



City of Homer

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Memorandum

Agenda Changes/Supplemental Packet

TO: ADA ADVISORY BOARD
FROM: RENEE KRAUSE, DEPUTY CITY CLERK II
DATE: OCTOBER 11, 2023
SUBJECT: SUPPLEMENTAL

VISITORS/PRESENTATIONS

- A. Board & Commission Annual Training – Melissa Jacobsen, City Clerk

ADA PowerPoint Presentation
Memorandum from City Clerk as backup.

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REPORTS

- A. Staff Report for October

Memorandum ADA-23-025 from ADA Coordinator
HART Roads Financial Plan
HART Trails Financial Plan
Draft Design Study Memorandum Svedlund Street Sidewalk
Project

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ADA Advisory Board

ADVISORY BODY TRAINING – OCTOBER 2023

Where did we come from?

- ❖ Boards and Commissions are created by the City Council via Ordinance.
Alaska Statutes 29.20.320 & Homer City Code 2.58.010
- ❖ The ADA Compliance Committee was established in 2016 by Resolution 16-019 to develop a Transition Plan and a Grievance Procedure to comply with ADA requirements.
- ❖ In 2019 Resolution 19-055 confirmed the body as a standing committee; and
- ❖ In 2022 the ADA Advisory Board was created in Homer City Code by Ordinance 22-53(A).

And our purpose?

The Board was created to act in an advisory capacity to the City Manager and the City Council on the Title II regulations of the Americans with Disabilities Act. HCC 2.70.040.

HCC 2.70.040 Duties & Responsibilities

The ADA Advisory Board shall:

- a. Develop a grievance procedure that provided for prompt and equitable resolution of complaints,
- b. Develop and perform annual updates to transition plans for the City,
- c. Review new programs, activities, and services offered by the City and incorporate into existing transition plans,
- d. Review the Comprehensive Plan annually and make recommendations prioritizing accessibility, and
- e. Consider matters as directed by the Council or City Manager and provide recommendations through the City Manager.

Open Meetings Act (OMA) AS 44.62.310 Government Meetings Public

- ❖ All meetings of a governmental body of a public entity are open to the public, except as otherwise provided.
- ❖ Certain subjects may be considered in executive session
 - ✓ Matters, that would clearly have an adverse effect upon the finances of the public entity,
 - ✓ Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion,
 - ✓ Matters involving consideration of government records that by law are not subject to public disclosure,
 - ✓ Matters which by law, municipal charter, or ordinance are required to be confidential.

OMA definitions

Governmental Body- is an assembly, council, board, commission, or committee with the authority to establish policies or make decisions for the public entity or with the authority to advise or make recommendations to the public entity; "governmental body" includes the members of a subcommittee or other subordinate unit of a governmental body if the subordinate unit consists of two or more members

Meeting- means a gathering of members of a governmental body when

- more than three members or a majority of the members, whichever is less, are present,
- the gathering is prearranged for the purpose of considering a matter upon which the governmental body is empowered to act,
- and the governmental body has only authority to advise or make recommendations for a public entity but has no authority to establish policies or make decisions for the public entity;

What constitutes a meeting?

- ❖ It's a gathering of at least 4 Board Members that's been prearranged to discuss a matter upon which the Board is empowered to act, aka: Board business.
- ✓ A matter on which the body is permitted to act includes every step of the decision making process, from brainstorm sessions to fine-tuning a proposal.
- ✓ Emailing, texting, phone calls, or other communications between four or more Board Members to discuss Board business. (Serial Meeting)

What if I run into other Board Member at a gathering or event?

- ❖ A social gathering arranged for a given social purpose and not prearranged to discuss matters on which the body can act is not a meeting.
- ❖ Chance encounters will not constitute a meeting, even if the members discuss a matter on which they could advise or make a recommendation.

But!!! Remember the public's perception is important so it's best to refrain from talking about Board business if you find yourself in these situations.



Homer City Code

- Outlines Boards duties and responsibilities
- Defines a quorum as four members
- Requires a quorum of members to conduct a meeting
- Directs that all members vote unless they have a conflict of interest or personal bias
- Defines that four yes votes are required to pass a motion
- Directs that voting by proxy is prohibited
- Directs that meetings will be conducted under the current edition of Robert's Rules of Order as the parliamentary authority

Chair's Responsibilities

Homer City Code 2.58.050 states:

The presiding officer shall preserve order and decorum at all meetings of the board or commission, while promoting discussion by all members in deliberations unless otherwise prohibited by law.

These duties are all about procedure and running a meeting well.

The Chair

- Is a member of the body with the same voting and discussion rights as the other members. Robert's Rules recommends the Chair speak last.
- Can make motions in a small board or commission, but it's recommended that other member's make the motions, and the Chair state the question and put it to a vote
- Is not a position where they can exercise their leadership to determine the outcome of a vote
- Is not in control of the decision the group makes
- Is not tasked with obtaining consensus of the group
- Should not contact the membership directly regarding business matters

Taking care of business

Before the meeting

- Agenda Packets
 - Agendas are set by the Chair and Staff.
 - Board Members may request items be added to an agenda and must provide packet information, prior to agenda deadline.
 - The agenda deadline is 5:00 p.m. on the Wednesday prior to the meeting day.
 - Agenda packet material are provided to the Clerk, who prepares and distributes the agenda packets.

Taking care of business

At the meeting

- The Chair will announce agenda items in the order listed on the agenda and will ask for motions when necessary
- Under pending and new business items, the Chair will open the floor to staff or a member to provide a report on the topic, and one or more motions to carry out the recommendations in the report may be introduced.
- If a public hearing is scheduled, the Chair will open the public hearing, the Board will hear public comments, the Chair will close the public hearing and ask for motions when necessary.

Taking care of business

Making motions

- Main motion – a formal motion by a Board Member that the body take a certain action.
 - *I move to recommend 5 swings at the park*
- Primary Amendment – a motion to amend the main motion
 - *I move to amend the motion to recommend 5 swings, and that at least two are ADA inclusive.*
- Secondary Amendment – a motion to amend the amendment
 - *I move to amend the amendment to include that all the swings are green.*

Taking care of business

Other motions

- Postpone - an action to consider a main motion at a later time.
- Suspend the rules – Used if the Commission/Board wishes to do something during a meeting that it cannot do without violating one or more of its regular rules.
- Point of order– Used when a member thinks the rules are being violated or more commonly when discussion does not pertain to the topic of the motion on the floor.
- Reconsideration– Used to bring a motion back before the Commission/Board for further consideration.
- Call for the question– Used to immediately close discussion and the making of subsidiary motions . Commonly used to bring an immediate vote on one or more pending motions.
- Withdraw a motion – The mover of the motion can withdraw their motion before it is stated by the Chair as pending. After the Chair states the motion, it belongs to the body and the maker may request permission to withdraw the motion.

Memorandum

TO: CITY OF HOMER COMMISSIONS AND BOARD
FROM: MELISSA JACOBSEN, MMC, CITY CLERK
DATE: OCTOBER 10, 2023
SUBJECT: COMMISSION AND BOARD TRAINING

A goal of the City Clerk's office staff is to ensure Commissioners and Board members have the information they need to conduct efficient and effective meetings. One way to achieve this goal is to provide timely packet materials and another is to conduct annual trainings on meeting conduct.

Annual Commission and Board Trainings will be held the meeting following commission/board appointment confirmation by City Council. This training is intended to be an open discussion format so will commonly be scheduled as a worksession before the regular meeting.

Included with this memo is the Annual Commission and Board Training information packet, a copy of Alaska Statutes 44.62.310 Government Meetings Public, and Homer City Code 2.58 Boards and Commission. Please take time to review this information and bring any questions or feedback to the training worksession.

ANNUAL COMMISSION AND BOARD TRAINING

HOW THE OMA APPLIES TO A COMMISSION/BOARD

The OMA applies to every "governmental body", which includes "an assembly, council, board, commission, committee, or other similar body of a public entity" that has the authority to establish policies or make decisions for a public entity or to advise or make recommendations to the public entity. Although both decision-making bodies and advisory bodies are included under the OMA, the repercussions for violations of the OMA differ depending on the nature of the body.

Legislative Capacity – When a City governing body is called upon to institute or remark upon policy and procedure, it is acting in its legislative capacity and is subject to the OMA. For example, a commission/board is acting legislatively when it conducts acts such as recommending changes to Homer City Code or plans/policies.

Advisory-Only “Meetings” – A body with only the power to advise or make recommendations, but has no authority to establish policies or make decisions for the public entity, has a "meeting" when:

- More than three members or a majority of the members, whichever is less, are present;
- There is a gathering of governmental body members; and
- This gathering is "prearranged for the purpose of considering a matter upon which the governmental body is empowered to act." AS 44.62.310(h)(2)(b).

Considerations To What Constitutes An Advisory-Only “Meeting”:

- Meeting must be prearranged for the purpose of considering matter upon which the body is empowered to act. Chance encounters will not constitute a meeting, even if the members discuss a matter on which they could advise or make a recommendation.
- A matter on which the body is permitted to act includes every step of the deliberative process, from brainstorm sessions to fine-tuning a proposal.
- At least four members or a majority of members, whichever is a smaller amount, must be present for a meeting to occur.
- A social gathering arranged for a given social purpose and not prearranged to discuss matters on which the body can act is not a meeting.

Teleconference Meetings – The OMA expressly permits meetings via teleconference. When voting in a teleconference meeting, all votes should be taken via roll call so the public can identify how each member voted. Although Homer City Code provisions regarding teleconference participation only applies to City Council members, the OMA grants the same convenience to other commission and board members (which are outlined in commission/board bylaws).

Serial Communications – If four of the members email each other (such as selecting “reply all”) about a matter that the body is authorized to collectively act on, a meeting could occur. Similarly, if a majority of the members of a subcommittee that consists of two or more members email each other (such as 2-3 commissioners/board members working on a project together) about the same kind of matter, a meeting could occur. See AS 44.62.310(h)(2)(A).

Open Meetings Act FAQ:

- Q: *Can two commissioners get together to work on something to bring back to the body to discuss?*
- A: No. Two or more members gathering for the purpose of advising or making recommendations is considered a subcommittee, which falls under the description of a governmental body, as noted in the second bullet point above.
- Q: *Can commissioners email each other with questions about Commission business?*
- A: No. A serial meeting is one in which a quorum of the body communicates with each other, directly or indirectly, through whatever medium, to develop collective concurrence. Serial meetings are in violation of the Open Meetings Act. Commissioners should be aware of the potential for serial meetings and never hit “reply all” when responding by email.

QUORUM (HCC 2.58.020 (d))

Four commission or board members shall constitute a quorum of seven members; and five commission or board members shall constitute a quorum of eight members.

VOTING (HCC 2.58.020 (e))

Each member, including the chairperson, shall vote, and shall not abstain from voting, unless such member claims a conflict of interest, in which event the member shall be excused from voting. The member shall then state for the record the basis for the abstention.

Four affirmative votes of seven members and five affirmative votes of eight members are required to pass a motion.

Voting will be by a roll call vote, the order to be rotated; or by unanimous consent if no objection is expressed.

Voting by proxy or absentee is prohibited.

PARLIAMENTARY PROCEDURES/ROBERTS RULES

Per Homer City Code 2.58.050(i) meetings shall be conducted under the current edition of Robert’s Rules of Order Newly Revised (RONR).

Basics of Robert’s Rules of Order

To ensure the meeting runs smoothly and effectively, it is important to familiarize yourself with basic motions and who is responsible for what. Below are the most common motions used:

Main Motion – A motion is a formal proposal by a member, in a meeting, that the body take a certain action. Typically the Chair will announce a business item, staff or a member will provide a report, and one or more motions to carry out the recommendations in the report may be introduced.

1. Member raises hand and waits for recognition from the presiding officer.
2. The member states the motion. Motions should be a clear, in-the-positive statement of action.
3. Another member must second the motion to continue.
4. The presiding officer states the motion. (This puts the motion on the floor.)
5. Presiding officer calls for discussion on this motion. The member who introduced the motion has the right to speak first. Members wishing to discuss the motion raise their hands and wait

for recognition from the presiding officer before speaking, enabling everyone to share their opinions.

6. Presiding officer calls for a vote on the motion.
7. Presiding officer states results of vote and resulting action.

Motion to Amend – During discussion, it may become apparent that an amendment (modification) to the original motion is necessary. Anyone may request to amend the original motion, but the proposed amendment must be related to the subject of the main motion.

1. Member raises hand and is recognized from the presiding officer.
2. Member states the amendment.
3. Amendment must be seconded.
4. Presiding officer states the amendment.
5. Presiding officer calls for discussion on the amendment.
6. Presiding officer calls for a vote on the amendment, and announces result. If the amendment passes, the motion on the floor is now the amended motion. If the amendment fails, the original motion remains on the floor.

Motion to Postpone to a Certain Time – A member may move to delay action (voting) on a motion to a certain time, commonly the next meeting. A postponed motion is considered unfinished business and automatically comes up for further consideration at the next meeting (or designated date) under Pending Business.

1. A member makes a motion to postpone the motion to another date specified (usually the next meeting).
2. Motion must be seconded.
3. Presiding officer states motion.
4. Presiding officer calls for discussion.
5. Motion is amendable and debatable.
6. Presiding officer calls for a vote, and states result of the vote and action taken.

Motion to Suspend the Rules – Used if the Commission/Board wishes to do something during a meeting that it cannot do without violating one or more of its regular rules. Commonly used to address agenda items out of order after the agenda has been approved or allowing an unscheduled visitor to address the body.

1. Can be made any time that no question is pending.
2. A member makes a motion; “I move to suspend the rules to hear New Business, Item C. before New Business, Item A.”
3. Is out of order when another has the floor.
4. Motion must be seconded.
5. Motion is not debatable or amendable.
6. Motion must have two-thirds majority approval.
7. Presiding officer calls for a vote, and states the result of the vote and the action taken.

Motion for Point of Order – Used when a member thinks the rules are being violated or more commonly when discussion does not pertain to the topic of the motion on the floor.

1. Does not have to be recognized by the presiding officer.
2. Does not need to be seconded.

3. Is not debatable. The presiding officer may allow explanation; “The current discussion is not germane to the matter at hand.”
4. Is not amendable.
5. Is ruled on by the presiding officer. The presiding officer may seek the advice of the Clerk or more senior members present.
6. Cannot be reconsidered.

Motion for Reconsideration – Used to bring a motion back before the Commission/Board for further consideration.

1. Can only be made by a member who voted with the prevailing side (aye if the motion was adopted/no if the motion was lost.)
2. Motion must be seconded.
3. Motion cannot be amended.
4. Only the merits of the reconsideration are debatable.
5. Requires a two-thirds vote to adopt a motion to reconsider.
6. Presiding officer states the result of the vote and the action taken.

Call for the Question – Used to immediately close discussion and the making of subsidiary motions except the motion to “Lay on the Table.” Commonly used to bring an immediate vote on one or more pending motions.

1. Takes precedence over all debatable or amendable motions to which it is applied.
2. Yields only to the subsidiary motion to lay on the Table, privileged motions and all applicable incidental motions.
3. Must be seconded.
4. Is out of order when another has the floor.
5. Is not debatable or amendable.
6. Requires a two-thirds vote to adopt a call for the question.
7. Cannot be reconsidered.

Withdraw a motion – Conditions for withdrawing or modifying a motion depend on how soon the mover states their wish to withdraw it.

1. Before a motion has been stated by the Chair it’s the property of its mover, who can withdraw without consent of anyone.
2. After a motion has been stated by the Chair it belongs to the meeting as a whole and the maker must request permission to withdraw or modify their motion.
 - a. Mover - *Chair, I ask permission to withdraw the motion*
 - b. Chair – *Unless there is objection the motion is withdrawn*

HYBRID MEETINGS

When participating in a meeting by Zoom:

- Keep your camera on whenever possible and be aware of what’s visible on your screen. This allows a semblance of normalcy as if we’re in the same room together, and makes it easier for the Chair to call on commissioners/boardmembers.
- Mute yourself if you aren’t speaking. Too much background noise disrupts the meeting and the person currently speaking.

CONDUCT OF COMMISSIONERS/BOARD MEMBERS

While the meeting is in session, members should not interrupt the proceedings or any member that has the floor. A member, once recognized, should not be interrupted when speaking unless it is to call them to order. If a member is called to order, they should cease speaking until the question of order can be determined. If determined to be in order by the Chair, the member should be permitted to proceed.

After being recognized by the Chair, members may briefly question individuals speaking during audience participation or testifying during a public hearing, but may not enter into a discussion with the individual.

COMMISSIONER/BOARD MEMBER RESPONSIBILITIES

Members represent the entire community and should use their knowledge of the community and their unique position to articulate local values. Public meetings provide an opportunity for direct interaction between the board and commissions and community residents. Meetings give the local residents an opportunity to see the commission/board in action and give members the chance to hear, first-hand, about the concerns of local residents.

In addition to understanding, educating, and guiding the community in its development, members need to understand their role as advisory to the City Council.

CHAIR RESPONSIBILITIES

The Chair's responsibilities include presiding at the meetings and maintaining order, working with the staff liaison to develop agendas, conducting the meetings in a fair manner, keeping the commission/board discussion on track and germane to the subject, and rules on recusals. When the Chair is absent, the Vice-Chair carries out the duties of the Chair.

STAFF RESPONSIBILITIES

Staff liaisons are staff professionals with significant work responsibilities in addition to their commission/board liaison activities. In general, the liaisons are individuals whose work responsibilities relate to that of the commission/board. Liaisons do not work for or at the direction of the commission or board; they are assigned by the City Manager and follow the direction of the City Manager. They are professionals who provide guidance, issue analysis, and recommendations, and ensure the intent of the commission or board is relayed to administration and the City Council in a timely manner.

The Recording Clerk is responsible for ensuring timely meeting notifications, taking meeting notes that can be developed into a meeting summary, providing parliamentary assistance, and guidance when needed.

COMMITTEES/SUBCOMMITTEES

Occasionally, subcommittees are created for fact finding/information gathering for the purpose of advising the full board/commission on issues that the commission or board will take into consideration when advising the City Council. Only those members of the commission/board appointed to the subcommittee are considered subcommittee members and it is their numbers that determine whether or not a quorum is present. Members of the public and staff may be invited to the subcommittee meetings to provide reports and information but are not considered members for the purposes of voting or determining a quorum.

Chapter 2.58 BOARDS AND COMMISSIONS

Sections:

[2.58.010 Boards and commissions.](#)

[2.58.020 Creation of City boards and commissions.](#)

[2.58.030 Applicability.](#)

[2.58.035 Commission and board member terms.](#)

[2.58.040 Commission and board bylaws.](#)

[2.58.050 Required procedures.](#)

[2.58.060 Teleconferencing.](#)

2.58.010 Boards and commissions.

City Council may create or abolish boards and commissions. Council shall create or abolish boards and commissions via ordinance. Council shall establish the number of members of each board or commission, their terms of office, and the purpose for which the board or commission is created via ordinance. [Ord. 18-38(S) § 2, 2018].

2.58.020 Creation of City boards and commissions.

The following boards and commissions have been created by City Council and are subject to this chapter unless otherwise provided in this title:

- a. Library Advisory Board;
- b. Parks, Art, Recreation, and Culture Advisory Commission;
- c. Port and Harbor Advisory Commission;
- d. Planning Commission;
- e. Economic Development Advisory Commission;
- f. Americans with Disabilities Act Advisory Board. [Ord. 22-53(A) § 1, 2022; Ord. 18-38(S) § 2, 2018].

2.58.030 Applicability.

Except as otherwise provided within this title, this chapter applies to all boards and commissions created by City

Council which exercise powers vested in the City or which serve as an advisory body of the City. This chapter does not apply to standing committees, special committees, work groups or task forces which are created jointly with other governing bodies, City staff or which do not exercise powers vested in the City. [Ord. 18-38(S) § 2, 2018].

2.58.035 Commission and board member terms.

Appointment and removal of the members of City boards and commissions shall be by recommendation of the Mayor and confirmation of such action by the Council, except as specifically provided otherwise in the Alaska Statutes and/or under other provisions of the code. In addition to the voting members of the board or commission, the Mayor may appoint honorary members of a board or commission, subject to confirmation by Council. The honorary members' terms are to be determined at the time of appointment. Honorary members of a board or commission may participate in the deliberations of the board or commission, but may not vote, nor shall they be counted in determining whether a quorum is present. [Ord. 18-38(S) § 2, 2018].

2.58.040 Commission and board bylaws.

- a. Except as otherwise provided in this title, all boards and commissions created by Council shall draft and approve proposed bylaws governing the operations of their respective areas of authority, subject to review by the City Attorney. Once approved by the board or commission, the proposed bylaws shall be submitted to Council for approval via resolution.
- b. Except as otherwise provided in this title, the City Clerk shall file the bylaws and the resolution approving them. The City Clerk shall make the bylaws available to the public upon request.
- c. A commission or board may recommend an amendment to its bylaws to Council after considering any amendments at two separate meetings. Amendments to bylaws of any City commission or board shall be effective upon approval of the amendments by Council via resolution. [Ord. 18-38(S) § 2, 2018].

2.58.050 Required procedures.

Except as otherwise provided in this title, bylaws for boards and commissions shall contain:

- a. Presiding Officer. The presiding officer of the board or commission shall be the chairperson. In the chairperson's absence, the vice-chairperson shall be the presiding officer. In all other circumstances, the most senior member shall preside. The presiding officer shall preserve order and decorum at all meetings of the board or commission, while promoting discussion by all members in deliberations unless otherwise prohibited by law.
- b. Staff Liaison. The City Manager shall designate an employee to serve as a staff liaison to each board or commission. The staff liaison shall assist the chairperson in setting meetings, preparing agendas, and other documentary material, and coordinating the acquisition of needed materials and training.
- c. Recording Clerk. The City Clerk shall designate a recording clerk to take minutes for each board and

commission and that designee shall serve as the board's or commission's parliamentary advisory pursuant to AS 29.20.380(10) and HCC 2.12.010 and assist the chairperson with the conduct of the meeting.

d. Quorum. Four commission or board members shall constitute a quorum of seven members; and five commission or board members shall constitute a quorum of eight members.

e. Voting. Each member, including the chairperson, shall vote, and shall not abstain from voting, unless such member claims a conflict of interest, or has an excused absence, in which event the member shall be excused from voting. The member shall then state for the record the basis for the abstention.

1. Four affirmative votes of seven members and five affirmative votes of eight members are required to pass a motion.

2. Voting will be by a roll call vote, the order to be rotated; or by unanimous consent if no objection is expressed.

3. Voting by proxy or absentee is prohibited.

f. Staff Reports and Recommendations. The staff liaison shall submit reports and recommendations for those agenda items requiring decisions or recommendations by any board or commission. Other staff having experience, education, and professional training in the subject matter may provide input into the reports and recommendations, or may provide supplemental information. The information submitted may be oral, written or graphic, or some combination of all. Except as otherwise provided in this code, the reports and recommendations shall be accepted as evidence of record to the same extent as oral testimony and exhibits accepted from applicants, opponents, persons who are subjects of an inquiry, expert and lay witnesses, and members of the public who provide information for the record of the proceedings.

g. Attendance. Any member who is unable to attend a meeting, whether regular or special, shall contact the Clerk in advance no later than two hours prior to the scheduled meeting time for excusal.

h. Vacancies. With exception of the Planning Commission, a commission or board member's appointment is vacated under the following conditions:

1. A member fails to qualify to take office within 30 days after their appointment;

2. A member resigns;

3. A member is physically or mentally unable to perform the duties of the office;

4. A member is convicted of a felony or of an offense involving a violation of their oath of office; or

5. A member has three consecutive unexcused absences, or misses half of all meetings within an appointment year, whether excused or unexcused.

Planning Commission vacancy terms are addressed in HCC 2.72.040(c).

i. Rules of Order. Boards and commissions shall abide by the current edition of Robert's Rules of Order insofar as it is consistent with the board's or commission's bylaws, other provisions of the Homer City Code, or standing rules. In all other cases, bylaws, the code, or the standing rule shall prevail.

j. Training and Model Procedures.

1. Training sessions developed or arranged by the City Clerk and approved by the City Manager shall be mandatory unless a member's absence is excused by the chairperson.

2. The City Manager and/or City Clerk, in their discretion and in consultation with the City Attorney as needed, may develop model procedures to be used as a guide for boards and commissions.

k. Teleconferencing. Teleconference participation is allowed with notice to the Clerk no later than two hours prior to the scheduled meeting time. [Ord. 21-50(S)(A) § 1, 2021; Ord. 18-38(S) § 2, 2018].

2.58.060 Teleconferencing.

a. This section governs the teleconference participation of board and commission members at all regular meetings, special meetings, and worksessions.

b. "Teleconference" means remote participation by telephone or web-based format by a member for a meeting of the board or commission which must enable the remote member, for the duration of the meeting, to clearly hear and to be heard by the chairperson, all other members, the staff liaison, the Clerk, and any public in attendance.

c. "Appointment year" means the 12-month period commencing the first day of the first month after expiration of terms.

d. The preferred procedure for all meetings is that all members should make all reasonable effort to be physically present at the designated time, date, and location within the City for the meeting. Teleconference participation is intended for good cause which may include, but is not limited to, absences required for work-related events, family emergencies, medical-related issues, or other good cause. Teleconferencing is not to be used as a regular means of attendance at meetings except during events described in subsection (g) of this section. A board or commission member allowed by this section to participate by teleconference shall, while actually on the teleconference, be deemed present at the meeting for all purposes.

e. Members who cannot be physically present for a meeting shall notify the Clerk in advance no later than two hours prior to the scheduled meeting time of their intent to appear by teleconference.

f. All members teleconferencing will establish a connection by telephone or web-based format and shall make every effort to participate in the entire meeting. If teleconference participation is interrupted due to poor connectivity and hinders the active participation of a member in the meeting, the chairperson will request a brief recess to allow the member to attempt to reestablish a connection. If the member cannot reestablish a connection after a recess and a quorum remains, the chairperson shall proceed with the meeting and the Clerk shall note in the minutes of the meeting the member's inability to participate in the meeting due to technical difficulties. If quorum is lost, the chairperson shall adjourn the meeting and any remaining agenda items will carry over to the next regular or special meeting.

g. Subsection (d) of this section does not apply to meetings held while an emergency disaster declaration is in effect and the nature of the disaster significantly impacts a member's ability to attend a meeting other than by teleconference or other technological means. [Ord. 21-50(S)(A) § 2, 2021].

Sec. 44.62.310. Government meetings public.

(a) All meetings of a governmental body of a public entity of the state are open to the public except as otherwise provided by this section or another provision of law. Attendance and participation at meetings by members of the public or by members of a governmental body may be by teleconferencing. Agency materials that are to be considered at the meeting shall be made available at teleconference locations if practicable. Except when voice votes are authorized, the vote shall be conducted in such a manner that the public may know the vote of each person entitled to vote. The vote at a meeting held by teleconference shall be taken by roll call. This section does not apply to any votes required to be taken to organize a governmental body described in this subsection.

(b) If permitted subjects are to be discussed at a meeting in executive session, the meeting must first be convened as a public meeting and the question of holding an executive session to discuss matters that are listed in (c) of this section shall be determined by a majority vote of the governmental body. The motion to convene in executive session must clearly and with specificity describe the subject of the proposed executive session without defeating the purpose of addressing the subject in private. Subjects may not be considered at the executive session except those mentioned in the motion calling for the executive session unless auxiliary to the main question. Action may not be taken at an executive session, except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations.

(c) The following subjects may be considered in an executive session:

(1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;

(2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;

(3) matters which by law, municipal charter, or ordinance are required to be confidential;

(4) matters involving consideration of government records that by law are not subject to public disclosure.

(d) This section does not apply to

(1) a governmental body performing a judicial or quasi-judicial function when holding a meeting solely to make a decision in an adjudicatory proceeding;

(2) juries;

(3) parole or pardon boards;

(4) meetings of a hospital medical staff;

(5) meetings of the governmental body or any committee of a hospital when holding a meeting solely to act upon matters of professional qualifications, privileges, or discipline;

(6) staff meetings or other gatherings of the employees of a public entity, including meetings of an employee group established by policy of the Board of Regents of the University of Alaska or held while acting in an advisory capacity to the Board of Regents;

(7) meetings held for the purpose of participating in or attending a gathering of a national, state, or regional organization of which the public entity, governmental body, or member of the governmental body is a member, but only if no action is taken and no business of the governmental body is conducted at the meetings; or

(8) meetings of municipal service area boards established under [AS 29.35.450](#) - 29.35.490 when meeting solely to act on matters that are administrative or managerial in nature.

(e) Reasonable public notice shall be given for all meetings required to be open under this section. The notice must include the date, time, and place of the meeting and if, the meeting is by teleconference, the location of any teleconferencing facilities that will be used. Subject to posting notice of a meeting on the Alaska Online Public Notice System as required by [AS 44.62.175](#) (a), the notice may be given using print or broadcast media. The notice shall be posted at the principal office of the public entity or, if the public entity has no principal office, at a place designated by the governmental body. The governmental body shall provide notice in a consistent fashion for all its meetings.

(f) Action taken contrary to this section is voidable. A lawsuit to void an action taken in violation of this section must be filed in superior court within 180 days after the date of the action. A member of a governmental body may not be named in an action to enforce this section in the member's personal capacity. A governmental body that violates or is alleged to have violated this section may cure the violation or alleged violation by holding another meeting in compliance with notice and other requirements of this section and conducting a substantial and public reconsideration of the matters considered at the original meeting. If the court finds that an action is void, the governmental body may discuss and act on the matter at another meeting held in compliance with this section. A court may hold that an action taken at a meeting held in violation of this section is void only if the court finds that, considering all of the circumstances, the public interest in compliance with this section outweighs the harm that would be caused to the public interest and to the public entity by voiding the action. In making this determination, the court shall consider at least the following:

(1) the expense that may be incurred by the public entity, other governmental bodies, and individuals if the action is voided;

(2) the disruption that may be caused to the affairs of the public entity, other governmental bodies, and individuals if the action is voided;

(3) the degree to which the public entity, other governmental bodies, and individuals may be exposed to additional litigation if the action is voided;

(4) the extent to which the governing body, in meetings held in compliance with this section, has previously considered the subject;

(5) the amount of time that has passed since the action was taken;

(6) the degree to which the public entity, other governmental bodies, or individuals have come to rely on the action;

(7) whether and to what extent the governmental body has, before or after the lawsuit was filed to void the action, engaged in or attempted to engage in the public reconsideration of matters originally considered in violation of this section;

(8) the degree to which violations of this section were wilful, flagrant, or obvious;

(9) the degree to which the governing body failed to adhere to the policy under [AS 44.62.312](#) (a).

(g) Subsection (f) of this section does not apply to a governmental body that has only authority to advise or make recommendations to a public entity and has no authority to establish policies or make decisions for the public entity.

(h) In this section,

(1) "governmental body" means an assembly, council, board, commission, committee, or other similar body of a public entity with the authority to establish policies or make decisions for the public entity or with the authority to advise or make recommendations to the public entity; "governmental body" includes the members of a subcommittee or other subordinate unit of a governmental body if the subordinate unit consists of two or more members;

(2) "meeting" means a gathering of members of a governmental body when

(A) more than three members or a majority of the members, whichever is less, are present, a matter upon which the governmental body is empowered to act is considered by the members collectively, and the governmental body has the authority to establish policies or make decisions for a public entity; or

(B) more than three members or a majority of the members, whichever is less, are present, the gathering is prearranged for the purpose of considering a matter upon which the governmental body is empowered to act, and the governmental body has only authority to advise or make recommendations for a public entity but has no authority to establish policies or make decisions for the public entity;

(3) "public entity" means an entity of the state or of a political subdivision of the state including an agency, a board or commission, the University of Alaska, a public authority or corporation, a municipality, a school district, and other governmental units of the state or a political subdivision of the state; it does not include the court system or the legislative branch of state government.



AGENDA ITEM REPORT

ADA COORDINATOR REGULAR REPORT FOR AUGUST

Item Type: INFORMATIONAL
Prepared For: ADA ADVISORY BOARD
Meeting Date: OCTOBER 12, 2023
Staff Contact: RENEE KRAUSE, ADA COORDINATOR

Council Actions of Interest to the Board

Ordinance 23-49, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 2, Chapters 2.32 Departments and Boards, 2.44 Department of Administration, 2.48 Public Library, and Enacting Chapters 2.46 Department of Information Technology and 2.57 Department of Community Development. City Manager. Postponed to January 8, 2024. This is an ordinance brought forward by the City Manager to create a Library Department, Information Technology Department and Community Development Department.

Ordinance 23-48(A), An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 20 Animals. Lord. Adopted August 28, 2023. This ordinance provided substantial amendments and updates to regulations around animals, domesticated and wild.

Resolution 23-087, A Resolution of the City Council of Homer, Alaska Awarding a Contract to East Road Services, Inc. in the Amount of \$14,444 to Upgrade the Storybook Trail and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Adopted. This will bring the trail into ADA compliance for a recreational trail.

Resolution 23-088, A Resolution of the City Council of Homer, Alaska Awarding the Design Services Contract for the Karen Hornaday Park Master Plan to Corvus Design, Inc. in the Amount of \$39,945 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Adopted.

Resolution 23-090, A Resolution of the City Council of Homer Alaska, Approving a Task Order to Kinney Engineering, LLC in the Not to Exceed Amount of \$60,000 for the Design of the Svedlund Avenue Sidewalk from Pioneer Avenue to Fairview Avenue and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Adopted. Proposed Project has been provided for informational purposes only.

Resolution 23-093, A Resolution of the City Council of Homer, Alaska Adopting the 2024-2029 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for Fiscal Year 2025. Mayor and City Council. Adopted. ADA Lift System at Ramp 7 was not added to the Midrange Section of the Capital Improvement Plan due to comments received from the Port & Harbor Advisory Commission and Port Director until a system better designed for this service is identified and a fuller scope developed according to technical specifications. The Regrade and Repave the Homer Public Library Parking Lot project was not added due to

comment received from Public Works Staff to wait and see how the mitigation measures already taken work and noted that it was included in the ADA Transition Plan for City Facilities.

Resolution 23-102, A Resolution of the City Council of Homer, Alaska Authorizing Reimbursement in the Amount of \$110,000 to Beachy Construction for the Construction of a Shoulder Extension on West Fairview Avenue for Use by Non-Motorized Transportation and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

General Information

Trail Site Audits

I am working on getting this information transferred into a draft Trails Transition Plan. Due to the recent city elections and other work requirements for meetings I have not been able to get this completed. I fully expect to complete the transcription of notes and drafting the plan in time for the first regular meeting in 2024, since we only have one more meeting scheduled for this year.

Road and Trails Financial Plans

Public Works Director Keiser has provided updated financial plans for your information and will be providing a brief explanation on the plans and answer any questions that the Board may have regarding them.

Draft Svedlund Street Sidewalk Project

Public Works Director Keiser has provided a draft of the proposed Svedlund Street Sidewalk project. I believe that this project will be widely appreciated by those who walk this area of town on a regular basis.

Status of Transition Plans

The Mayor postponed the Resolutions adopting the Updated City Facilities Transition Plan and the Parks, Play Areas and Campgrounds Transition Plan since the documents were not included in the draft Council packet that is issued to the City Manager, Mayor and members of Council for their review. These are slated to be on the October 23, 2023 agenda for adoption. So barring any issues, which I do not feel there are any, these documents will be adopted by Council and distributed to City Departments for their use. These documents will be scheduled on the annual calendar for review and updating next August/September 2024.

Report to City Council

Regular Meeting 6:00 p.m. on October 23rd - Volunteers anyone?

Attachments

Road Financial Plan

Trails Financial Plan

Draft Svedlund Street Sidewalk Project

	Year A July 2020- June 2021	Year B June 2021 - July 2022 FY22	Year C July 2022 - June 2023 FY23	Year 1 July 2023 - June 2024 FY24	Year 2 July 2024 - June 2025 FY25	Year 3 July 2025 - June 2026 FY26	Year 4 July 2026 - June 2027 FY27	Year 5 July 2027 - June 2028 FY 28	Beyond Year 5	
Pavement Restoration Projects										LEGEND
Bay Ave, B St & E St - Design		\$ 69,925								Shows years prior to current 5-year cycle.
Island View Court off Town Heights - Design			\$ 69,320							Projects in Green are Funded.
Heath Street - Design			\$ 140,472							Projects in Orange are complete or in progress.
Ohlson & W. Bunnell -Design - Road, storm drain & sidewalk			\$ 55,518							Shows needs projected beyond Year 5
Ohlson & W. Bunnell - Construction - Road, sidewalk & storm drain				\$ 1,300,000						
Heath Street, partial street - construction									\$ 1,300,000	
Bay Ave, B St & E St - Construction									\$ 850,000	
Island View Court off Town Heights - Design		\$ 69,320								
Island View Court off Town Heights - Construction									\$ 650,000	
Other Pavement Restoration Projects									\$ 2,000,000	
Total Pavement Restoration Projects		\$ 139,245.00	\$ 265,310	\$ 1,300,000	\$ -	\$ -	\$ -	\$ -	\$ 4,800,000	
Total Road Base Reconstruction Projects	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,000,000	
Dig out Frost Boil Projects										
Eagle View Drive - Diamond Willow to Garden Park		\$ 47,155								
Sprucewood - near west entrance by Roger's Loop		\$ 7,048								
Eagle Place		\$ 94,597								
Sprucewood - 2200- 2240			\$ 80,614							
Crossman Ridge Road - Skyline to Gate			\$ 150,000							
Garden Park Road - at 1630										
Emerald Place - 135 LF										
Bay Vista Pl. and Bay Vista Court										
Fireweed Lane										
Fireweed Avenue										
Total Dig Frost Boil Projects	\$ -	\$ 148,800	\$ 230,614	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000	

Add Gravel Projects										
Dehel Ave (Done as part of Main St Sidewalk)		\$ 10,000								
Tasmania Court (Done as part of water & sewer projects)		\$ 25,000								
Total Add Gravel Projects	\$ -	\$ 35,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000	
Sidewalk & Projects										
Main Street Sidewalk - design	\$ 110,700									
Main Street Sidewalk - construction		\$ 1,206,000								
W. Fairview Extension			\$ 110,000							
Lane Dividers for W. Fairview Extension				\$ 6,000						
Ben Walters Way Sidewalk - design			\$ 46,195							
Ben Walters Way Sidewalk - construction				\$ 1,700,000						
Svedlund Ave Sidewalk - design				\$ 56,339						
Svedlund Sidewalk - construction					\$ 607,000					
ADA Upgrades to existing sidewalks					\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 500,000	
Kachemak Way Sidewalk - design								\$ 75,000		
Kachemak Way Sidewalk - Construction									\$ 1,800,000	
Lower Main Street Sidewalk - design									\$ 100,000	
Lower Main Street Sidewalk - construction									\$ 2,100,000	
Total Sidewalk Projects	\$ 110,700	\$ 1,206,000	\$ 156,195	\$ 1,762,339	\$ 707,000	\$ 100,000	\$ 100,000	\$ 175,000	\$ 4,500,000	
Storm Water Projects										
Small Works Drainage program	\$ 110,000	\$ 25,000	\$ 50,000							
Horizon Court Landslide Repair	\$ 20,000									
Woodard Creek Culvert - design & construction	\$ 463,353									
Update to Drainage Master Plan	\$ 90,000									
Mt. Augustine Drainage Improvements - design	\$ 13,639	\$ 23,852								
Mt. Augustine Drainage Improvements - construction				\$ 155,509						
Iris Court design			\$ 6,000							
Iris Court construction					\$ 234,000					
Drainage Management Plan update			\$ 7,000							
On-call Kachemak Bay Conservation Society			\$ 25,000							

Green Infrastructure Research			\$ 15,892							
Kachemak Sponge Property acquisition - not eligible for NOAA grant					\$ 418,100					
Kachemak Sponge property appraisals			\$ 53,600							
Kachemak Sponge - construction of storm water works - SRF Loan Payment							\$ 125,000	\$ 125,000	\$ 2,000,000	
Beluga Slough Green Storm Water Project				\$ 125,900						
Hansen Avenue Sponge					\$ 300,000					
Bidarki Creek Green Stormwater System Design						\$ 75,000				
Bidarki Creek Green Stormwater System Construction - SRF Loan Payment								\$ 125,000	\$ 1,500,000	
Other storm drain improvements									\$ 3,000,000	
Total Storm Water Projects	\$ 696,992	\$ 48,852	\$ 157,492	\$ 281,409	\$ 952,100	\$ 75,000	\$ 125,000	\$ 250,000	\$ 6,500,000	
Other Road-related Projects										
Update to Design Criteria Manual - Road Share		\$ 15,000								
Road share of Ocean Drive SAD	\$ 52,606									
On-call Homer Soil & Water Conservation District		\$ 20,000								
CMMS - Road Share		\$ 23,333								
Snow Storage		\$ 20,000								
Design Criteria Manual - road share		\$ 4,145								
Transportation Plan			\$ 185,367							
Kachemak Way/Klondike Ave ROW Vacation				\$ 4,500						
PW Mechanics' Shop Design					\$ 50,000					
PW Mechanics' Shop Construction									\$ 15,000,000	
Fuel Island Replacement - Design					\$ 10,000					
Fuel Island Replacement - Construction						\$ 150,000				
Total Other Road-related Projects	\$ 52,606	\$ 82,478	\$ 185,367	\$ 4,500	\$ 60,000	\$ 150,000	0	0	\$ 15,000,000	

TOTAL CAPITAL PROJECTS (Per Ord 17-40(A) - minimum \$500K/year to be allocated to capital projects from HART Roads)	\$ 860,298	\$ 1,660,375	\$ 994,978	\$ 3,348,248	\$ 1,719,100	\$ 325,000	\$ 225,000	\$ 425,000	\$ 34,000,000	
FLEET REPLACEMENTS	\$ 416,000	\$ 609,999	\$ 31,666	\$ 51,667	\$ 655,000	\$ 115,000			\$ 770,000	
EST. TRANSFER TO GENERAL FUND FOR OPERATIONS (Covers Winter Roads, Gravel Roads & Paved Roads in PW Operating Fund)	\$ 800,000	\$ 818,364	\$ 866,100	\$ 1,169,889	\$ 1,175,000	\$ 1,180,000	\$ 1,185,000	\$ 1,190,000		
TOTAL EXPEDITURES FROM HART FUND	\$ 2,076,298	\$ 3,088,738	\$ 1,892,744	\$ 4,569,804	\$ 2,894,100	\$ 1,505,000	\$ 1,410,000	\$ 1,615,000		
ESTIMATED REVENUES	\$ 1,200,000	\$ 1,322,458	\$ 1,833,687	\$ 1,900,555	\$ 1,900,000	\$ 1,900,000	\$ 1,900,000	\$ 1,910,000		
BALANCE	\$ 6,746,078		\$ 5,608,791	\$ 2,939,542	\$ 1,945,442	\$ 2,340,442	\$ 2,830,442	\$ 3,125,442		

	Year A July 2022 - June 2023 FY23	Year 1 - July 2023 - June 2024 FY24	Year 2 July 2024 - June 2025 FY25	Year 3 July 2025 - June 2026 FY26	Year 4 July 2026 - June 2027 FY27	Year 5 July 2027 - June 2028 FY 28	
Miscellaneous							LEGEND
Wayfinding & Streetscape		\$ 50,000					Shows years prior to current 5-year cycle.
Total Miscellaneous Projects		\$ 50,000	\$ -	\$ -	\$ -	\$ -	Projects are Funded.
							Projects are complete or in progress.
Trail Maintenance Projects							
Library Trail, Storybook		\$ 25,000					
Library Trail, West Lot			\$ 33,000				
Powered Wheel barrow		\$ 4,000					
Side-by-Side attachments		\$ 10,000					
Pest Management on Trails		\$ 20,000					
Total Trail Maintenance Projects		\$ 59,000	\$ 33,000	\$ -	\$ -	\$ -	
New Trail Building projects							
Lee Avenue Trail		\$ 20,000					
E. Fairview Avenue Trail		\$ 30,000					
Beauregard Court Trail		\$ 10,000					
Trailhead Improvements		\$ 12,000					
Tajen Trail		10,000					
Bayview Park Renovation -accessibility		\$ 20,314					
West Hill Road Connection Design	\$ 22,000						
West Hill Road Connection Construction			\$ 100,000				
Elevated Trail at Beluga Slough			\$ 325,000				
Total New Trail Building Projects	\$ 22,000	\$ 102,314	\$ 425,000	\$ -	\$ -	\$ -	
TOTAL CAPITAL PROJECTS	\$ 22,000	\$ 211,314	\$ 458,000	\$ -	\$ -	\$ -	
FLEET REPLACEMENTS		\$ 150,000					
EST. TRANSFER TO GENERAL FUND							
(Supposed to cover Trails Maintenance in PW Operating Fund per Ord 17-40(A))		\$ 105,993	\$ 106,000	\$ 107,000	\$ 108,000	\$ 109,000	
TOTAL EXPEDITURES FROM HART FUND		\$ 467,307	\$ 564,000	\$ 107,000	\$ 108,000	\$ 109,000	

ESTIMATED REVENUES		\$ 194,526	\$ 202,307	\$ 210,000	\$ 217,000	\$ 224,088	
BALANCE	\$ 1,072,071	\$ 799,290	\$ 437,597	\$ 540,597	\$ 649,597	\$ 764,685	

Svedlund Street Sidewalk

DRAFT DESIGN STUDY MEMORANDUM

COH Task Order No. 23-05

Prepared For:

City of Homer

Public Works Department

Prepared By:



October 2023

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1 INTRODUCTION

The City of Homer (COH) is planning to construct a sidewalk on one side of Svedlund Street, from Pioneer Avenue to Fairview Avenue (approximately 1,100 feet). Additional details of the project are:

- The sidewalk should attach to the vehicular traveled way so that the proposed work may be cost effectively built on the existing roadway embankment to minimize drainage, utility, and right of way (ROW) impacts.
- This Design Study Memorandum will determine upon which side of the street the sidewalk should be built. Factors to consider will include ROW, utilities, and drainage, as well as pedestrian travel patterns.

The goal is to design the facility in year 2023 with construction following in year 2024. This improvement will provide immediate benefits for pedestrian users by providing access to surrounding commercial and residential facilities. Of particular importance, a portion of the pedestrians currently traveling along Svedlund Street include persons over 65 years of age and those with mobility impairments.

Kinney Engineering (KE) has thoroughly reviewed this project and we have prepared the following design information to highlight important project considerations. This report is a Design Study Memorandum, presenting the selection of a preferred design alternative for the project. The Proposed Improvements section describes the preferred design alternative for this project.

Svedlund Street is located in the heart of Homer's residential area (see Figure 1). It is a commonly used link for both motorists and pedestrians traveling from a residence or the Homer Senior Citizens Center and associated properties to the commercial area businesses along Pioneer Avenue. The 2005 Homer Area Transportation Plan classifies Svedlund Street as a local street and the speed limit is posted at 25 miles per hour (MPH). Svedlund Street is owned and maintained by the COH.



Figure 1: Project Vicinity Map

2 EXISTING CONDITIONS

Svedlund Street is a public city roadway located in Homer, Alaska.

2.1 As-built Research

As-built drawings for the project area were collected to provide background information on the existing conditions. The as-builts show that Svedlund Street was formerly constructed as a gravel road along with water and sewer improvements in 1980. The roadway was then regraded and paved in 1996. At this time a piped storm drain system with field inlets was also constructed under the west side ditch.

2.2 Geometry

Svedlund Street is a two lane, two-way rural road section with 11-foot paved travel lanes to the edge of pavement and 2-foot gravel shoulders beyond. Outside the shoulders is an approximately 3-foot-deep V-shaped ditch with 2:1 slopes up to the right-of-way (ROW) on both sides. The roadway surface is crowned at 2%. Profile grades generally follow the existing terrain and are quite steep with slopes up to 8.6%. See Figure 2.

Driveways on both sides of Svedlund Street are paved and of varying width and grades. As-builts show they are designed with an 18-inch culvert to carry drainage under them and along the ditches on both sides.

All side street approaches are stop controlled with signage and striping installed. The intersection with Pioneer Avenue is stop controlled on Svedlund Street with signage and striping installed (see Figure 3).



Figure 2: Svedlund Street (west side, looking north)



Figure 3: Svedlund St (east side looking south to Pioneer Avenue)

2.3 Right of Way

Svedlund Street is centered in a 60-foot ROW and is owned and maintained by the COH. Pioneer Avenue is a State of Alaska roadway. Work within this State ROW will require an approach permit from the State of Alaska Department of Transportation and Public Facilities (DOT&PF).

We have reviewed ROW maps and adjacent property plats and there appears to be adequate space for a new 6-foot sidewalk and the associated improvements on the west side of Svedlund Street without any property acquisition or construction easements.

2.4 Utilities

Utilities in the project area include water, sewer, gas, electrical, communication, and storm drain.

The east side of Svedlund Street contains several utilities within the shoulder/ditching area including gas, fiber optic, and a water main. There are also overhead electric and communication utility poles with underground connections on the east side. As such, an east-side path may require relocation of gas, communication, or electric utility facilities which would be time consuming and costly to the project.

A west-side path would have fewer utility impacts. Impacts to water and sewer utilities would be minimal and would include minor adjustments to manholes and valve boxes. All gas distributions systems can be protected in place and would not require relocation or adjustment with a west side sidewalk location. The electrical and communication systems could be protected in place. The storm drain system would require the adjustment of existing field inlets, as well as connection of new pipes and replacement of driveway culverts. As such, there would be no need to acquire additional right-of-way for any of the above proposed utility conflict resolutions for a west-side path.

2.5 Drainage

There are no known issues in the project area related to the open ditch or piped storm drain drainage systems. The Svedlund Street as-builts provide insight into the possible drainage impacts of constructing the new sidewalk. There is an existing 24-inch metal storm drain main pipe for the entire length of Svedlund Street. It runs in the middle of the street between Fairview Avenue and Lee Street and then is aligned on the west side ditch for the bottom two-thirds of the street length.

This location of the existing storm drain piping lends itself to more easily constructing a west side sidewalk and tying new drainage inlet structures into the existing storm drain system with minimal roadway trenching for lead-in pipes. Based on visual observation, the gravel shoulder widths appear to have been constructed slightly wider and drainage ditching

foreslopes/backslopes are less severe on the west side of the street. This creates a bit more room to widen the embankment and reshape the ditches on the west side of Svedlund Street.

2.6 Geotechnical

A geotechnical investigation has not been conducted for support of this project. Historical soil information from the as-builts was reviewed to supplement the proposed improvements.

The soils around Homer have regularly been found to contain a thick layer of peat. The Svedlund Street embankment is built on a geogrid, filter fabric, 2-foot layer of Type II backfill, 6-inch layer of Type III backfill, 2-inch layer of leveling course, and 2-inches of asphalt concrete pavement. The ditches are topsoiled and seeded and/or lined with rock. The driveways are built on a 1-foot layer of Type III backfill, 2-inch layer of leveling course, and 2-inches of asphalt concrete pavement. The storm drain pipes are bedded in Class C material and backfilled with native materials.

2.7 Pedestrian Facilities and Circulation

Existing pedestrian facilities in the project area include sidewalks along Pioneer Avenue and informal trails along Fairview Avenue and the intersection connecting Lee Street to Lee Drive. There is a marked crosswalk that goes across Pioneer Avenue at Svedlund Street (on the east leg). See Figure 4. There are no dedicated pedestrian facilities along Svedlund Street. As such, pedestrians travel in the roadway. On a recent site visit, an elderly person using a walker was observed traveling south in the roadway to reach the sidewalk connections on Pioneer Avenue.

Pedestrian demand for travel along Svedlund Street comes from the Homer Senior Citizens Center and other similar properties on the west side, as well as the surrounding residential neighborhoods. Due to the presence of the Senior Center, many of the pedestrians are 65 years or older and have mobility challenges.

The new sidewalk facility will need to conform to Americans with Disabilities Act (ADA) standards. This will be challenging due to the 8% and higher street grades and require careful design attention.

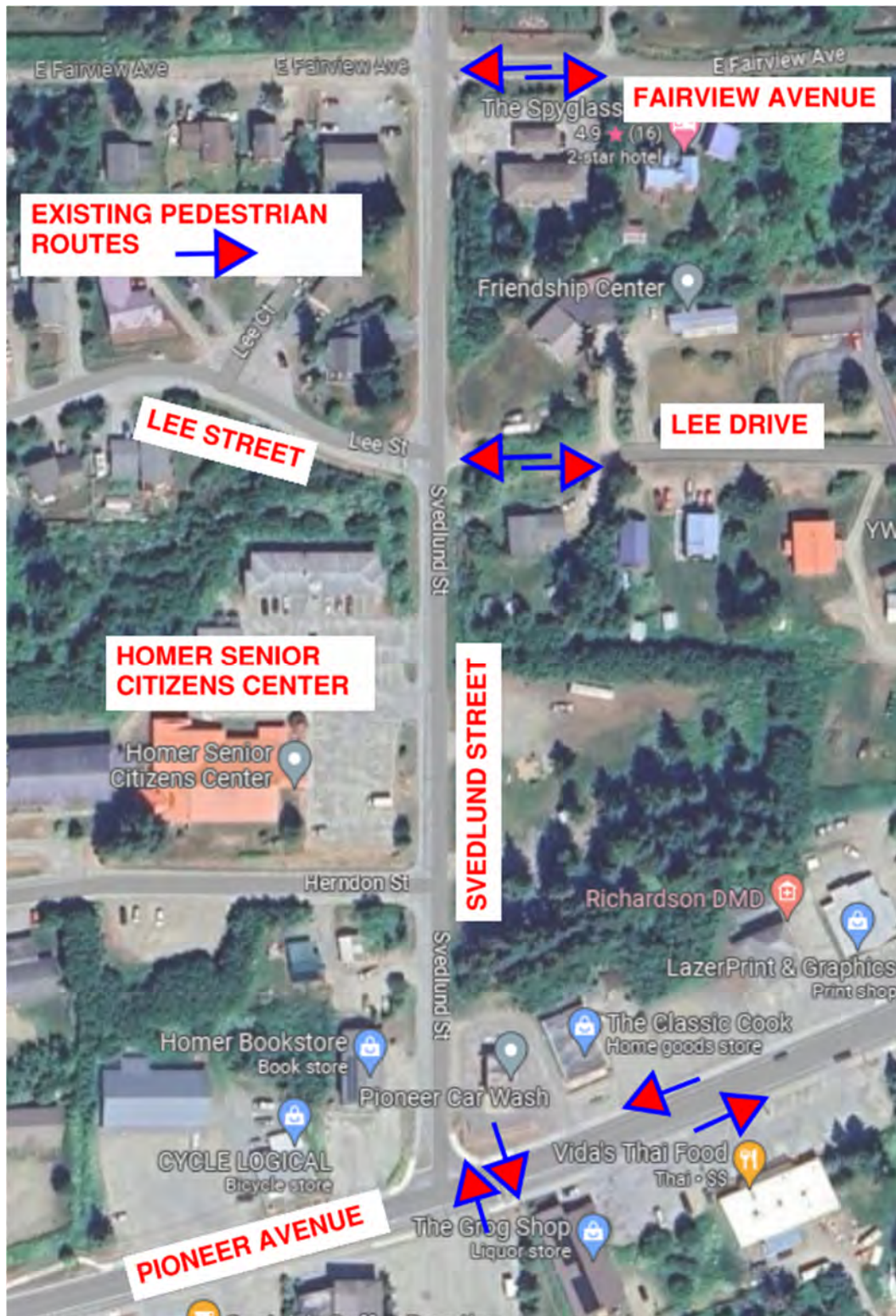


Figure 4: Existing Pedestrian Circulation

3 DESIGN STANDARDS & CRITERIA

Sidewalk width, pavement, earthwork materials, curb and gutter, storm drain, driveways, striping, and signing will all comply with local COH and Alaska or Federal design standards, as applicable. Standards and design guidelines that may be utilized include:

- U.S. Department of Transportation, Federal Highway Administration (FHWA) publication, *2009 Manual on Uniform Traffic Devices*, with Revision Numbers 1 and 2 Incorporated, dated May 2012
- U.S. Department of Justice, *2010 ADA Standards for Accessible Design*, September 15, 2010.
- U.S. Access Board, Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way, Federal Register 36 CFR Part 1190 on July 26, 2011.
- AASHTO publication, A Policy on Geometric Design of Highways and Street, 2011
- Alaska Traffic Manual
- City of Homer Design Criteria Manual
- City of Homer Standard Construction Specifications

4 PROPOSED IMPROVEMENTS

The proposed improvements are summarized below. A concept design and cost estimates are provided under Appendix A and B.

4.1 Paved Sidewalk

Approximately 1,100 feet of new sidewalk should be constructed on the west side of Svedlund Street and attached to a new concrete curb and gutter section that matches the existing roadway paved surface. This strategy minimizes impacts and allows a ditch to be formed outside of the sidewalk to reestablish current drainage patterns for the runoff outside of the street ROW. The sidewalk surface will be asphalt-concrete pavement with a desirable width of 6 feet, though that can be reduced to 5 feet to minimize impacts and costs. Figure 5 below depicts a similar design recently constructed along Main Street in Homer.



Figure 5: Main Street Sidewalk (west side looking south)

Construction of curb and gutter will require design of several new storm drain inlet structures to intercept gutter flows resulting from roadway drainage. These can be tied into the existing storm drain main pipe or structures at appropriate locations with lead-in pipes tapping into an existing manhole on the west side of Svedlund Street.

At the three west side street approaches, there will be designed ADA-compliant curb ramps with detectable warnings. New striping will be placed on the Svedlund Street shoulder and side streets, and new signing installed to replace damaged and outdated street signs. Curb cuts will be designed at the existing driveways.

If present, utility access boxes, posts, and cabinets will be worked around or adjusted as necessary, along with manhole frame and cone adjustments as needed. We may also consider designing a curb ramp, crosswalk striping, and signing for a mid-block pedestrian crossing to accommodate user demand from the trail on the east side of Svedlund Street at Lee Street.

The new sidewalk typical section materials and thicknesses should match that of the existing Svedlund Street for both long term stability and consistency across the improved and widened embankment. This means the new sidewalk should consist of a 2.5-foot layer of Type III backfill, 2-inch layer of leveling course, and 2-inches of asphalt concrete pavement.

Improvements can be built with a pavement cut in the middle of the adjacent travel lane to minimize traffic impacts and construction costs. The goal of this proposed design is to minimize both design and construction costs for the City and limit change orders or design revisions during the construction phase.

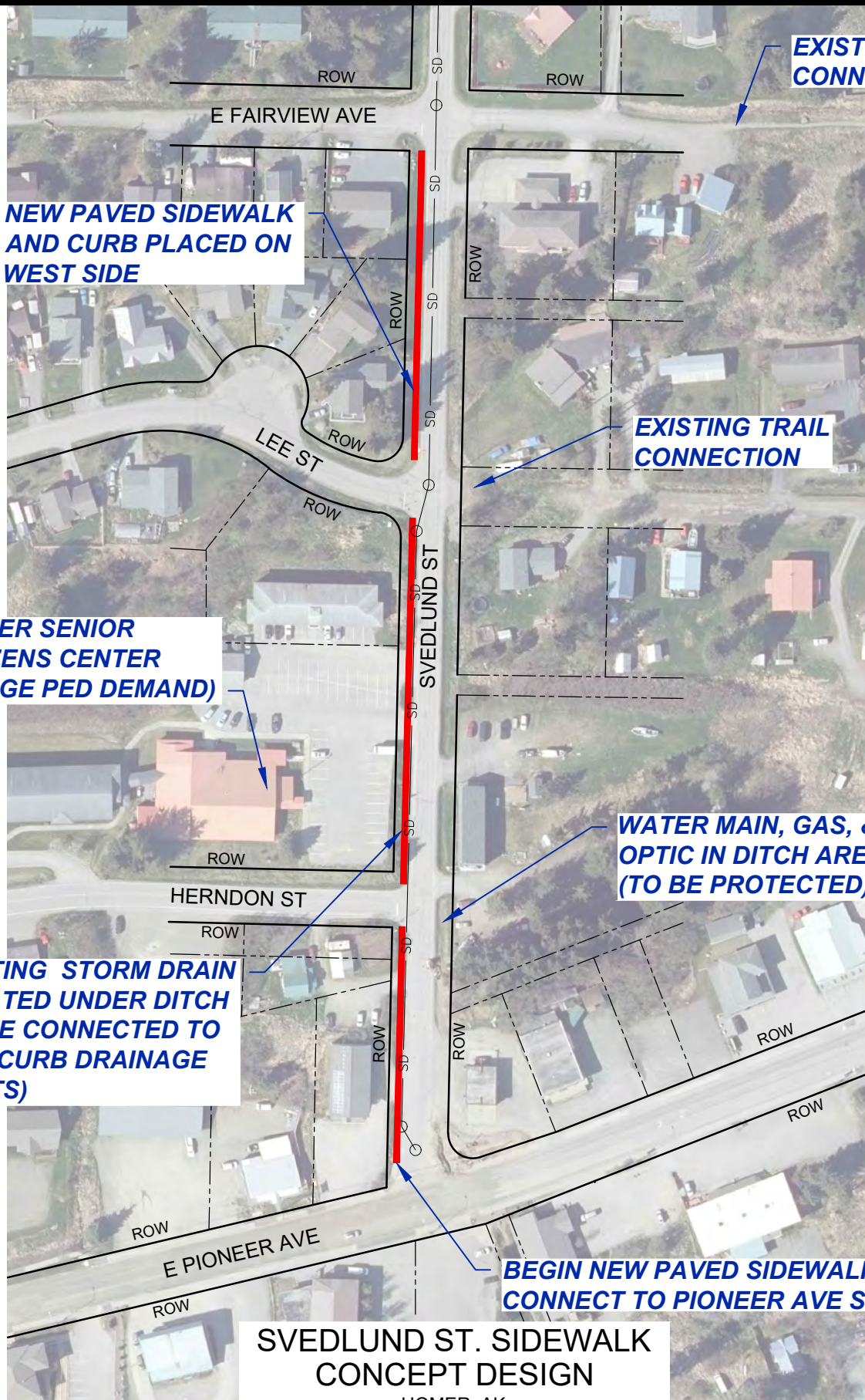
5 CONSTRUCTION COST ESTIMATE

An engineer's estimate of probable construction costs was generated by applying average unit construction costs to the proposed improvements. Since the design survey and full design have not yet been accomplished, the estimated costs should not be used for final funding allocation purposes. The estimated construction costs are shown in the below table. Detailed cost estimate spreadsheets are included in Appendix B.

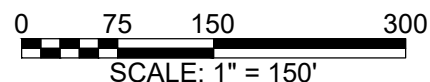
SCHEDULE		AMOUNT
SCHEDULE A: Sidewalk Improvements		\$ 506,620
Total Amount		\$ 506,620
	20% Contingency	\$ 101,324
	Total Amount w/ Contingency	\$ 607,944

APPENDIX A: Concept Design

FILE: Z:\PROJECTS\00710, CITY OF HOMER, TERM CONTRACT 2022\23-05 SVEDLUND STREET SIDEWALK\DWG\FIGURES\SVEDLUND ST-APPENDIX A.DWG PLOTTED: Sep 26, 2023 - 2:51:25 PM



SVEDLUND ST. SIDEWALK
CONCEPT DESIGN
HOMER, AK



APPENDIX
A

APPENDIX B: Construction Cost Estimates

**Svedlund Street Sidewalk
Concept Design Engineers Estimate**

Date Modified: September 29, 2023
Date Printed: September 29, 2023

ESTIMATE OF QUANTITIES

ITEM NO.	SPEC. NO.	WORK DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT BID PRICE	TOTAL BID PRICE
A-1	101	MOBILIZATION AND DEMOBILIZATION	LS	1	\$ 20,000.00	\$ 20,000.00
A-2	102	CONSTRUCTION SURVEYING	LS	1	\$ 15,000.00	\$ 15,000.00
A-3	103	TRAFFIC MAINTENANCE	LS	1	\$ 25,000.00	\$ 25,000.00
A-4	202	CLEARING AND GRUBBING	LS	1	\$ 10,000.00	\$ 10,000.00
A-5	203	REMOVAL OF OBSTRUCTIONS	LS	1	\$ 15,000.00	\$ 15,000.00
A-6	204	EXCAVATION	CY	1,078	\$ 15.00	\$ 16,170.00
A-7	205	TYPE III FILL AND BACKFILL	TON	2,178	\$ 35.00	\$ 76,230.00
A-8	206	LEVELING COURSE	TON	189	\$ 50.00	\$ 9,450.00
A-10	219	REMOVE EXISTING PAVEMENT	SY	750	\$ 8.00	\$ 6,000.00
A-11	221	RECONSTRUCT APPROACH	EA	3	\$ 4,500.00	\$ 13,500.00
A-12	221	RECONSTRUCT DRIVEWAY	EA	5	\$ 2,000.00	\$ 10,000.00
A-13	302	CURB AND GUTTER, ALL TYPES	LF	1,100	\$ 50.00	\$ 55,000.00
A-14	303	CONCRETE SIDEWALK, 4" THICK	SY	6	\$ 150.00	\$ 900.00
A-15	30X	P.C.C. CURB RAMP	EA	5	\$ 6,000.00	\$ 30,000.00
A-16	30X	DETECTABLE WARNINGS	EA	5	\$ 800.00	\$ 4,000.00
A-17	401	ASPHALT PAVEMENT	TON	167	\$ 260.00	\$ 43,420.00
A-18	402	PAINTED TRAFFIC MARKINGS	LS	1	\$ 6,500.00	\$ 6,500.00
A-19	512	ADJUST MANHOLE RING	EACH	6	\$ 1,500.00	\$ 9,000.00
A-20	511	ADJUST MANHOLE CONE	EACH	4	\$ 2,500.00	\$ 10,000.00

Concept Design Engineers Estimate

Date Modified: September 29, 2023

Date Printed: September 29, 2023

ESTIMATE OF QUANTITIES

ITEM NO.	SPEC. NO.	WORK DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT BID PRICE	TOTAL BID PRICE
A-21	604	FURNISH AND INSTALL FIRE HYDRANT ASSEMBLY (SINGLE PUMPER)	EA	1	\$ 12,500.00	\$ 12,500.00
A-22	607	ADJUST VALVE BOX TO FINISH GRADE	EA	4	\$ 750.00	\$ 3,000.00
A-25	707	FURNISH & INSTALL STANDARD SIGN	EA	16	\$ 1,500.00	\$ 24,000.00
A-26	707	SALVAGE SIGN	EA	5	\$ 180.00	\$ 900.00
A-27	708	SEEDING (TYPE 1)	MSF	14	\$ 400.00	\$ 5,600.00
A-28	710	TOPSOIL (4" DEPTH)	MSF	14	\$ 800.00	\$ 11,200.00
A-30	802	FURNISH AND INSTALL CMP, 12"	LF	125	\$ 90.00	\$ 11,250.00
A-31	802	FURNISH AND INSTALL CMP, 18"	LF	100	\$ 120.00	\$ 12,000.00
A-33	806	CONSTRUCT CATCH BASIN	EA	3	\$ 8,000.00	\$ 24,000.00
A-34	807	CONNECT TO EXISTING STORM DRAIN MANHOLE	EA	3	\$ 1,800.00	\$ 5,400.00
A-35	8008	ADJUST JUNCTION BOX TO FINISH GRADE	EA	2	\$ 800.00	\$ 1,600.00
A-37	9001	STORM WATER POLLUTION PREVENTION PLAN, TYPE 3	LS	1	\$ 20,000.00	\$ 20,000.00

Total Engineers Estimate \$ 506,620.00

Total Basic Bid \$ 506,620.00

Contingency 20% \$ 101,324.00

SUBTOTAL \$ 607,944.00

PROJECT TOTAL \$ 607,944.00