus to be operated within the City. Failure to provide satisfactory evidence of inspection shall terminate the exemption provided in this subsection.

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

45
46 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
47 _____ 2011.

48
49 CITY OF HOMER

50
51
52
53 _____
54 JAMES C. HORNADAY, MAYOR

55 ATTEST:

56
57
58 _____
59 JO JOHNSON, CMC, CITY CLERK

60
61 YES:
62 NO:
63 ABSTAIN:
64 ABSENT:

65
66 First Reading:
67 Public Hearing:
68 Second Reading:
69 Effective Date:

70
71 Reviewed and approved as to form:

72
73
74 _____
75 Walt E. Wrede, City Manager
76 Date: _____

77 _____
78 Thomas F. Klinkner, City Attorney
Date: _____



CITY OF HOMER

POLICE DEPARTMENT

4060 HEATH STREET HOMER, AK 99603-7609

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

MEMORANDUM 11-120

DATE: August 9, 2011
TO: Walt Wrede
FROM: Mark Robl, Chief of Police
SUBJECT: Chauffeur License Application Process

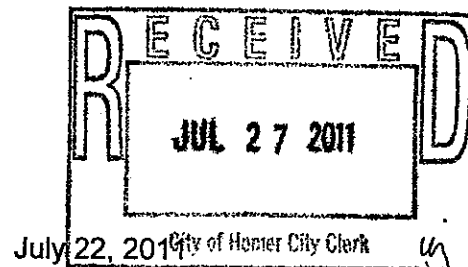
Last night I spoke with council about our chauffeur's license application process. I need to clarify an issue surrounding fingerprints and our background check procedure.

First, it is true that state CDL applicants are fingerprinted in conjunction with their licensing process. What happens with the prints is much different than what we are able to do with them. The state uses the prints to verify that the person is who they say they are, is not wanted and has a valid license. HPD cannot obtain copies of the prints from the state and we cannot access them for any purpose.

It is important to realize that we cannot "run" a person in the state or national crime information computer systems unless we have probable cause to believe that the person has committed a crime. We cannot perform background checks on any job applicant through the system other than for someone applying for a job that is directly related to public safety. This is narrowly defined to mean a police officer, trooper, dispatcher or jail officer. Our computer runs are strictly monitored by the state and audited annually. Any red flags that pop up trigger alarms in the system that are investigated immediately.

Our chauffeur's license applicants have to fill out and submit an application form on which they answer 7 questions about their criminal history. They sign on the bottom under wording certifying that the information they have provided on the form is true and correct. They are required to submit the application along with a set of fingerprints and the appropriate fees asking for a background check through the system based on their prints. The background check is delivered directly to us. It takes several weeks for the prints to go through and the background check to arrive. In the meantime, if the rest of their application is complete, they are issued a chauffeur's license and they are allowed to begin driving. When the print based background check comes back to us, the results are compared to the answers they submitted to the 7 questions. If they lied about their criminal history, they have committed the crime of unsworn falsification by signing the form with false information on it. We are then able to "run" the person through the system thoroughly, obtain an accurate criminal history, charge them with unsworn falsification and revoke the license.

Sally Oberstein
556 Hidden Way
Homer, Alaska 99603
235-2228



Dear Homer City Council Members,

I own the Homer Trolley with my 15-year old son, Alex Knudtson and am writing to request consideration for exception from Chapter 8.12 Public Transportation.

Currently, school buses are exempt from City of Homer safety requirements as shown below in City Code Chapter 8.12.300 because they are currently operating under the requirements of the state. I am asking for the same exemption, for the same reasons.

For the purpose of public safety, I understand the City Codes under this Chapter as they apply to smaller vehicles and taxicabs that do not comply with State of Alaska and U.S. Department of Transportation safety requirements.

The State of Alaska and United States Department of Transportation differentiate between commercial passenger vehicles carrying fewer than or more than 15 passengers.

- Drivers of commercial vehicles carrying more than 15 passengers are required by the State of Alaska to hold Commercial Driver's License while drivers of vehicles carrying 15 or less are not.
- Drivers of commercial vehicles carrying more than 15 passengers are required by the State of Alaska to hold a Class A endorsement for passengers while drivers of vehicles carrying 15 or less are not.
- Drivers of commercial vehicles carrying more than 15 passengers are required by the State of Alaska to be fingerprinted and background-checked while driver of vehicles carrying 15 or less are not.
- Drivers of commercial vehicles carrying more than 15 passengers are required by the State of Alaska to carry a current Medical Examiner's Certificate while drivers of vehicles carrying 15 or less passengers are not.
- Drivers of commercial vehicles carrying more than 15 passengers are required by the US Department of Transportation to be members of a random testing pool for drugs and alcohol while drivers of vehicles carrying 15 or less passengers are not.
- Commercial vehicles that carry more than 15 passengers are required to be registered with the U.S. Department of Transportation and display their DOT numbers on the outside of their vehicles while vehicles carrying 15 or less are not.
- Commercial vehicles that carry more than 15 passengers are required by the US Department of Transportation to pass a vehicle safety inspection while vehicles carrying 15 or less are not.

Drivers for the Homer Trolley are all State of Alaska and U.S. Department of Transportation complaint with Commercial Driver's licenses, fingerprinting, background checks, passenger endorsements, medical examinations, written testing, driving tests, and random drug testing. Our vehicle is compliant with insurance, DOT registration and safety inspections. I have recently learned that according to the City of Homer, each of my drivers are *noncompliant* and they are required to get further medical examinations, finger-printing and chauffeur's licenses to become compliant. In addition, according to City code, all "Public Transportation" vehicles are required to be inspected by the City of Homer.

School buses and drivers are exempt as follows:

8.12.300 State school bus operations--Exemptions. a. Any person, firm or corporation owning or leasing and operating school bus equipment under a valid existing school bus contract with the state shall be exempt from the provisions of this chapter for the duration of such contract. This exemption shall include transportation to and from sports events and other extra-curricular, school-related activities.

b. Chauffeur's license: Any school bus operator who has a valid and subsisting operator's license from the state and is currently operating under the requirements of the state shall not be required to obtain a chauffeur's license under Sections 8.12.200--8.12.230 of this code. Any such operator, or the school bus contractor by whom he or she is employed, shall furnish a copy of the current operator's license for each operator to be so exempted to the Homer Police Department. This exemption shall be in force when verification of the existence of such a current school bus operator's license satisfactory to the Chief of Police is obtained and the exemption shall continue in effect only so long as the operator holds a current and valid school bus operator's license. Any suspension or revocation of such license shall automatically and concurrently terminate the exemption under this section.

c. Vehicle permit/inspection of vehicles: Any school bus which is inspected by the Alaska State Troopers in accordance with contract requirements within the state is exempt from the inspection requirements of this section. The owner/contractor shall furnish evidence of current vehicle inspection by the Alaska State Troopers to the Homer Police Department for each school bus to be operated within the City. Failure to provide satisfactory evidence of inspection shall terminate the exemption provided in this subsection. (Ord. 96-05(A) §10, 1996; Ord. 86-15 §1, 1986).

Even though buses and drivers for First Student carry tourists and cruise ship passengers for non-school related activities, they are exempt as stated in the provisions of chapter 8.12.300. Their drivers are not required to hold a chauffeur's license if they can show their current valid school bus operator's license. As stated in chapter 8.12.300 of our city code, because school bus drivers already meet the City of Homer's required safety standards and are State of Alaska compliant, they are exempt from licensing, inspections, medical exams and fingerprinting requirements of Chapter 8.12 Public Transportation.

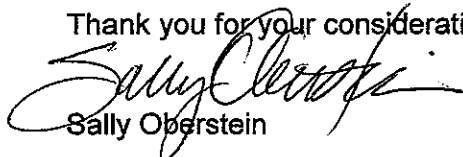
Because the Homer Trolley can carry more than 15 passengers, each of our drivers holds a commercial driver's license (CDL) with a Class A endorsement for passengers issued by the State of Alaska after written testing for commercial vehicles and for carrying passengers, driving tests, background checks and medical examinations. Two of my drivers are currently work for First Student and one of them works for Forsythe, an Anchorage School district school bus contractor. Each of these drivers holds a current valid school bus operator's license.

Because of the size of the Homer Trolley, the United States Department of Transportation requires that we be registered with them, which includes a certified vehicle safety inspection and membership in a random drug testing pool – exactly like school bus drivers.

Safety is our first priority. All Homer Trolley drivers carry their CDL licenses and proof of medical examinations on them at all times. All necessary registration, insurance, Department of Transportation and inspection information is carried on the trolley at all times. DOT registration numbers are displayed on the trolley as required by federal law.

When this Chapter of our City Code was written, public transportation may not have been in our vision for Homer's future. I believe this is likely an oversight by the City and would like to see our codes kept current and reflective of our forward thinking with regards to public transportation.

Thank you for your consideration,


Sally Oberstein

ORDINANCE REFERENCE SHEET
2011 ORDINANCE
ORDINANCE 11-34

An Ordinance of the City Council of Homer, Alaska Amending the FY 2011 Operating Budget by Appropriating \$21,798.25 from the Port and Harbor Reserves for Parking and Access Improvements at the Coast Guard Parking Area on Lot 45-A Adjacent to the Pioneer Dock.

Sponsor: City Manager/Port and Harbor Director

1. City Council Regular Meeting August 8, 2011 Introduction
 - a. Memorandum 11-112 from Port and Harbor Director as backup
2. City Council Regular Meeting August 22, 2011 Public Hearing and Second Reading
 - a. Memorandum 11-112 from Port and Harbor Director as backup

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**CITY OF HOMER
HOMER, ALASKA**

City Manager/ Port and
Harbor Director

ORDINANCE 11-34

AN ORDINANCE OF THE CITY COUNCIL OF HOMER,
ALASKA, AMENDING THE FY 2011 OPERATING BUDGET
BY APPROPRIATING \$21,798.25 FROM THE PORT AND
HARBOR RESERVES FOR PARKING AND ACCESS
IMPROVEMENTS AT THE COAST GUARD PARKING AREA
ON LOT 45-A ADJACENT TO THE PIONEER DOCK.

WHEREAS, The City of Homer and the United States Coast Guard have entered into a
lease agreement for berthing space at the Pioneer Dock which includes 25 parking spaces on Lot
45-A adjacent to the approach trestle; and

WHEREAS, The City of Homer initially issued a land use permit to the State of Alaska
Marine Highway System (AMHS) which allowed AMHS to use Lot 45-A for a ferry terminal
and staging area; an arrangement that worked well for many years; and

WHEREAS, The existing use patterns and parking configuration on Lot 45-A became
problematic and conflicts began to occur due to a number of factors including increased visits by
AMHS vessels, the AMHS plan to construct a warehouse, a lack of long term parking for AMHS
employees, and USCG staff vehicles parking in areas that blocked fire lanes and interfered with
AMHS staging operations; and

WHEREAS, The Coast Guard and the Alaska Marine Highway System are very
important tenants and the City worked with both to find a global solution that was satisfactory to
all of the parties; and

WHEREAS, The solution included a new lease agreement between the City and AMHS
in which AMHS relinquished any rights it might have to use the portion of Lot 45-A occupied by
USCG in exchange for similar acreage on Lot 48 to be used for a warehouse, staging area, and
long term employee parking; and

WHEREAS, As part of the agreement, the City agreed to reconfigure Lot 45-A so that
the area used for USCG parking was no larger than absolutely necessary and did not impact
AMHS staging operations, the USCG and AMHS portions of Lot 45-A were clearly delineated,
and the parking pattern for USCG vessels was changed to keep vehicles off the apron and fire
lanes open; and

WHEREAS, Capital expenditures associated with the project include removing the
existing fencing, importing fill to expand the parking area on Lot 45-A and into Lot 20; also
occupied by USCG, and constructing an access road from the Lot 20 staging area directly to the
trestle leading to the Hickory's berth.

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NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The FY 2011 Operating Budget is hereby amended by appropriating \$21,798.25 from the Port and Harbor Reserves for the purpose of constructing parking and access improvements at the Coast Guard parking area on Lot 45-A adjacent to the Pioneer Dock as follows:

Expenditure:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
456-380	Parking and Access Improvements Lot 45-A, Coast Guard Parking	\$21,798.25

Section 2. This is a budget amendment ordinance, is not permanent 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:
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: _____



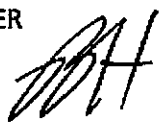
City of Homer

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>

MEMORANDUM 11-112

TO: HOMER CITY COUNCIL & WALT WREDE, CITY MANAGER
FROM: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER 
SUBJECT: PIONEER DOCK WEST TRESTLE APPROACH PARKING IMPROVEMENTS
DATE: AUGUST 1, 2011

Background

In the City of Homer's lease agreement with the U.S. Coast Guard dated July 29, 2003, Page 1, Item 1.C explains our commitment to provide the Coast Guard Cutter Hickory's crewmembers parking for 25 vehicles on the west trestle and in the reserved ferry parking area.

In May 2010, the City of Homer signed a new lease with the Alaska Marine Highway Service. Within the new lease, AMHS agreed to relinquish 15,540 sq. ft. of Lot 45A to the City. It was agreed that we would use this space and the improved area west of the trestle approach to create the required parking for the Coast Guard.

Staff requests an appropriation from the Port and Harbor Reserves for this parking improvement project. The appropriation will be used to remove the existing fence, build up a portion of Lot 20 using-dredged materials that will be capped with quality compactable materials, and install physical barriers between Lot 45A (AMHS's staging area) and the Coast Guard's parking area adjacent to the west trestle approach. The completion of this project will bring a successful close to the City's responsibilities concerning USCG Parking on Lot 45A of the Homer Spit.

Recommendation

Approve Ordinance 11-34 appropriating from the Port and Harbor Reserves in the estimated amount of \$21,798.25 for the Pioneer Dock West Trestle Approach Parking Improvements.

Attachments: USCG Lease Agreement July 29, 2003 – Pages 1-3 of 11
AMHS Lease Agreement May 2011 – Relinquished Parcel
Lot 45A Plat Map (includes relinquished parcel)
Diagram of Agreed Parking Improvements

U.S. GOVERNMENT
LEASE FOR REAL PROPERTY

DATE OF LEASE

7/29/03

LEASE NO.

DTCG89-03-L-J-DL-034

THIS LEASE, made and entered into this date by and between CITY OF HOMER whose address is City Hall, 491 East Pioneer Avenue, Homer AK 99603-7624, and whose interest in the property hereinafter described is that of FEE OWNER, hereinafter called the Lessor, and the UNITED STATES OF AMERICA, hereinafter called the Government

WITNESSETH: The parties hereto for the consideration hereinafter mentioned, covenant and agree as follows:

1. The Lessor hereby leases to the Government the following described premises:

- a. West Trestle portion of Pioneer Dock located at the northern side of the eastern terminus of the Homer Spit near the City of Homer, together with right of access thereto and all improvements, shore connections, and other appurtenances thereon (Collectively "Pioneer Dock"), and
- b. Metal warehouse, approximately 16,000 square feet of shore side storage space, and access from Homer Spit Road, labeled on Exhibit A, "Premises" as "Existing USCG Open Storage Area and Warehouse" ("Storage Space"), and
- c. Parking for up to 25 vehicles on West Trestle of dock and in the Ferry Reserve Area ("Parking"), together with right of access thereto.

The Pioneer Dock, Storage Space, and Parking described above collectively are referred to as "Premises" in this Lease. A map showing the location of the Premises is attached as Exhibit A hereto and incorporated herein by this reference. The Premises are to be used for mooring and supporting USCGC HICKORY or other Government vessel, storage for buoys and cutter equipment, and for parking.

ACCOUNTING DATA: 2/J/301/117/30/0/DL/71117/2629 \$780.00 (Prorated FY03)

2. TO HAVE AND TO HOLD the said premises with their appurtenances for the term beginning on August 1, 2003 through September 30, 2003 ("Term"), subject to termination and option renewal rights as may be hereinafter set forth.
3. The Government shall pay the Lessor an annual rent of \$4,680.00 at the rate of \$390.00 per month in arrears for the term beginning on July 1, 2003 through September 30, 2003. For OPTION YEARS ONE through NINETEEN, the Government shall pay the Lessor an annual rent of \$16,080.00 at the rate of \$1,340.00 per month in arrears. \$4,680.00 of this \$16,080.00 total annual rent is as provided for in the Cooperative Agreement of May 2001. \$11,400.00 of the total annual rent is attributable to the maintenance and repair of the improvements as described in Exhibit D hereto and incorporated herein by this reference. Rent for a lesser period shall be prorated.
4. The Government may terminate this lease at any time by giving at least thirty (30) days notice in writing to the Lessor and no rental shall accrue after the effective date of termination. Said notice shall be computed commencing with the day after the date of mailing of the termination notice.
5. This lease may be renewed at the option of the Government, for the following terms and at the rental provided for in paragraph 3) above:
 - a. OPTION YEAR ONE: October 1, 2003 through September 30, 2004
 - b. OPTION YEAR TWO: October 1, 2004 through September 30, 2005
 - c. OPTION YEAR THREE: October 1, 2005 through September 30, 2006

W.W. S.S.

- d. OPTION YEAR FOUR: October 1, 2006 through September 30, 2007
 - e. OPTION YEAR FIVE: October 1, 2007 through September 30, 2008
 - f. OPTION YEAR SIX: October 1, 2008 through September 30, 2009
 - g. OPTION YEAR SEVEN: October 1, 2009 through September 30, 2010
 - h. OPTION YEAR EIGHT: October 1, 2010 through September 30, 2011
 - i. OPTION YEAR NINE: October 1, 2011 through September 30, 2012
 - j. OPTION YEAR TEN: October 1, 2012 through September 30, 2013
 - k. OPTION YEAR ELEVEN: October 1, 2013 through September 30, 2014
 - l. OPTION YEAR TWELVE: October 1, 2014 through September 30, 2015
 - m. OPTION YEAR THIRTEEN: October 1, 2015 through September 30, 2016
 - n. OPTION YEAR FOURTEEN: October 1, 2016 through September 30, 2017
 - o. OPTION YEAR FIFTEEN: October 1, 2017 through September 30, 2018
 - p. OPTION YEAR SIXTEEN: October 1, 2018 through September 30, 2019
 - q. OPTION YEAR SEVENTEEN: October 1, 2019 through September 30, 2020
 - r. OPTION YEAR EIGHTEEN: October 1, 2020 through September 30, 2021
 - s. OPTION YEAR NINETEEN: October 1, 2021 through September 30, 2022
 - t. OPTION TO ^{5, 10*}EXTEND TERM OF LEASE: Government may extend the term of this Lease by providing written notice to the Lessor within thirty days (30) before Lease expires; provided that the Government shall give Lessor a preliminary written notice of its interest to extend at least sixth (60) days before the Lease expires. Said notice shall be computed commencing with the day after the date of mailing. The preliminary notice does not commit the Government to an extension. The exercise of the option shall be subject to the availability of appropriated funds for the next fiscal year.
 - u. The total duration of the Lease, including the exercise of any options under this clause, shall not exceed nineteen (19) years and three (3) months.
 - v. All terms and conditions of this Lease, including the amount of the rent, shall remain the same during any option renewal term.
 - w. Funds are not presently available for rent payments subsequent to September 30, 2003. The Government's obligation under this lease is contingent upon the availability of appropriated funds from which payment can be made. No legal liability on the part of the Government for any payment may arise until funds are made available for this lease.
6. The Lessor shall furnish to the Government, as part of the rental consideration, the following:
- a. Dedicated, undisturbed, unlimited use of the dock surface and adjacent berthing space at the West Trestle of Pioneer Dock. The West Trestle of Pioneer Dock shall meet the requirements detailed in Exhibit B, attached hereto and incorporated herein by this reference. After security fencing has been installed, the Government shall have the right, when required by elevated National or Homeland security or operational conditions, to close the dock security fencing to secure the West Trestle.
 - b. Full and unobstructed access to shore tie connections as described in Exhibit C, attached hereto and incorporated herein by this reference.
 - c. Metal Warehouse, approximately 16,000 square feet of open shore side storage space, and access from Homer

WHL *8/3*

Spit Road for exclusive use by the Government. The storage area and its access shall be lighted. The storage area shall provide electrical service for Government owned storage locker heat and light. The storage area shall be well drained and have a surface that is suitable for normal vehicular traffic. It is the Government's stated intention to modify this lease to delete this "Storage Space" after construction of new Cutter Support Building has been completed on Lots 20 and 43, as shown on Exhibit A.

- d. Parking consisting of parking space for up to 25 vehicles for exclusive use by the Government, together with right of access thereto. The parking areas and their access shall be lighted. The parking areas shall be well drained and have a surface that is suitable for normal vehicular traffic. Parking on dock is limited to government vehicles, government equipment, Commanding Officer and Executive Officer parking.
 - e. The Lessor shall maintain the Premises, including the pier, camels, building(s), and all equipment, fixtures, appurtenances furnished by the Lessor under this lease, in good repair and tenantable condition. Provided however that, as is more specifically described in Exhibit D, Description of Alterations and Provision for Payment, paragraph 6a, Government will be responsible for maintenance of the winch system and floating bollards.
 - f. Lessor will notify the Government within thirty (30) days of any:
 - 1) Transfer of ownership of the Premises. In case of such transfer, unless the Government elects to terminate the lease without penalty, the new owner shall succeed to the Lessor's interests and perform duties of Lessor set out in the Lease.
 - 2) Change in payment mailing address or ACH information.
7. Lessor shall furnish to the Government, for payment separate from the annual rent described in Section 3 above, the alterations described in Exhibit D, on the terms and conditions described in Exhibit D, attached hereto and incorporated herein by this reference.
8. The following are attached and made a part hereof:
- a. Exhibit A, Premises (Drawing entitled Homer Dock Lease USCGC HICKORY MOORINGS HOMER ALASKA)
 - b. Exhibit B, Dock Requirements (As established by May 2001 Cooperative Agreement)
 - c. Exhibit C, Shore Tie Requirements (As established by May 2001 Cooperative Agreement)
 - d. The General Clauses (GSA Form 3517A); and
 - e. Representations and Certifications (GSA Form 3518)
 - f. Exhibit D, Description of Alterations and Provision for Payment.
9. Hold-Over. If Government shall hold-over after the expiration of the term of this Lease such tenancy shall be from month to month, terminable upon 30 days written notice given by either party at any time, subject to all the terms, covenants and conditions of this Lease, and shall not operate as a renewal or extension of this Lease.
10. Quiet Enjoyment, Restrictions, Easements
Lessor covenants and agrees that Government, upon paying the rent and other charges herein provided for and observing and keeping the covenants, conditions and terms of this Lease on Government's part to be kept or performed, shall lawfully and quietly hold, occupy and enjoy the Premises during the term of this Lease without hindrance or molestation, subject, however, to the rights and reservations expressed in the U.S. or State patent to the Premises, the existing easements for roads, gas, electric, water, sewer and other utility lines, restrictions of record and to encroachments ascertained by physical inspection of the Premises.

2. Relinquished Parcel

The State relinquishes to the City a portion of Lot 45A previously included within the land subject to the 1992 MOA and Homer Ferry Terminal Land Use Permit (Relinquished Parcel). The Relinquished Parcel is excluded from the Lot 45A Premises and is not subject to this lease.

The Relinquished Parcel comprises that portion of Lot 45-A, Homer Spit No. 6, Velma's Addition Subdivision, according to a plat thereof filed September 21, 1993 as Plat No. 93-49, Homer Recording District, Third Judicial District, State of Alaska, more particularly described as follows:

Beginning at the north corner of said Lot 45-A, also being a point on the mean high water line of Kachemak Bay as delineated on Alaska Tidelands Survey 612;

Thence, from said Point of Beginning S 35°46'43" W, 208.66 feet along the northwesterly boundary of said Lot 45-A to a point on the northerly right of way limit of Homer Spit Road;

Thence along the southerly boundary of Lot 45-A, also being the northerly right of way limit of Homer Spit Road, on a non-tangent curve concave to the southwest with a radius of 459.69 feet, a length of 85.78 feet, the chord of which bears S 75°09'52" W, 85.66 feet;

Thence N 35°46'43" E, 182.80 feet to a point on the mean high water line of Kachemak Bay as delineated on Alaska Tidelands Survey 612;

Thence along the mean high water line of Kachemak Bay, N 57°37'29" W, 80.14 feet more or less to the Point of Beginning;

Containing 15,540 square feet, more or less.

→ The Relinquished Parcel is depicted in attached Exhibit A

3. Consideration

a) The consideration for this lease includes the terms, conditions, and mutual covenants of the parties, the relinquishment of the State's interests in the Relinquished Parcel, the terms and conditions of the 1992 MOA, and other good

→ Homer Lease to Alaska Marine Highway System: Lot 45A and Lot 48
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Page 6 of 15



6 of 41

2010-001455-0

and valuable consideration. City and State both agree this is sufficient consideration for this lease.

b) To the extent the value or just compensation for the leasehold interest in the Lot 48 Premises exceeds the consideration recited above, the City intends the grant of the leasehold to be a donation to the State and acknowledges its donation is made voluntarily and with full knowledge of its entitlement to receive just compensation.

4. Term

a) The term of this Lease commences on May 1, 2010, and ends on April 30, 2060 (the "Term").

b) The continuation of the term of this Lease under (a) of this section shall be subject to the condition that AMHS or any successor agency continue to provide passenger ferry service to the City of Homer. This condition shall not fail due to a reduction in the frequency of service, an interruption of passenger ferry service that is due to any natural disaster or emergency listed in Paragraph 18, or a requirement for maintenance or repair of a ferry vessel. Finally, this agreement is not intended to prescribe a level of passenger ferry service. Nevertheless, AMHS expresses its continuing commitment to provide service to Homer. For its part, the City acknowledges that objection to AMHS' level of service shall not serve as a basis for lease termination. In the end, it is the parties' intent that if AMHS elects to cease all further ferry service to Homer, the parties will negotiate an equitable transfer of leased premises and improvements.

5. Lessee's Covenants

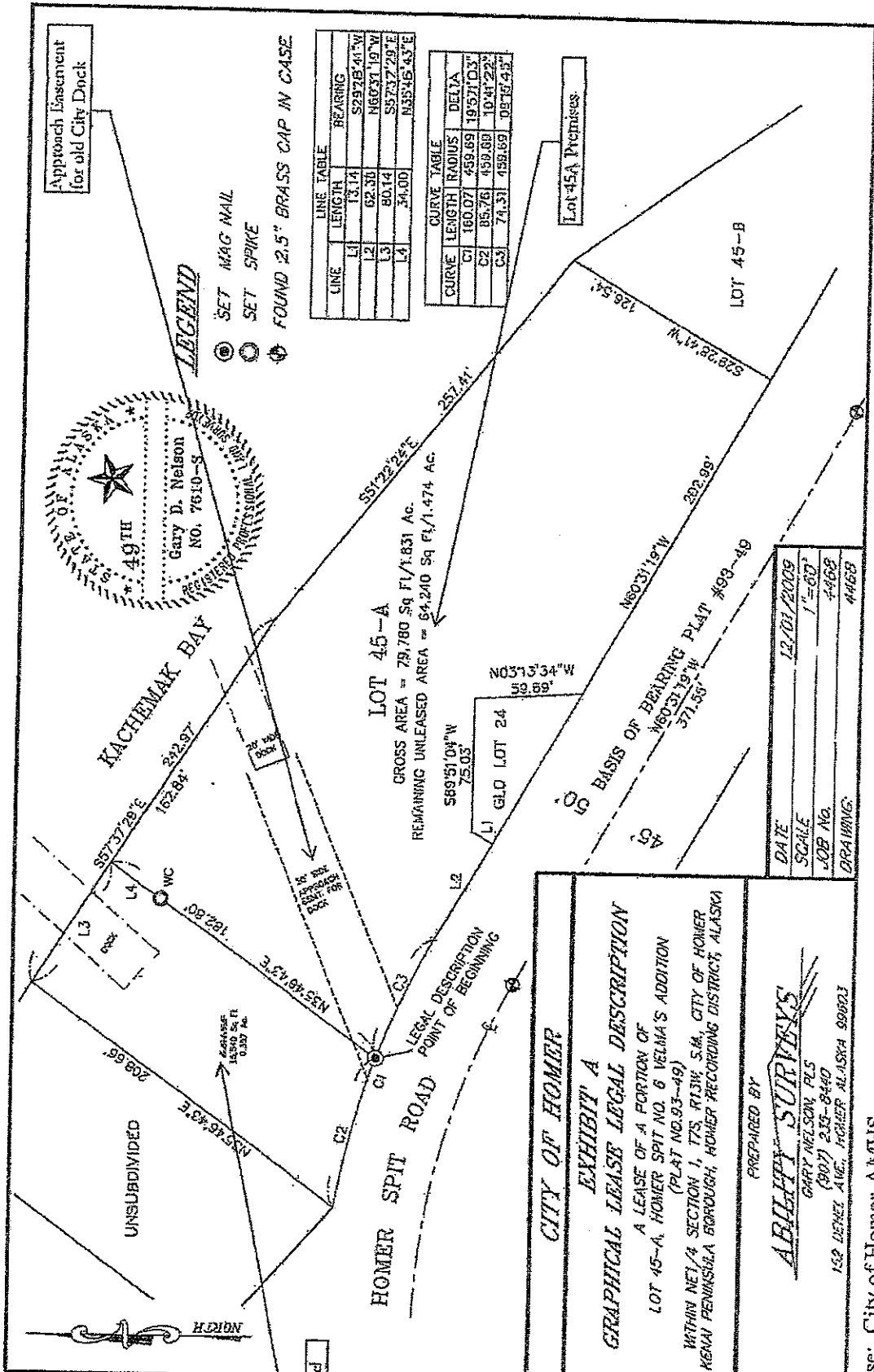
The State covenants:

a) It will use and occupy the premises in a careful, proper, and lawful manner.

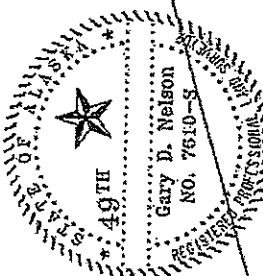
b) It will use and occupy the premises, and construct all buildings or improvements on the premises subject to and in accordance with local zoning, subdivision, building code, and land use regulations.

c) It acknowledges that it has inspected the premises and accepts the same "as is" and without reliance on any representations or warranties of the City, its agents, servants, or employees as to the physical condition of the premises, including, but not limited to, subsurface and soil conditions, or as to the habitability or fitness of the premises for any particular purpose.





Approach Easement
for old City Dock



LEGEND

- ⊙ SET MAG NAIL
- ⊙ SET SPIKE
- ⊙ FOUND 2.5" BRASS CAP IN CASE

LINE	LENGTH	BEARING
L1	13.14	S29°28'41"W
L2	62.30	N60°31'19"W
L3	80.14	S57°37'29"E
L4	34.00	N35°45'43"E

CURVE	LENGTH	RADIUS	DELTA
C1	160.07	459.69	19°57'03"
C2	85.76	459.69	10°41'22"
C3	74.31	459.69	08°16'42"

Lot 45A Premises

LOT 45-A
GROSS AREA = 79,780 Sq Ft / 1.831 AC.
REMAINING UNLEASED AREA = 64,240 Sq Ft / 1.474 AC.

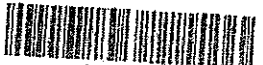
LOT 24
GLO LOT 24
589°51'04"W
75.03'

DATE	12/01/2009
SCALE	1" = 60'
JOB No.	4468
DRAWING	4468

CITY OF HOMER
EXHIBIT A
GRAPHICAL LEASE LEGAL DESCRIPTION
A LEASE OF A PORTION OF
LOT 45-A, HOMER SPIT NO. 6 HELMA'S ADDITION
(PLAT NO. 93-49)
WITHIN NET 1/4 SECTION 1, T7S, R13W, S.6A, CITY OF HOMER
KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, ALASKA

PREPARED BY
ABILITY SURVEYS
GARY NELSON PLS
(907) 235-8480
152 DETHEL AVE., HOMER ALASKA 99623

Lease: City of Homer-AMHS



16 of 41
2010-001455-0

ORDINANCE REFERENCE SHEET
2011 ORDINANCE
ORDINANCE 11-35

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating \$24,510.24 from the Public Works Depreciation Reserves for the Acquisition of New "Narrow Band" Radios for the Public Works Department in Order to Meet FCC Requirements and Improve Public Safety and Emergency Response.

Sponsor: City Manager//Public Works Director

1. City Council Regular Meeting August 8, 2011 Introduction
 - a. Memorandum 11-113 from Public Works Superintendent as backup
 - b. Estimate from Procom

2. City Council Regular Meeting August 22, 2011 Public Hearing and Second Reading
 - a. Memorandum 11-113 from Public Works Superintendent as backup
 - b. Estimate from Procom

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/Public
4 Works Director

5 ORDINANCE 11-35
6

7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE FY 2011 OPERATING BUDGET BY
9 APPROPRIATING \$24,510.24 FROM THE PUBLIC WORKS
10 DEPRECIATION RESERVES FOR THE ACQUISITION OF NEW
11 "NARROW BAND" RADIOS FOR THE PUBLIC WORKS
12 DEPARTMENT IN ORDER TO MEET FCC REQUIREMENTS AND
13 IMPROVE PUBLIC SAFETY AND EMERGENCY RESPONSE.
14

15 WHEREAS, The Federal Communications Commission (FCC) has mandated that all two way
16 radios be operated on "narrow band" frequencies by January 1, 2013 and that radios not narrow band
17 capable must be taken out of service at that time; and
18

19 WHEREAS, The Kenai Peninsula Borough, Office of Emergency Management, has been
20 undertaking a borough-wide project to upgrade all two way radios at public safety departments in order to
21 meet the FCC mandate; and
22

23 WHEREAS, Public safety departments within the Borough, including the Homer Police
24 Department and the Homer Volunteer Fire Department, are scheduled to make the transition to new
25 narrow band radios on September 1, 2011, well in advance of the deadline; and
26

27 WHEREAS, If the Public Works Department does not convert in approximately the same time
28 frame, it will be unable to communicate with HVFD and HPD except by cell phone; a situation that is less
29 than ideal in emergency situations; and
30

31 WHEREAS, One of the hard lessons learned during Hurricane Katrina and other emergencies is
32 that it is of paramount importance that all emergency responders be able to communicate with each other
33 on the same radio frequencies and be able to do so when power lines, phone lines, and cell phone
34 communications are disrupted.
35

36 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
37

38 Section 1. The FY 2011 Operating Budget is hereby amended by appropriating \$24,510.24 from
39 the Public Works Depreciation Reserves for the acquisition of new "narrow band" radios for the Public
40 Works Department in order to meet FCC requirements and improve public safety and emergency
41 response as follows:
42

43 Expenditure:
44

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
156.395	PW Narrow Band Radios	\$24,510.24

45
46
47

48 Section 2. This is a budget amendment ordinance, is not permanent in nature, and shall not be
49 codified.
50

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

52
53

CITY OF HOMER

54
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56

JAMES C. HORNADAY, MAYOR

57 ATTEST:

58
59

60 _____
JO JOHNSON, CMC, CITY CLERK

61

62 YES:

63 NO:

64 ABSTAIN:

65 ABSENT:

66

67 First Reading:

68 Public Hearing:

69 Second Reading:

70 Effective Date:

71

72 Reviewed and approved as to form:

73

74

75

76 _____
Walt E. Wrede, City Manager

77

78 Date: _____

79

80

Thomas F. Klinkner, City Attorney

Date: _____



**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 11-113

To: Walt Wrede, City Manager
From: Jan Jonker, Public Works Superintendent
Date: Wednesday, August 03, 2011
Subject: Public Works Radios Replacement
KPB Narrowband Project

Discussion

As you are aware the KPB is currently undertaking a borough wide project to upgrade all two-way radio systems to the FCC required "narrowband" frequencies. This project includes upgrades to the Homer Police and Homer Fire Department systems. The borough is picking up costs for public safety.

Public Works needs to be switched over by 1-1-2013 to be legal or will be required to turn off our radio system by then. However, the public safety agencies on the peninsula will be switching over to narrowband right after Labor Day and so will Homer PD & FD. After that time Public Works will no longer be able to communicate with HPD or the Fire Department via radio.

If we don't switch PW over now we will no longer have radio communications with HPD or HVFD and have to communicate with our on-call PW personnel via cell phone. This is less than ideal during emergency responses.

Recommendation

Approve the PW upgrade to the new narrowband system in conjunction with HPD & HVFD and as ProComm is contracted to perform this work for HPD & HVFD award this work to ProComm in the amount of \$24,510.24.

This includes the purchase of the needed upgrade equipment, programming and installation and miscellaneous materials that will be required to complete the upgrade.

Fiscal Note

This is an unbudgeted item. Funds for this work to be provided from the Public Works Department General Fund Depreciation Account No. 156.395.



MOTOROLA

Quote QU0000151992
Effective: 01 JUL 2011
Effective To: 30 AUG 2011

Bill-To:
HOMER, CITY OF
491 E PIONEER AVE
HOMER, AK 99603
United States

Ultimate Destination:
CITY OF HOMER PUBLIC WORKS
3575 HEATH ST
HOMER, AK 99603
United States

Attention:
Name: JAN JONKER
Phone: 907-235-3170

Sales Contact:
Name: Cheryl Kosse
Email: ckosse@procommak.com
Phone: 9072612600

Contract Number: WSCA
Freight terms: FOB Destination
Payment terms: Net 30 Due

Item	Quantity	Nomenclature	Description	List price	Your price	Extended Price
1	4	AAH38KDF9DU6AN	EX560XLS 136-174 1-5W 160CH LKP	\$822.00	\$534.30	\$2,137.20
1a	4	H129AZ	ADD: ANT HELICAL 150.8-162 MHZ	-	-	-
2	15	AAM50JQF9AA1AN	CM300 136-162, 25-45W, 32CH	\$595.00	\$595.00	\$8,925.00
3	1	RMN5068A	DESKTOP MIC	\$120.00	\$86.40	\$86.40
4	1	HKLN4056A	CDR700 DESKTOP RPTR HOUSING	\$666.00	\$532.80	\$532.80
5	2	AAM25KKC9AA1AN	CDM750 136-174 25-45W 4CH	\$650.00	\$468.00	\$936.00
5a	2	B65BX	OMIT STANDARD MOUNTING BRACKET	\$-4.00	\$-2.88	\$-5.76
5b	2	B71FA	OMIT MICROPHONE	\$-10.00	\$-7.20	\$-14.40
6	1	HLN3948B	BASIC INTERFACE RPTR CONTROLLER	\$254.00	\$203.20	\$203.20
7	1	HFD8465A	DUPLEXER 150-160MHZ	\$393.00	\$393.00	\$393.00
(Notes)RX 158.940 123.0 TX 153.905 123.0						
8	1	HKKN4002A	INTERNAL DUPLEXER CBL	\$53.00	\$42.40	\$42.40
9	1	RMN5068A	DESKTOP MIC	\$120.00	\$86.40	\$86.40
10	10688	SVC03SVC0115D	SUBSCRIBER PROGRAMMING	\$1.00	\$1.00	\$10,688.00
(Notes)ASMBL,TUNE,PROGRAM REPEATER,PROGRAM RADIOS, DELIVER RADIOS,SWAP EXIST 14 MOBILES,BASE, REPEATER. LODGING,TRVL,PERDIEM.						

Total Quote in USD

\$24,010.24

11-116 WSCA CONTRACT 02702.Motorola assumes that existing mobile , base and repeater coax and antennas will be reused. Trouble shooting and repair of any equipment or replacement of coax and antennas or other materials are not included in this proposal. Additional labor or materials not covered in this proposal will result in a change order.

PO Issued to Motorola must:

- >Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted
- >Have a PO Number/Contract Number & Date
- >Identify "Motorola" as the Vendor

- >Have Payment Terms or Contract Number
- >Be issued in the Legal Entity's Name
- >Include a Bill-To Address with a Contact Name and Phone Number
- >Include a Ship-To Address with a Contact Name and Phone Number
- >Include an Ultimate Address (only if different than the Ship-To)
- >Be Greater than or Equal to the Value of the Order
- >Be in a Non-Editable Format
- >Identify Tax Exemption Status (where applicable)
- >Include a Signature (as Required)

ORDINANCE(S)

ORDINANCE REFERENCE SHEET
2011 ORDINANCE
ORDINANCE 11-36

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Reappropriating \$15,000 for Drainage and Associated Improvements at the Fire Hall Parking Lot.

Sponsor: City Manager/Fire Chief

1. City Council Regular Meeting August 22, 2011 Introduction

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/Fire Chief

4 ORDINANCE 11-36

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER,
7 ALASKA, AMENDING THE FY 2011 OPERATING BUDGET
8 BY REAPPROPRIATING \$15,000 FOR DRAINAGE AND
9 ASSOCIATED IMPROVEMENTS AT THE FIRE HALL
10 PARKING LOT.

11
12 WHEREAS, The adopted FY 2008 Operating Budget contained a capital appropriation in
13 the amount of \$15,000 to make drainage improvements at the Fire Hall parking lot; and

14
15 WHEREAS, The project was not completed for a variety of reasons and no money was
16 expended, however, the need to make drainage improvements still exists and the Fire
17 Department wishes to have the expenditure reauthorized; and

18
19 WHEREAS, HCC 3.05.030 (b) provides "An appropriation for a capital expenditure shall
20 continue in force until the purpose for which it is made has been accomplished or abandoned; the
21 purpose of such appropriation shall be deemed abandoned if three years pass without
22 disbursement or encumbrance of the appropriation."

23
24 THE CITY OF HOMER ORDAINS:

25
26 Section 1. The FY 2011 Operating Budget is hereby amended by re-appropriating
27 \$15,000 from the Fire Department Depreciation Reserves for drainage improvements at the Fire
28 Hall parking lot as follows:

29
30 Expenditure:

<u>Acct No.</u>	<u>Description</u>	<u>Amount</u>
156-393	Fire Depreciation Reserves	\$15,000
	Parking Lot Drainage	

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32
33
34
35 Section 2. This is a budget amendment ordinance, is not permanent in nature, and shall
36 not be codified.

37
38 PASSED AND ENACTED by the Homer City Council this _____ day of _____,
39 2011.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

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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 Wrede, City Manager

Date: _____

Thomas F. Klinkner, City Attorney

Date: _____

CITY MANAGER'S REPORT

MANAGERS REPORT

August 22, 2011

TO: MAYOR HORNADAY / HOMER CITY COUNCIL

FROM: WALT WREDE

UPDATES / FOLLOW-UP

1. Employee Committee: At the last meeting, I answered several questions about the Employee Committee regarding who authorized its formation and what the purpose of the committee was. I said one thing that was incorrect and several others that I would like to clarify. First, I said that the Employee Committee was authorized by the adopted Personnel Policies. That is wrong. The Personnel Policies do not even mention an Employee Committee. The old Employee Committee was in fact very active in helping to draft the Personnel Policies and there are extensive records of that activity. However, the Committee itself was not written into the Policies. So, I apologize for the misinformation. In the end though, that does not matter. This is a committee that was formed at the request of the City Manager and the department heads. This is routine. We form committees administratively and internally all the time to discuss issues and solicit recommendations. No Council action is needed to do this and since it is not a committee formed by the Council, it is not a public meeting. Advertising and formal meeting rules do not apply. We are entering the budget cycle and I routinely ask the departments and employees for advice and recommendations on how the City can save money. As has been noted, Employee costs are a very significant part of the budget. Council has suggested that they would like to see a reduction in employee costs, especially with respect to health care. Council members and the Mayor have also stated clearly that they would like to hear from the employees, that they think a committee is a good idea, and that they want the employees to have input into potential reductions in employee benefits. So, forming this committee is a natural outcome and is clearly within the purview and authority of the administration. Be assured this is not union organizing, or anything like that. The Committee will simply make recommendations to me and the Council.
2. Health Insurance: The second meeting of the Borough Task Force on Health Care Costs took place on August 15. The primary agenda item was getting into more of the details of various health insurance plans, beyond just the cost per employee. Andrea attended the meeting on behalf of the City. She reports that the group did not spend too much time talking about the details of various plans. But it did spend a significant amount of time talking about the possibility of hiring a consultant to help identify all of the feasible ways the entities could collaborate. The group also talked about ways to reduce costs by working out a deal with the Borough owned hospitals to provide care for public employees at reduced costs. (Note: the City has already negotiated a deal with South Peninsula Hospital whereby City employees get a 10% discount).
3. The Fishing Hole: A consensus seems to be building that one of the primary problems with fish survival at the Nick Dudiak Fishing Hole is its reduced depth. In short, the lagoon is filling in and needs to be dredged. This has been on the City CIP/ wish list

for several years now. The problem is money, as usual. It could be as much as several hundred thousand dollars. I spoke with Monte Davis at the Chamber about this the other day. He is very concerned about this and noted that the fishing hole will become even more important to local businesses and the economy when we go to one halibut limits on charter boats. Monte resurrected an idea that has been discussed before and it seems like now might be the time to bring it back to the table. He suggested that we borrow money or sell bonds to do the dredging and other maintenance work. The bonds would be repaid through fishing licenses. The details matter of course but he indicated that the Chamber might be willing to play some sort of role in the administration of the program. There are lots of possibilities. This idea is attractive on its face for several reasons. First, it would provide for a reliable source of income to make the routine repairs and upgrades that pop up every year. Second, it would mean that we are not relying on the Port and Harbor reserves to do maintenance and repair work there. The Fishing Hole is not a part of Port and Harbor Operations and in my view, using enterprise funds to support it is questionable. The General Fund would be more appropriate however, we know that we don't have any extra money lying around there. That leaves us relying on grants and legislative appropriations.

4. Budget Priorities: The Committee of the Whole agenda contains a discussion about Council budget priorities for the 2012 budget. This is a result of the discussion we had at the last meeting. You will notice that I put a copy of the budget priorities for FY 2010 in the packet instead of drafting up new priorities for 2012. I did this for several reasons. First, I wanted to remind you about the process we went through in 2010. Those were the guidelines I used in putting together the FY 2010 Budget. Council input was a big part of it. Second, I did not want to influence you in any way by putting some draft priorities out there. I am interested in the Council's priorities and hopefully the 2010 priorities will be a good base to launch us into that discussion.
5. Library Anniversary: September 16 is the five year anniversary of the completion of the new library building. Is that possible?? Anyway, the friends of the Homer Public Library are planning a celebration and you will be hearing more about that in the new few weeks.
6. Gas Pipeline: This agenda contains a resolution approving an action plan for the Homer Area Natural Gas Pipeline Project. There are some things in the draft plan that I am sure will generate some discussion. I tried to outline and include all of the things I think we should be doing if we are serious about staying the course and moving this project forward. I know that you probably have pipeline fatigue and are enjoying the break from having to discuss this project. I apologize if I am pushing too much. However, I really think that it is important for the Council to decide if it still supports this project and to what degree. If Council does not support the project anymore, it would be good to know that. We can move on to other priority projects and not waste limited time and resources. However, if Council wants to continue making this project a top priority, I think timing is critical and we need to move ahead aggressively and in a focused way.

ATTACHMENTS

None.



City of Homer
Finance

491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone (907) 235-8121
Fax (907) 235-3140
E-mail Finance@ci.homer.ak.us
Web Site www.ci.homer.ak.us

Date: August 16, 2011
To: City Council
Thru: Walt Wrede *W. Wrede*
From: Regina Murras
Subject: June 30th Council Report

Please find the attached Financial Statements through 6/30/2011. As you can see most departments are staying within the budget. You will notice that certain line items have already reached 100%. These will be things like transfers, which happen at the beginning of the year.

Revenues for the General Fund appear low due to a couple of reasons. Property taxes are not due yet. With sales tax our two historical highest months are August and November. This coordinates with quarterly sales tax filers.

So far, Revenues and Expenditures seem to be tracking well with the 2011 budget.



CITY OF HOMER
COUNCIL REPORT
FOR THE 6 MONTHS ENDING JUNE 30, 2011

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
PROPERTY TAXES	85,040.84	85,040.84	2,883,716.00	2,798,675.16	3.0%
SALES & USE TAX	1,515,077.09	1,515,077.09	4,255,185.00	2,740,107.91	36.0%
PERMITS & LICENSES	15,800.00	15,800.00	24,900.00	9,100.00	63.0%
FINES & FORFIETURES	8,422.00	8,422.00	17,400.00	8,978.00	48.0%
USE OF MONEY	22,330.88	22,330.88	30,000.00	7,669.12	74.0%
REVENUES-OTHER AGENCIES	171,061.00	171,061.00	915,466.00	744,405.00	19.0%
CHARGES FOR SERVICES	285,098.81	285,098.81	548,579.00	263,480.19	52.0%
OTHER REVENUE	6,496.60	6,496.60	3,500.00	2,996.60	186.0%
AIRPORT REVENUES	74,707.39	74,707.39	179,885.00	105,177.61	42.0%
OPERATING TRANSFERS	1,262,528.00	1,262,528.00	1,262,528.00	.00	100.0%
	<u>3,446,562.61</u>	<u>3,446,562.61</u>	<u>10,121,159.00</u>	<u>6,674,596.39</u>	<u>34.0%</u>
<u>EXPENSES</u>					
ADMINISTRATION					
MAYOR - COUNCIL	155,923.74	155,923.74	286,176.00	130,252.26	54.0%
CITY CLERK	144,155.66	144,155.66	315,705.00	171,549.34	46.0%
CITY ELECTIONS	.00	.00	7,222.00	7,222.00	.0%
CITY MANAGER	138,659.36	138,659.36	269,952.00	131,292.64	51.0%
PERSONNEL	66,010.67	66,010.67	131,914.00	65,903.33	50.0%
ECONOMIC DEVELOPMENT	58,125.28	58,125.28	104,727.00	46,601.72	56.0%
INFORMATION SYSTEMS	99,664.84	99,664.84	199,037.00	99,372.16	50.0%
LEASED PROPERTY	33,133.39	33,133.39	73,531.00	40,397.61	45.0%
COMMUNITY RECREATION PROG	51,957.94	51,957.94	110,999.00	59,041.06	47.0%
FINANCE	360,227.91	360,227.91	719,856.00	359,628.09	50.0%
PLANNING & ZONING	187,553.63	187,553.63	400,031.00	212,477.37	47.0%
CITY HALL	79,787.59	79,787.59	148,210.00	68,422.41	54.0%
	<u>1,375,200.01</u>	<u>1,375,200.01</u>	<u>2,767,360.00</u>	<u>1,392,159.99</u>	<u>50.0%</u>
LIBRARY					
LIBRARY	310,243.25	310,243.25	809,056.00	498,812.75	38.0%
LIBRARY GRANT	6,260.29	6,260.29	6,350.00	89.71	99.0%
	<u>316,503.54</u>	<u>316,503.54</u>	<u>815,406.00</u>	<u>498,902.46</u>	<u>39.0%</u>
AIRPORT					
AIRPORT FACILITIES	110,090.71	110,090.71	213,400.00	103,309.29	52.0%
	<u>110,090.71</u>	<u>110,090.71</u>	<u>213,400.00</u>	<u>103,309.29</u>	<u>52.0%</u>

CITY OF HOMER
COUNCIL REPORT
FOR THE 6 MONTHS ENDING JUNE 30, 2011

WATER / SEWER SPECIAL REVENUE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>WATER REVENUE</u>					
METER SALES RES	220,844.68	220,844.68	455,712.00	234,867.32	48.0%
METER SALES COM	573,501.19	573,501.19	1,035,770.00	462,268.81	55.0%
METER SALE IND	14,139.78	14,139.78	20,000.00	5,860.22	71.0%
CONNECTION FEES	8,741.26	8,741.26	17,000.00	8,258.74	51.0%
SERVICE & METERS	5,114.69	5,114.69	19,000.00	13,885.31	27.0%
INTEREST INCOME	4,348.73	4,348.73	25,000.00	20,651.27	17.0%
PENALTY/INT	4,266.30	4,266.30	6,000.00	1,733.70	71.0%
OTHER MISCELLANEOUS	12,667.26	12,667.26	.00	(12,667.26)	.0%
	<u>843,623.89</u>	<u>843,623.89</u>	<u>1,578,482.00</u>	<u>734,858.11</u>	<u>53.0%</u>
<u>SEWER REVENUE</u>					
METER SALES RES	295,693.65	295,693.65	711,237.00	415,543.35	42.0%
METER SALES COM	410,791.02	410,791.02	1,144,323.00	733,531.98	36.0%
METER SALE IND	3,259.54	3,259.54	.00	(3,259.54)	.0%
SERVICE&METER	1,860.00	1,860.00	13,000.00	11,140.00	14.0%
RV DUMP STATION	537.96	537.96	3,000.00	2,462.04	18.0%
	<u>712,142.17</u>	<u>712,142.17</u>	<u>1,871,560.00</u>	<u>1,159,417.83</u>	<u>38.0%</u>
	<u>1,555,766.06</u>	<u>1,555,766.06</u>	<u>3,450,042.00</u>	<u>1,894,275.94</u>	<u>45.0%</u>
<u>WATER EXPENDITURES</u>					
WATER SYSTEMS ADMINISTRATION	666,079.33	666,079.33	774,287.00	108,207.67	86.0%
TREATMENT PLANT	187,176.00	187,176.00	324,598.00	137,422.00	58.0%
TESTING	22,319.63	22,319.63	55,411.00	33,091.37	40.0%
PUMP STATIONS	40,888.04	40,888.04	94,125.00	53,236.96	43.0%
DISTRIBUTION SYSTEMS	147,039.71	147,039.71	284,410.00	137,370.29	52.0%
WATER RESERVOIR	18,885.98	18,885.98	60,206.00	41,320.02	31.0%
WATER METERS	45,125.15	45,125.15	103,562.00	58,436.85	44.0%
WATER HYDRANTS	42,667.44	42,667.44	85,890.00	43,022.56	50.0%
	<u>1,170,181.28</u>	<u>1,170,181.28</u>	<u>1,782,289.00</u>	<u>612,107.72</u>	<u>66.0%</u>
<u>SEWER EXPENDITURES</u>					
SEWER SYSTEMS ADMINISTRATION	679,215.55	679,215.55	831,984.00	152,768.45	82.0%
SEWER PLANT OPERATIONS	235,246.51	235,246.51	526,973.00	291,726.49	45.0%
SEWER SYSTEM TESTING	26,066.53	26,066.53	64,618.00	38,551.47	40.0%
SEWER LIFT STATIONS	84,063.14	84,063.14	167,466.00	83,402.86	50.0%
COLLECTION SYSTEM	72,166.56	72,166.56	155,580.00	83,413.44	46.0%
	<u>1,096,758.29</u>	<u>1,096,758.29</u>	<u>1,746,621.00</u>	<u>649,862.71</u>	<u>63.0%</u>
	<u>2,266,939.57</u>	<u>2,266,939.57</u>	<u>3,528,910.00</u>	<u>1,261,970.43</u>	<u>64.0%</u>
NET REVENUE OVER EXPENDITURES	(711,173.51)	(711,173.51)	(78,868.00)	632,305.51	(902.0)%
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0%</u>

CITY OF HOMER
COUNCIL REPORT
FOR THE 6 MONTHS ENDING JUNE 30, 2011

PORT & HARBOR ENTERPRISE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
PORT - HARBOR ADMINISTRATION	178,547.01	178,547.01	338,725.00	160,177.99	53.0%
HARBOR	597,124.79	597,124.79	2,019,609.00	1,422,484.21	30.0%
PIONEER DOCK	104,633.76	104,633.76	172,330.00	67,696.24	61.0%
FISH DOCK	311,533.47	311,533.47	960,677.00	649,143.53	32.0%
DEEP WATER DOCK	65,241.87	65,241.87	161,195.00	95,953.13	40.0%
OUTFALL LINE	4,800.00	4,800.00	2,400.00	(2,400.00)	200.0%
FISH GRINDER	1,490.00	1,490.00	12,360.00	10,870.00	12.0%
	<u>1,263,370.90</u>	<u>1,263,370.90</u>	<u>3,667,296.00</u>	<u>2,403,925.10</u>	<u>34.0%</u>
<u>EXPENDITURES</u>					
PORT - HARBOR ADMINISTRATION	733,516.34	733,516.34	1,016,093.00	282,576.66	72.0%
HARBOR	579,580.02	579,580.02	1,100,665.00	521,084.98	53.0%
PIONEER DOCK	86,844.57	86,844.57	112,285.00	25,440.43	77.0%
FISH DOCK	472,490.56	472,490.56	823,071.00	350,580.44	57.0%
DEEP WATER DOCK	94,951.64	94,951.64	111,551.00	16,599.36	85.0%
OUTFALL LINE	3,357.00	3,357.00	5,321.00	1,964.00	63.0%
FISH GRINDER	7,669.10	7,669.10	29,052.00	21,382.90	26.0%
PORT - HARBOR ADMIN MAINTENANC	18,915.65	18,915.65	44,574.00	25,658.35	42.0%
HARBOR MAINTENANCE	139,154.06	139,154.06	314,704.00	175,549.94	44.0%
MAIN DOCK MAINTENANCE	12,417.05	12,417.05	33,089.00	20,671.95	38.0%
DWD MAINTENANCE	12,628.99	12,628.99	33,291.00	20,662.01	38.0%
	<u>2,161,524.98</u>	<u>2,161,524.98</u>	<u>3,623,696.00</u>	<u>1,462,171.02</u>	<u>60.0%</u>
NET REVENUE OVER EXPENDITURE	<u>(898,154.08)</u>	<u>(898,154.08)</u>	<u>43,600.00</u>	<u>941,754.08</u>	<u>(2060.0)</u>

CITY OF HOMER

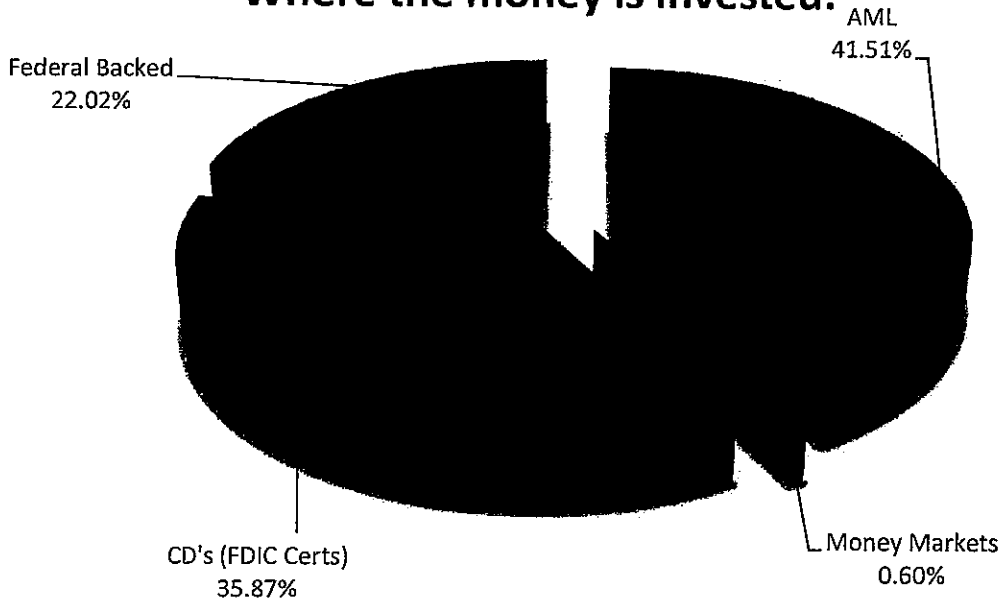
Treasurer's Report

Thursday, June 30, 2011

INVESTMENT BY INSTITUTION:	\$ Invested	% Of \$	
		Invested	YTD Interest
Alaska Municipal League	\$ 5,085,570	41.51%	404
Dain Rauscher	\$ 1,787,670	14.59%	38,339
Piper Jaffrey	\$ 299,672	2.45%	-
ProEquities	\$ 3,743,219	30.55%	9,132
Raymond James	\$ 1,335,800	10.90%	13,209
Total Cash and Investments	\$ 12,251,931	100.00%	61,084

MATURITY OF INVESTMENTS:	AMOUNT	% Of Investment by	
		Maturity Date	
1 to 30 Days	7/31/2011 \$ 5,399,434	34.99%	
30 to 120 Days	10/31/2011 \$ 304,426	25.01%	
120 to 180 Days	12/30/2011 \$ 566,100	7.49%	
180 to 365 Days	6/30/2012 \$ 122,451	3.28%	
Over 1 Year	\$ 5,859,520	29.23%	
TOTAL	\$ 12,251,931	100.00%	

Where the money is invested:



These investments are made in accordance with the City of Homer's investment policy pursuant to Ordinance 93-14, Chapter 3, 10. The balances reported are unaudited.

**CITY OF HOMER
Treasurer's Report**

	AML					
	Pooled Fund	Fire Department	Library Donations	PERS	Sustainability Fund	
3/31/2011 Balance	5,362,422.64	49,403.00	59,805.61	262,995.29	15,230.75	5,749,857.29
Accrued Interest	48.11	0.43	5.00	2.23	0.12	55.89
Balance After Accrued Int	5,362,470.75	49,403.43	59,810.61	262,997.52	15,230.87	5,749,913.18
Transfers In	235,655.23					235,655.23
Transfers Out						-
Interest	48.11	0.43	0.50	2.23	0.12	51.39
4/30/2011 Balance	5,598,125.98	49,403.43	59,806.11	262,997.52	15,230.87	5,985,563.91
Accrued Interest	78.62	0.74	0.87	3.85	0.22	84.30
Balance After Accrued Int	5,598,204.60	49,404.17	59,806.98	263,001.37	15,231.09	5,985,648.21
Transfers In	761,183.44					761,183.44
Transfers Out	(600,000.00)					(600,000.00)
Interest	78.62	0.74	0.87	3.85	0.22	84.30
5/31/2011 Balance	5,759,388.04	49,404.17	59,806.98	263,001.37	15,231.09	6,146,831.65
Accrued Interest	47.09	0.43	0.50	2.23	0.12	50.37
Balance After Accrued Int	5,759,435.13	49,404.60	59,807.48	263,003.60	15,231.21	6,146,882.02
Transfers In	188,533.87					188,533.87
Transfers Out	(1,250,000.00)					(1,250,000.00)
Interest	47.09	0.43	0.50	2.23	0.12	50.37
6/30/2011 Balance	4,697,969.00	49,404.60	59,807.48	263,003.60	15,231.21	5,085,415.89
Accrued Interest	143.75	1.35	1.61	7.11	0.41	154.23
Balance After Accrued Int	4,698,112.75	49,405.95	59,809.09	263,010.71	15,231.62	5,085,570.12

**Dain Rauscher
Treasury Backed Securities**

	Treasury Backed Securities						Total
	Bank of America	Fed Nat'l Mtg Assn	Fed Nat'l Mtg Assn	Fed Nat'l Mtg Assn	Fed Nat'l Mtg Assn	Fed Home Loan Mtg	
Purchase Date	10/24/2009	12/2/2010	6/28/2011	7/5/2011	7/5/2011	3/28/2011	
Maturity Date	10/24/2014	9/29/2015	6/28/2013	7/5/2016	7/5/2016	6/28/2013	
Interest Rate	4.70%	3.00%	6.00%	2.20%	2.20%	0.05%	0.01%
3/31/2011 Balance	74,649.72	789,483.28				890,000.00	35,643.60
March MV	74,501.72	786,300.48				887,908.50	(5,422.30)
Accrued Interest	554.90	129.67				77.88	762.45
Statement Balance							1,785,116.75
Transfers In/Out	(627.28)					627.28	-
Interest	627.28					0.28	627.56
4/30/2011 Balance	74,649.72	789,483.28				890,000.00	36,271.16
April MV	74,429.94	786,776.62				891,050.20	(1,876.24)
Accrued Interest	31.02	2,009.83				830.66	2,871.51
Statement Balance							1,791,399.43
Transfers in/Out							-
Interest						0.32	0.32
5/31/2011 Balance	74,649.72	789,483.28				890,000.00	36,271.48
May MV	74,339.66	785,257.18				890,516.20	(4,019.96)
Accrued Interest	137.86	4,019.67				1,635.38	5,792.91
Statement Balance							1,792,177.43
Transfers In/Out			287,663.75	300,000.00	300,000.00	(890,000.00)	2,336.25
Interest			2,336.25				0.45
6/30/2011 Balance	74,649.72	789,483.28	290,000.00	300,000.00	300,000.00	-	38,608.18
Jun MV	74,262.70	783,338.64	289,376.50	298,572.00	297,351.00		(11,232.16)
Accrued Interest	241.26	5,899.83	9.67	10.42			6,161.18
Statement Balance							1,787,670.20

PIPER JAFFREY

FDIC - Security Name	Bank of America	Bank of America	Bank of America	Total
FDIC - Security Name	Bank of America	Bank of America	Bank of America	
FDIC - Security Name	Bank of America	Bank of America	Bank of America	
FDIC - Security Name	Bank of America	Bank of America	Bank of America	

	Bank of America	Bank of America	Bank of America	Total
Purchase Date	8/31/2009	11/23/2009		
Maturity Date	8/31/2011	11/23/2011		
Interest Rate	1.65%	1.10%	0.50%	
4/30/2011 Balance	198,922.00	99,180.00	-	298,102.00
Apr MV	199,646.00	99,692.00		1,236.00
				299,338.00
5/31/2011 Balance	198,922.00	99,180.00	-	298,102.00
May MV				(298,102.00)
6/30/2011 Balance	198,922.00	99,180.00	-	298,102.00
Jun MV	199,854.00	99,818.00		1,570.00
Accrued Interest				-
				299,672.00

CITY OF HOMER
Treasurer's Report

PRO-EQUITIES

FDIC Certification Number	57803	35141	32574	57804	5649	32102	34775	15019	30387	33905	34319	873	34697	FED BACKED/FED BACKED	Total
201,946.00	201,946.00	199,524.00	200,000.00	200,000.00	201,958.00	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	484,230.00	1,906.63
201,946.00	201,946.00	199,524.00	200,000.00	200,000.00	201,958.00	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	484,230.00	3,715,681.21

Transfers In/Out	Gain/Loss on Sale of Asset	Interest
4/30/2011 Balance	201,946.00	3,526.31
April M/V	202,614.00	5,034.84
Accrued Interest	977.26	10,963.98
Statement Balance	404,537.26	19,525.13

Transfers In/Out	Gain/Loss on Sale of Asset	Interest
5/31/2011 Balance	201,946.00	995.12
May M/V	202,614.00	3,715,604.64
Accrued Interest	977.26	17,694.24
Statement Balance	404,537.26	2,500.04

Transfers In/Out	Gain/Loss on Sale of Asset	Interest
6/30/2011 Balance	201,946.00	2,188.87
June M/V	202,614.00	2,188.87
Accrued Interest	977.26	869.37
Statement Balance	404,537.26	3,745,219

FDIC Certification Number	57803	35141	32574	57804	5649	32102	34775	15019	30387	33905	34319	873	34697	FED BACKED/FED BACKED	Total
101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	4,347.51
101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	1,325,407.87

Transfers In / Outs	Interest	Realized Gain/Loss
4/30/2011 Balance	101,972.00	5,047.07
April M/V	101,972.00	1,047.12
Accrued Interest	101,972.00	9,394.63
Statement Balance	101,972.00	15,488.82

Transfers In / Outs	Interest	Realized Gain/Loss
5/31/2011 Balance	101,972.00	10,435.26
May M/V	101,972.00	304.85
Accrued Interest	101,972.00	1,331,515.62
Statement Balance	101,972.00	1,332,655.73

Transfers In / Outs	Interest	Realized Gain/Loss
6/30/2011 Balance	101,972.00	8,913.92
Jun M/V	101,972.00	0.30
Accrued Interest	101,972.00	1,335,238.65
Statement Balance	101,972.00	1,344,152.87

FDIC Certification Number	57803	35141	32574	57804	5649	32102	34775	15019	30387	33905	34319	873	34697	FED BACKED/FED BACKED	Total
101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	1,330,826.65
101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	101,972.00	1,330,826.65

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
DATE: AUGUST 16, 2011
SUBJECT: CURRENT BID(S) AND REQUEST FOR PROPOSALS

REQUEST FOR PROPOSALS FOR INSURANCE BENEFIT BROKER AND CONSULTING SERVICES The City of Homer, Alaska, is soliciting proposals for an experienced and qualified Insurance Broker of Record to provide health benefits insurance and ancillary products consulting, marketing and placement services from reputable insurance carriers, finding the desired products at the most competitive price for a period of three (3) years.

CITY ATTORNEY REPORT

COMMITTEE REPORT(S)

PENDING BUSINESS

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
2. Referred to Planning Commission on June 13, 2011
3. City Council Regular Meeting August 22, 2011 Public Hearing and Second Reading
 - a. Memorandum 11-118 from City Planner as backup
 - b. Draft Ordinance 11-23 from Planning Commission
 - c. Staff Reports PL 11-36, 11-79, and 11-81
 - d. Planning Commission minutes of July 20 and August 3, 2011

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**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.]

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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.]

89 YES:
90 NO:
91 ABSTAIN:
92 ABSENT:
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94 First Reading:
95 Public Hearing:
96 Second Reading:
97 Effective Date:
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99 Reviewed and approved as to form:

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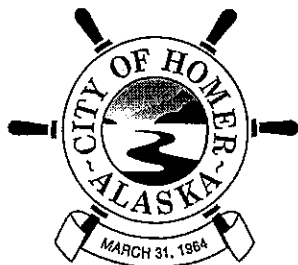
Walt E. Wrede, City Manager

Thomas F. Klinkner, City Attorney

Date: _____

Date: _____

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



City of Homer

Planning & Zoning

491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone (907) 235-8121
Fax (907) 235-3118
E-mail Planning@ci.homer.ak.us
Web Site www.ci.homer.ak.us

MEMORANDUM 11-118

TO: MAYOR HORNADAY AND HOMER CITY COUNCIL
WALT WREDE, CITY MANAGER

FROM: RICK ABOUD, CITY PLANNER

DATE: AUGUST 22, 2011

SUBJECT: Draft Ordinance 11-23, Adding "Hostel" as a permitted or conditional use in various zoning districts.

Without guidance from the City Council, the Planning Department brought the issue to the Planning Commission at the March 16, 2011 worksession meeting. At that meeting the item was added to the Commission work list and not given any type of high priority. Next the issue was brought before the Commission at the July 20, 2011 meeting. The Planning Department made a recommendation for amendment, after consideration the Commission modified the amendment and held a public hearing on the item as amended on August 8, 2011. The Commission recommended that hostels be added to the permitted uses in the Residential Districts, the Central and Gateway Business Districts along with the Town Center District. This final recommendation is presented in strikeout fashion of the original ordinance proposed by Council member Wythe.

Recommendation:

The Homer Advisory Planning Commission recommends the Homer City Council approve the proposed ordinance as amended.

ATTACHMENTS:

Draft Ordinance 8.3.11
SR PL 11-36, 11-79, 11-81
HAPC minutes 7/20, 8/3/11

*Draft from
Planning Commission*

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 21.03.040 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, Rural Residential District,
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, Urban Residential District,
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, Residential Office District,
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, Central Business District,
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.]

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

48
49 x. Rooming house, ~~and bed and breakfast~~ and hostel;

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

53
54 o. Rooming house, ~~and bed and breakfast~~ and hostel;

55
56 ~~Section 7.~~ Subsection (ii) of Homer City Code 21.24.020, General Commercial District
57 ~~1,~~ Permitted uses and structures, is amended to read as follows:

58
59 ii. Rooming house, ~~and bed and breakfast~~ and hostel;

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61 ~~Section 8.~~ Subsection (v) of Homer City Code 21.26.020, General Commercial District 2
62 Permitted uses and structures, is amended to read as follows:

63
64 v. Hotels, ~~and motels~~ and hostels;

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

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

70
71 Section 10. This Ordinance is of a permanent and general character and shall be included
72 in the City Code.

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

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77 CITY OF HOMER

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80 _____
81 JAMES C. HORNADAY, MAYOR

82 ATTEST:

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85 _____
86 JO JOHNSON, CMC, CITY CLERK

87 YES:

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

88 NO:
89 ABSTAIN:
90 ABSENT:

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92 First Reading:
93 Public Hearing:
94 Second Reading:
95 Effective Date:

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97 Reviewed and approved as to form:

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100 _____
101 Walt E. Wrede, City Manager

Thomas F. Klinkner, City Attorney

102
103 Date: _____

Date: _____

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



City of Homer

Planning & Zoning

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Homer, Alaska 99603-7645

Telephone (907) 235-8121
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Web Site www.ci.homer.ak.us

STAFF REPORT PL 11-36

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Planning Technician
MEETING: March 16, 2011
SUBJECT: Hostels as a listed use in the zoning code

GENERAL INFORMATION

When the Council was reviewing the recent junk ordinance (11-03), a Council member brought up that hostels are defined by city code, but they are not a listed use in any zoning district. The Commission may wish to discuss this use, or postpone and add it to the work list.

"Hostel" means any building or portion of a building containing dormitory-style sleeping accommodations for not more than fifteen guests that that are used, rented or hired out on a daily or longer basis.

If a use is not listed in a zoning district, then the following process applies:

21.04.020 Unlisted uses. a. Unlisted uses may be allowed within a zoning district upon application of the property owner and written decision by the Planning Commission, if, after a public hearing, the commission finds the proposed use meets all of the following criteria:

1. The use is not specifically permitted outright or conditionally in any other district;
2. The use is not more appropriate in another district;
3. The use is compatible with the purposes of the district in question;
4. The use is similar to and not more objectionable than other uses permitted outright in that district;
5. The use satisfies any other criteria specifically applicable to approval of unlisted uses in the zoning district in question.

b. In approving an application for a specific unlisted use, the Planning Commission may determine that the unlisted use should be treated as a conditional use. If it does, then the application shall be processed and decided under the provisions of HCC Chapter 21.71. The applicant will be given notice and an opportunity to provide supplemental information in support of the matter as a conditional use permit application.

STAFF COMMENTS/RECOMMENDATIONS:

Comment: There is nothing wrong with using the unlisted use process for a hostel. But it is a code housekeeping issue that could be addressed if the Commission is interested.

Recommendation: Planning Commission provide direction to staff on when or if you would like to add this use to any zoning districts.



City of Homer

Planning & Zoning

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Homer, Alaska 99603-7645

Telephone (907) 235-8121
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E-mail Planning@ci.homer.ak.us
Web Site www.ci.homer.ak.us

STAFF REPORT PL 11-79

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Dotti Harness-Foster, Planning Technician
MEETING: July 20, 2011
SUBJECT: Hostels included as a “permitted” and “conditional” housing use.

At the June 13, 2011 City Council meeting, Councilwoman Wythe sponsored an ordinance that if approved would include “hostels” as a permitted use in all the districts except Marine Industrial and would include ‘hostels’ as conditional use in the GC2 district.

First the definition for “hostel” per HCC 21.03 “means any building or portion of a building containing dormitory-style sleeping accommodations for not more than fifteen guests that that are used, rented or hired out on a daily or longer basis.”

Per HCC 21.03 “Hostel” is not a hotel: “...The terms “hotel” and “motel” excludes bed and breakfast, rooming house, dormitory, shelter for the homeless, and hostel.”

Adding ‘hostels’ as a permitted use aligns well with rooming houses and bed and breakfasts except in one district, the General Commercial 2 district. Conversely, the purpose of the GC2 district is to “provide a sound area for heavy commercial and industrial uses... .” Allowing ‘hostels’ in an area zoned for heavy commercial and industrial use is not safe, therefore not recommended by staff.

Adding ‘hostels’ as a conditional use to the Marine Commercial district is discussed in the 2011 Homer Spit Comprehensive Plan, Pg 25, 1.C.

Resort/Residential Land Use: “A residential option may be considered as part of the planning process. A clear policy is needed and appropriate regulations created and enforced to meet public health and safety concerns. Lodging and nightly rental facilities that may be permitted in the future can be located above existing and future commercial developments. By permitting these activities, the City can better regulate them and ensure facilities meet building, health, and safety codes.”

STAFF RECOMMENDS:

1. Delete line 63-54 which references the GC2 district.
2. Discuss and amend if needed line 68-69 which references the MC district.
3. Adopt and send to public hearing Ord. 11-23.

Att: Ord. 11-23

Motion carried.

The Commission discussed banners and when they are and are not temporary signs. Question was raised whether a banner tied at all four corners to two permanent poles constitutes a rigid structure along the entire circumference. Staff encouraged that if it is encased or mounted on a separate frame, then it is no longer a banner. When it is attached without a frame then it's a banner. The conversation transitioned to whether there would be an allowance for advertising civic events and if that is even appropriate to restrict a temporary sign based on the message.

On page 2 of the staff report there was a note about signage on churches and B&B's along the Sterling Highway. Chair Minsch encouraged the Commissioners to read the gateway overlay information as there are specific rules for that area.

The discussion carried over to political signs. Because there is no definition of a temporary sign and how long it can be displayed, it is challenging. Election signs have a purpose and they have a time they can be up before elections and a time they need to come down. In the draft the attorney argues that they are temporary sign and should be addressed like any other. Point was raised that in our town it isn't something that will be enforced as a temporary sign.

HIGHLAND/VENUTI MOVED TO POSTPONE DISCUSSION TO THE NEXT WORKSESSION AND ASK THE CITY ATTORNEY TO PARTICIPATE.

City Planner Abboud said it will be included on the regular meeting agenda as well.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

C. Staff Report PL 11-76, Bylaws Change to Amend the Meeting Time

This item was postponed to the next meeting due to notice requirements for the second notice of the amendment.

The Commission took a short recess at 8:47 p.m. and the meeting resumed at 8:50 p.m.

NEW BUSINESS

A. Staff Report PL 11-79 Hostels Permitted as "Permitted" and "Conditional" Housing Use

City Planner Abboud reviewed the staff report. He recommended eliminating GC2 from the ordinance and including it in the Marine Commercial district to accommodate workers on the spit.

HIGHLAND/VENUTI MOVED TO DISCUSS AND MAKE RECOMMENDATIONS REGARDING HOSTELS AS PERMITTED AND CONDITIONAL USES IN ZONING DISTRICTS.

Commissioner Highland noted a typographical error on staff recommendation 1.

City Planner Abboud explained that hostel isn't listed as a permitted or conditional use in any district, so it would be an "other" use that would have to be addressed through a CUP process. It is a bit of a quandary.

MINSCH/VENUTI MOVED TO DELETE ORDINANCE LINES 58 AND 59 THAT REFERENCE GC1, LINES 63 AND 64 THAT REFERENCE GC2, LINES 68 AND 69 THAT REFERENCE MARINE COMMERCIAL AS WELL AS NOT ALLOWING HOSTELS IN THE MARINE INDUSTRIAL DISTRICT.

There was discussion that hostels would be allowed where rooming house and B&B type uses are. The use is appropriate in the marine and general commercial districts as there is limited space for those districts and hostels are not a compatible use.

There was brief discussion for clarification on the purpose of the ordinance and the districts where they would be allowed.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

HIGHLAND/VENUTI MOVED TO ADOPT STAFF REPORT PL 11-79 HOSTELS AND SEND IT TO PUBLIC HEARING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS

A. City Manager's Report June 27, 2011

COMMENTS OF THE AUDIENCE

Members of the audience may address the Commission on any subject. (3 minute time limit)

There were no audience comments.

COMMENTS OF STAFF

City Planner Abboud commented that he would work to improve future packets.

COMMENTS OF THE COMMISSION

Commissioner Highland commented that she would still like the Commission to discuss the idea of no further residential development on the Spit. She provided an informational piece for them to review. She said she wished Commissioner Druhot well and thanked her for her service.

Commissioner Druhot said it has been good to work with everyone but it is time for her to move on.



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STAFF REPORT PL 11-81

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Dotti Harness-Foster, Planning Technician
MEETING: August 3, 2011
SUBJECT: Draft Ordinance 11-23, Adding "Hostel" as a permitted or conditional use in various zoning districts.

At the July 20, 2011 HAPC meeting, the commission discussed Councilwoman Wythe's draft ordinance. The ordinance proposed the inclusion of "hostel" as a permitted use in all the zoning districts except Marine Commercial and Marine Industrial. While the ordinance did not propose adding the use to the Marine Industrial District, it did suggest adding "hostel" as a conditional use in the Marine Commercial District.

The Commission supports proposal to add "hostel" as a permitted use in the residential districts, CBD, TCD and the GBD. The HAPC does not recommend adding "hostel" in the GC1 and GC2 districts due to the heavy commercial uses permitted in the GC1/2 districts. Typically, 'hostels' are residential in nature and mixing residential uses with heavy commercial uses is not conducive to the health and safety of the residents. It was also noted that land for commercial activities is limited and the commission did not want to further constrain supply with the addition of another residential use. The Commission did not recommend adding 'hostels' as a conditional use in the Marine Commercial district because hostels do not meet the purpose of the MC district in that it is not water-related nor water-dependant per HCC 21.28.010. Additionally, the Commission wishes to express that, although not suggested in the proposed ordinance, they do not recommend the permitted or conditionally permitted opportunity for hostels to be considered in the Marine Industrial District.

The copy of Ordinance 11-23 found in the HAPC packet is the proposed ordinance with the recommendations of the Commission presented as ~~striketrough~~. The written names of the various zoning districts have been added to the various sections of the ordinance for clarity.

STAFF RECOMMENDS: Hold a public hearing. Forward proposed ordinance 11-23, as amended to the Homer City Council.

Att: Ord. 11-23 mark-up

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report PL 11-82, Sign Code Amendments

The Commission continued their discussion from the worksession. They addressed electoral signs, temporary signs, and off premise signs.

B. Staff Report PL 11-76, Draft Resolution Amending the Homer Advisory Planning Commission Bylaws to Change the Regular Meeting Time

MINSCH/HIGHLAND MOVED TO APPROVE THE DRAFT RESOLUTION OUTLINED IN STAFF REPORT PL 11-76 AND FORWARD TO CITY COUNCIL FOR ADOPTION.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

C. Staff Report PL 11-77, East End Mixed Use

Chair Minsch explained that the Commission gave staff feedback during the worksession.

NEW BUSINESS

A. Staff Report PL 11-84, More than One Permitted Principal Use on a Lot

City Planner Abboud reviewed the staff report.

HIGHLAND/VENUTI MOVED TO DISCUSS AND MAKE RECOMMENDATIONS.

No objection was expressed and discussion ensued.

The Commission discussed challenges and concerns regarding density and how it relates to the different districts and the Comprehensive Plan. They began reviewing districts to try to establish if there is enough direction for staff to make a determination rather than bringing it to the Commission with a CUP. The following points were raised:

- Concern was expressed regarding water and septic requirements in rural residential district.
- Staff could permit one additional use, and two or more would come to the Commission.
- Would this include permitting a second 4-plex or rooming house.

Chair Minsch recommended reviewing the Comprehensive Plan. City Planner Abboud appreciated the feed back and will bring a revised recommendation at a future meeting.

INFORMATIONAL MATERIALS

NEW BUSINESS

RESOLUTION(S)

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**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 11-083

A RESOLUTION OF THE CITY COUNCIL OF HOMER,
ALASKA, APPROVING AND ADOPTING A 2011-2012
HOMER AREA NATURAL GAS PIPELINE PROJECT ACTION
PLAN.

WHEREAS, The Homer community has been attempting to get natural gas to the area for many years and there appears to be strong public support to continue with this effort, especially within the business community; and

WHEREAS, Bringing natural gas to the Homer area has the potential to stimulate economic development and create jobs, lower the cost of living and doing business, and reduce carbon emissions, consistent with the Homer Climate Action Plan; and

WHEREAS, The Homer Area Natural Gas Pipeline Project was included in the FY 2012 State Capital Budget by the Legislature but was vetoed by Governor Parnell; and

WHEREAS, The Governor and his staff have already begun the process of preparing the Governor's FY 2013 Capital Budget for submission to the Legislature in January; and

WHEREAS, If the community wants to continue moving forward with this project, it is important for the City Council to make its priorities known and to adopt a clear roadmap for success.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby finds that construction of the Homer Area Natural Gas Pipeline is in the overall community interest and that the project remains a top Capital Improvement Project Priority.

BE IT FURTHER RESOLVED that the Council hereby approves and adopts the Draft 2011-2012 Homer Area Natural Gas Pipeline Project Action Plan, a copy of which is attached and incorporated herein, and authorizes the City Manager to implement the plan.

41 PASSED AND ADOPTED by the Homer City Council this 22nd day of August, 2011.

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CITY OF HOMER

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JAMES C. HORNADAY, MAYOR

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JO JOHNSON, CMC, CITY CLERK

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53 Fiscal Note: An Allocation of Staff Time

HOMER AREA NATURAL GAS PIPELINE PROJECT

2011-2012 ACTION PLAN

Lobbying and Public Information

- Work with the Alaska Energy Authority and with the Governor's Office to identify areas of concern with the goal being inclusion of the project in the Governor's FY 2013 Capital Budget.
- Work with the Central Peninsula Legislators who either opposed the project or expressed reservations to identify areas of concern and attempt to obtain their support.
- Draft an updated project description for inclusion in the C.I.P. document and for distribution to the Governor, Legislators, project partners, and other interested parties.
- Keep the project webpage current in order to keep the public informed.
- Continue to work with community coalitions, organizations, and individuals that support the project and want to get directly involved.

Financing

- Work with Enstar to identify and evaluate alternative options for financing all or a part of the transmission line.
- Work with AIDEA and other financing agencies to identify and evaluate alternative financing options for the transmission line.
- Evaluate options for financing the construction of the distribution system within the community.

Completing Homer's "Plan"

- Develop a City Council position on financial participation to stimulate development of the distribution network.
- Define the "core area" boundaries, the part of the community that would benefit most by hooking up to natural gas and would be most likely to have a majority of buildings hook up quickly.
- Conduct a survey of government and public buildings that would hook-up quickly.
- Work with Enstar to develop a survey using data and pricing provided by Enstar to measure interest in making the conversation to natural gas.
- Adopt an amendment to the Homer City Code to provide for the placement of gas utility lines in Homer public streets and ROWs.

CITY OF HOMER
HOMER, ALASKA

Roberts

RESOLUTION 11-084

A RESOLUTION OF THE HOMER CITY COUNCIL
DECLARING FRIDAY, SEPTEMBER 23, 2011 AS BLUE AND
GOLD DAY IN HOMER, ALASKA.

WHEREAS, The students of Homer High School would like to increase school spirit; and

WHEREAS, Homecoming, a time-honored tradition, is September 24, 2011; and

WHEREAS, The City of Homer has individually shown support with funding, attending, chaperoning, as well as advertising for school events, such as Homecoming; and

WHEREAS, A city-wide Blue and Gold day would increase community support for Homer High School, creating a greater school spirit; and

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby declares Friday, September 23, 2011 as Blue and Gold day in Homer, Alaska.

PASSED AND ADOPTED by the Homer City Council this 22nd day of August, 2011.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

ATTEST:

JO JOHNSON, CMC, CITY CLERK

Fiscal Note: N/A

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**CITY OF HOMER
HOMER, ALASKA**

City Clerk/
Planning Commission

RESOLUTION 11-085

A RESOLUTION OF THE CITY COUNCIL OF HOMER,
ALASKA, AMENDING THE HOMER ADVISORY PLANNING
COMMISSION BYLAWS TO AMEND THEIR MEETING TIME
TO BEGIN AT 6:30 P.M. AND END AT 9:30 P.M.

WHEREAS, The Homer Advisory Commission voted unanimously at the June 1, 2011
regular meeting to amend their bylaws as follows:

C. Regular Meetings:

All Commission members should be physically present at the designated time and
location within the City for the meeting. Teleconferencing is not permitted.

1. First and third Wednesday of each month at ~~7:00~~ **6:30** p.m.
2. Agenda deadline is two weeks prior to the meeting date at 5:00 p.m.
Agenda items requiring public hearing must be received three weeks prior
to the Commission hearing. However, conditional use applications may
be scheduled for public hearing in accordance with HCC 21.94.
Preliminary plats must be submitted the Friday two weeks before the
Commission meeting.
3. Items will be added to the agenda upon request of staff, the Commission
or a Commissioner.
4. Public notice of a regular meeting shall be made as provided in HCC
Chapter 1.14.
5. Meetings will adjourn promptly at ~~10:00~~ **9:30** p.m. An extension is
allowed by vote of the Commission.

Procedure: The Chair will entertain a motion to extend the meeting until a
specific time. After the motion has been seconded, the Commission will
vote. A yes vote will extend the meeting until the specified time. A no
vote will require that the Chair conclude business at or before ~~10:00~~ **9:30**
pm and immediately proceed to comments of the audience, the
Commission and adjournment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska,
hereby amends the Homer Advisory Planning Commission bylaws to amend their regular
meeting time to begin at 6:30 p.m. and end at 9:30 p.m.

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PASSED AND ADOPTED by the Homer City Council this 22nd day of August, 2011.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

ATTEST:

JO JOHNSON, CMC, CITY CLERK

Fiscal Note: N/A



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MEMORANDUM 11-119

TO: MAYOR HORNADAY AND HOMER CITY COUNCIL
FROM: RICK ABBOUD, CITY PLANNER
DATE: AUGUST 16, 2011
SUBJECT: Resolution Amending the Homer Advisory Planning Commission Bylaws and Policies and Procedures Manual

At the June 1st Regular Meeting, a motion was approved to amend the HAPC bylaws to adjust the meeting time from 7:00 p.m. to 6:30 p.m. and change adjournment time from 10:00 p.m. to 9:30 p.m.

Recommendation:

The Homer Advisory Planning Commission recommends adoption of the resolution amending the Bylaws and Policies and Procedures Manual.

CITY OF HOMER
HOMER, ALASKA

City Clerk

RESOLUTION 11-

A RESOLUTION OF THE CITY COUNCIL OF HOMER,
ALASKA AMENDING THE HOMER ADVISORY PLANNING
COMMISSION BYLAWS TO AMEND THEIR MEETING TIME
TO BEGIN AT 6:30 P.M. AND END AT 9:30 P.M.

WHEREAS, The Homer Advisory Commission voted unanimously at the June 1, 2011 regular meeting to amend their bylaws as follows:

C. Regular Meetings:

All Commission members should be physically present at the designated time and location within the City for the meeting. Teleconferencing is not permitted.

1. First and third Wednesday of each month at ~~7:00~~ **6:30** p.m.
2. Agenda deadline is two weeks prior to the meeting date at 5:00 p.m. Agenda items requiring public hearing must be received three weeks prior to the Commission hearing. However, conditional use applications may be scheduled for public hearing in accordance with HCC 21.94. Preliminary plats must be submitted the Friday two weeks before the Commission meeting.
3. Items will be added to the agenda upon request of staff, the Commission or a Commissioner.
4. Public notice of a regular meeting shall be made as provided in HCC Chapter 1.14
5. Meetings will adjourn promptly at ~~10:00~~ **9:30** p.m. An extension is allowed by vote of the Commission.
Procedure: The Chair will entertain a motion to extend the meeting until a specific time. After the motion has been seconded, the Commission will vote. A yes vote will extend the meeting until the specified time. A no vote will require that the Chair conclude business at or before ~~10:00~~ **9:30** pm and immediately proceed to comments of the audience, the Commission and adjournment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby amends the Homer Advisory Planning Commission bylaws to amend their regular meeting time to begin at 6:30 p.m. and end at 9:30 p.m.

PASSED AND ADOPTED by the Homer City Council this 8th day of August, 2011.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

ATTEST

JO JOHNSON, CMC, CITY CLERK

Fiscal Note: None



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STAFF REPORT PL 11-69

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
MEETING: June 15, 2011, July 20, 2011
SUBJECT: Draft HAPC Bylaws

INFORMATION

At the June 1st Regular Meeting, a motion was approved to amend the HAPC bylaws to adjust the meeting time from 7:00 p.m. to 6:30 p.m. and change adjournment time from 10:00 p.m. to 9:30 p.m.

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission receive comments and forward to the City Council for approval.

ATTACHMENTS

1. Draft bylaws

The Commission discussed banners and when they are and are not temporary signs. Question was raised whether a banner tied at all four corners to two permanent poles constitutes a rigid structure along the entire circumference. Staff encouraged that if it is encased or mounted on a separate frame, then it is no longer a banner. When it is attached without a frame then it's a banner. The conversation transitioned to whether there would be an allowance for advertising civic events and if that is even appropriate to restrict a temporary sign based on the message.

On page 2 of the staff report there was a note about signage on churches and B&B's along the Sterling Highway. Chair Minsch encouraged the Commissioners to read the gateway overlay information as there are specific rules for that area.

The discussion carried over to political signs. Because there is no definition of a temporary sign and how long it can be displayed, it is challenging. Election signs have a purpose and they have a time they can be up before elections and a time they need to come down. In the draft the attorney argues that they are temporary sign and should be addressed like any other. Point was raised that in our town it isn't something that will be enforced as a temporary sign.

HIGHLAND/VENUTI MOVED TO POSTPONE DISCUSSION TO THE NEXT WORKSESSION AND ASK THE CITY ATTORNEY TO PARTICIPATE.

City Planner Abboud said it will be included on the regular meeting agenda as well.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

A. Staff Report PL 11-76, Bylaws Change to Amend the Meeting Time

This item was postponed to the next meeting due to notice requirements for the second notice of the amendment.

The Commission took a short recess at 8:47 p.m. and the meeting resumed at 8:50 p.m.

NEW BUSINESS

A. Staff Report PL 11-79 Hostels Permitted as "Permitted" and "Conditional" Housing Use

City Planner Abboud reviewed the staff report. He recommended eliminating GC2 from the ordinance and including it in the Marine Commercial district to accommodate workers on the spit.

HIGHLAND/VENUTI MOVED TO DISCUSS AND MAKE RECOMMENDATIONS REGARDING HOSTELS AS PERMITTED AND CONDITIONAL USES IN ZONING DISTRICTS.

Commissioner Highland noted a typographical error on staff recommendation 1.

MINSCH/HIGHLAND MOVED TO ADD CONDITION FOUR THAT THE APPLICANT IS REQUIRED TO MAKE EVERY ATTEMPT TO BRING THIS NEW ADDITION INTO HARMONY, SCALE, AND BULK WITH APPROPRIATE DESIGN FEATURES.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

There was no further discussion on the main motion as amended.

VOTE (Main motion as amended): YES: BOS, MINSCH, HIGHLAND, DRUHOT, VENUTI, DOLMA

Motion carried

C. Staff Report PL 11-71, Draft Ordinance 11-xx, Conservation District

City Planner Abboud reviewed the staff report.

Chair Minsch opened the public hearing. There were no public comments and the public hearing was closed.

There was no further Commission discussion with staff.

BOS/HIGHLAND MOVED TO FORWARD THE DRAFT CONSERVATION DISTRICT ORDINANCE TO THE CITY COUNCIL FOR PUBLIC HEARING AND ADOPTION.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

PLAT CONSIDERATION

A. Staff Report PL 11-67, Oscar Munson No. 25 Goode Replat Preliminary Plat
CANCELED

PENDING BUSINESS

A. Staff Report PL 11-68, Draft Ordinance 11-xx Sign Code Amendments

Chair Minsch advised that the Commission discussed the sign code amendments in the worksession and staff will be bringing it back at another meeting.

B. Staff Report PL 11-69, Bylaws Change to Amend the Meeting Time

HIGHLAND/BOS MOVED TO APPROVE THE DRAFT RESOLUTION AMENDING THE PLANNING COMMISSION BYLAWS TO CHANGE THE REGULAR MEETING TIME TO START AT 6:30 P.M. AND

END AT 9:30 P.M. AND SCHEDULE THIS FOR SECOND NOTICE AT THE JULY 20TH REGULAR MEETING.

There was brief discussion regarding the requirement for the second notice.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

No new business items were scheduled.

INFORMATIONAL MATERIALS

There were no informational materials.

COMMENTS OF THE AUDIENCE

Members of the audience may address the Commission on any subject. (3 minute time limit)

There were no audience comments.

COMMENTS OF STAFF

There were no staff comments.

COMMENTS OF THE COMMISSION

Commissioner Venuti commented that he is glad Central Charter was moved on, but he feels bad for the Brauner's situation as it will cost some money. There isn't anything the Commission could do for them.

Commissioner Dolma had no comment.

Commissioner Highland requested that the Commission take some time at a worksession to discuss the idea disallowing any more residential use on the spit.

Commissioner Druhot commented that a non resident applicant has come forward so she will be stepping down. She agreed with Commissioner Venuti and feels like they did the right thing by approving Central Charters, but she feels bad for the other property owner's that are being affected.

Commissioner Bos thanked Commissioner Druhot for her service and wished her luck in her future endeavors. He questioned the procedure for making motions and Deputy City Clerk Jacobsen commented that it is appropriate to say "I move" or "I make a motion"

Chair Minsch commented that we will miss Commissioner Druhot. She felt the Commission handled the issue with Central Charters well. The tenants have a civil issue between them and the landlord and it has nothing to do with the Commission. She appreciates their concern, but they handled it well.



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STAFF REPORT PL 11-65

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
MEETING: June 1 2011
SUBJECT: Meeting Time

GENERAL INFORMATION

At the request of the Chair, this item has been added to the agenda.

STAFF COMMENTS/RECOMMENDATIONS:

Discuss possible meeting time changes.

Motion died for lack of a second.

There was no further discussion on the main motion as amended.

VOTE (Main motion as amended): YES: HIGHLAND, DRUHOT, MINSCH, VENUTI, BOS
NO: DOLMA

Motion carried.

B. Staff Report PL 11-64, Planning Commission Worklist

The Commission reviewed and discussed priorities for the work list.

C. Staff Report PL 11-65, Planning Commission Meeting Times

The Commission discussed amending meeting times.

HIGHLAND/ DRUHOT MOVED TO CHANGE THE WORKSESSION END TIME TO 6:30 AND START THE
REGULAR MEETING TIME AT 6:30.

There was brief discussion.

HIGHLAND/DRUHOT MOVED TO AMEND THE REGULAR MEETING END TIME TO 9:30 P.M.

There was brief discussion.

VOTE: (Amendment): YES: DRUHOT, BOS, HIGHLAND, VENUTI
NO: MINSCH, DOLMA

Motion carried.

VOTE: (Main motion as amended): YES: MINSCH, DOLMA, VENUTI, HIGHLAND, BOS, DRUHOT

Motion carried.

INFORMATIONAL MATERIALS

A. City Manager's Report dated May 24, 2011

COMMENTS OF THE AUDIENCE

Members of the audience may address the Commission on any subject. (3 minute time limit)

There were no audience comments.

COMMENTS OF STAFF

Deputy City Clerk reminded Commissioners Bos and Dolma that their terms expire July 1 and asked they express their intent by June 15 for timely reappointment.

COMMENTS OF THE COMMISSION

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

