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MEMORANDUM – AGENDA CHANGES/SUPPLEMENTAL PACKET

TO: MAYOR HORNADAY AND HOMER CITY COUNCIL
FROM: JO JOHNSON, CMC, CITY CLERK 
DATE: APRIL 11, 2011
SUBJECT: AGENDA CHANGES AND SUPPLEMENTAL PACKET

RESOLUTIONS

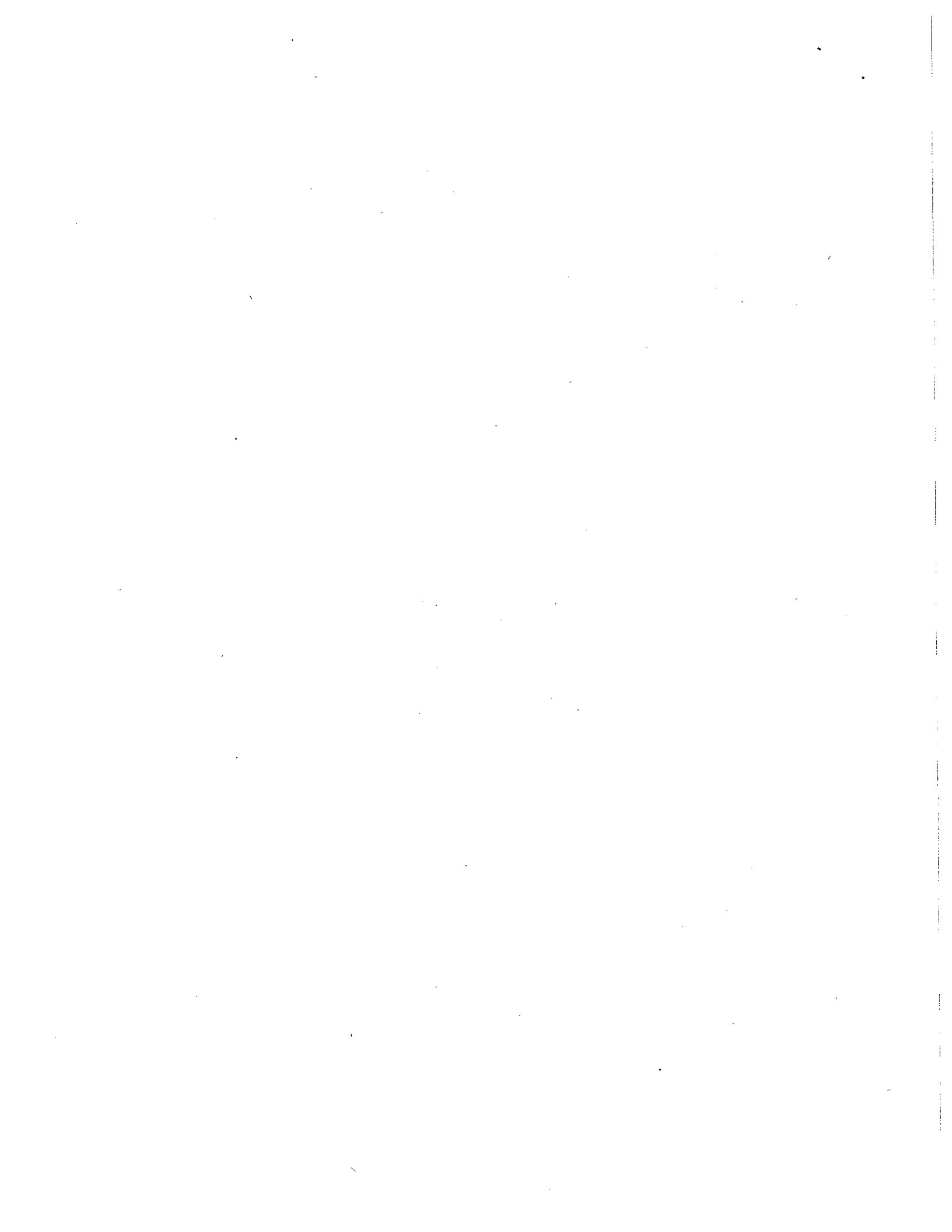
Resolution 11-036, A Resolution of the City Council of Homer, Alaska, Amending the Fee Schedule to Provide for Long Term Parking Permit Fees. City Manager. Written public comments/Port & Harbor Director Response Page 1

Draft Ordinance from City Attorney to incorporate Parking Violation Offenses in code Page 7

RECOMMENDATION:

Voice consensus to changes under Agenda Approval.

Fiscal Note: N/A



Jo Johnson

From: Bryan Hawkins
Sent: Monday, April 11, 2011 10:53 AM
To: 'alaskadiana@gmail.com'
Cc: Walt Wrede; Jo Johnson; Terry Felde; Bryan Zak; Lisa Ellington
Subject: reply to parking questions



parking
overview 2011.pd

Good morning Diana,
This is Bryan Hawkins I'm the Port Director and Harbormaster for Homer's Harbor.

#1 I included a overview of the parking lots that will be seasonally restricted for long term parking (any vehicle parked in excess of 7 consecutive 24 hour days) Please note these areas are the congested areas during the summer months.

#2 Note the overview shows the areas were a person can not park long term May 1 through October 1. The rest of the lots will remain as open public parking and will be signed to allow long term permit parking.

#3 It is true that there is plenty of room on the Spit in the off season however, we felt that consistency in enforcement is needed in order to avoid targeting one user group over others, for instance South side residence verses commercial fishermen. The Spit is also used for Storage of vehicles whose owners for one reason or another have decided to leave on them on the Spit. Often times these become abandoned and there is a cost in staff time and disposal fees. Enforcing the rule year round will give us the ability to fight against the clutter that we have had to deal with over the years.

#4 I would say that when it comes to parking fees on the Spit it has never been the goal of the Port and Harbor Commission to create another revenue stream from parking fees. Rater the fees are used to recapture costs associated with managing parking for the Port/Harbor Enterprise and to help offset the costs of making future improvements. Fees are also a deterrent the goal is not to attract more long term parking to Port properties. If it's free then people are free to abuse the privilege but when a fee is applied and enforced year round, then we'll see the privilege respected.

#5 Yes day use parking lots 1, 2, 3, and 4 will be free in the off season (Labor day to Memorial day)

I hope I've been able to answers your questions.
Please feel free to contact me anytime.
Thank you for your questions,

Bryan Hawkins
Port Director/Harbormaster
Port of Homer
Homer, Alaska
(907)-235-3160 ext. 203

-----Original Message-----

From: Diana Conway [mailto:alaskadiana@gmail.com]
Sent: Sunday, April 10, 2011 6:39 PM
To: Department City Manager
Subject: Spit Parking

Dear City Manager Wrede,

I am a year round resident on the south side of Kachemak Bay and keep one car on the Spit. Usually I come over at least once every two weeks for shopping, medical visits, and banking.

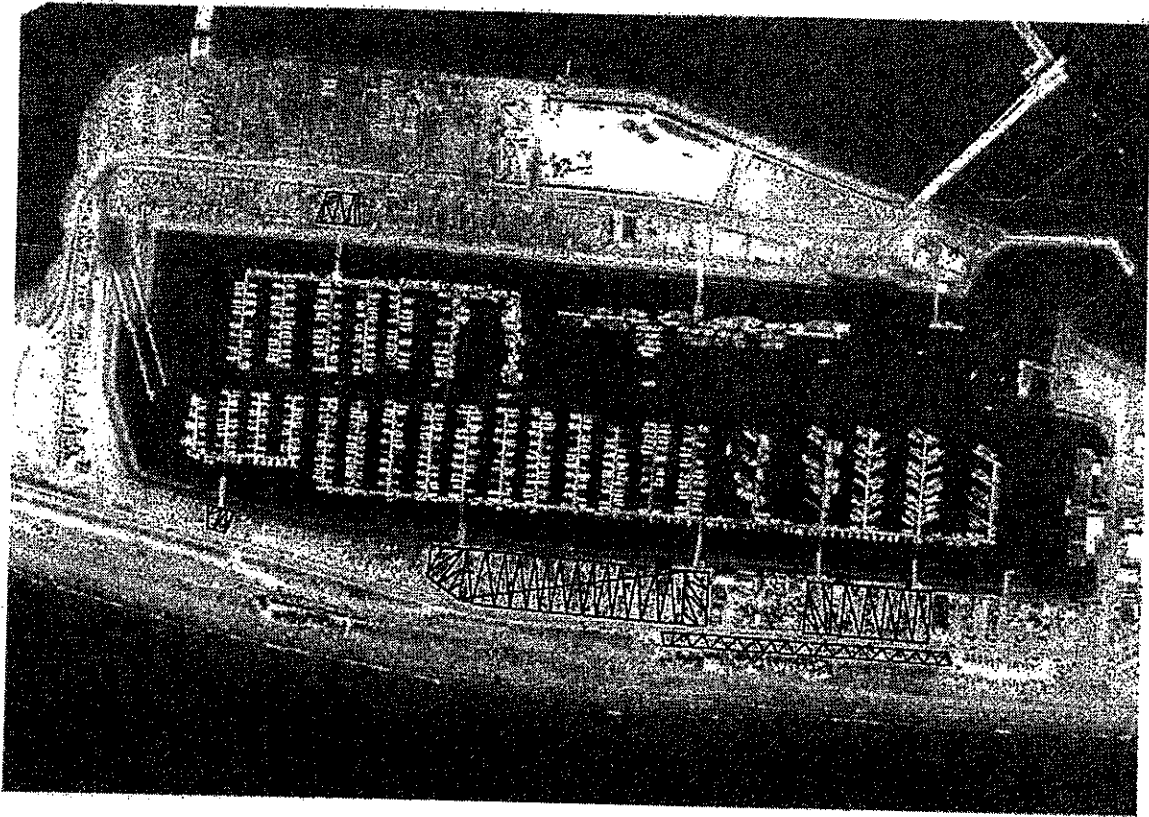
A friend forwarded to me a copy of Resolution 11-034(S) Long Term Parking for Homer Spit passed by the city council on March 29th, 2011. It did not contain a map and the wording left me somewhat confused. Could you please clarify for me the following questions.

- 1) Where will the long term lots be and will they be restricted to those who hold the \$200 permits?
- 2) Will the long term permits also allow parking in any other lots (except on Ramps 1-4)? If not, what do we do if the long term lots are full and we don't expect to return in 7 days?
- 3) Why will the enforcement also apply October 2 through April 30 when there is ample parking available on the Spit?
- 4) Is the \$200 fee designed to pay for enforcement? If so, cutting down the number of months' enforcement would make it possible to have a lower fee. Although I can afford the charge, I know many working people who will find it a hardship.
- 5) Annual permits for day use parking for \$250 will allow up to 7 days parking at Ramps 1-4. Will day parking be free in the off-season or will the daily \$5 fee now be collected year round for locals coming out to the Spit?

I understand how difficult it is to rationalize parking on the Spit in the summer. Before putting your resolution into effect, however, I urge you to reconsider the costs of enforcement and who exactly is bearing the brunt of the expense. Providing free parking for visitors is good for Homer's business, but when commercial fishing people and year round residents are the only ones paying for the costs of this new program there is bound to be a howl of protest.

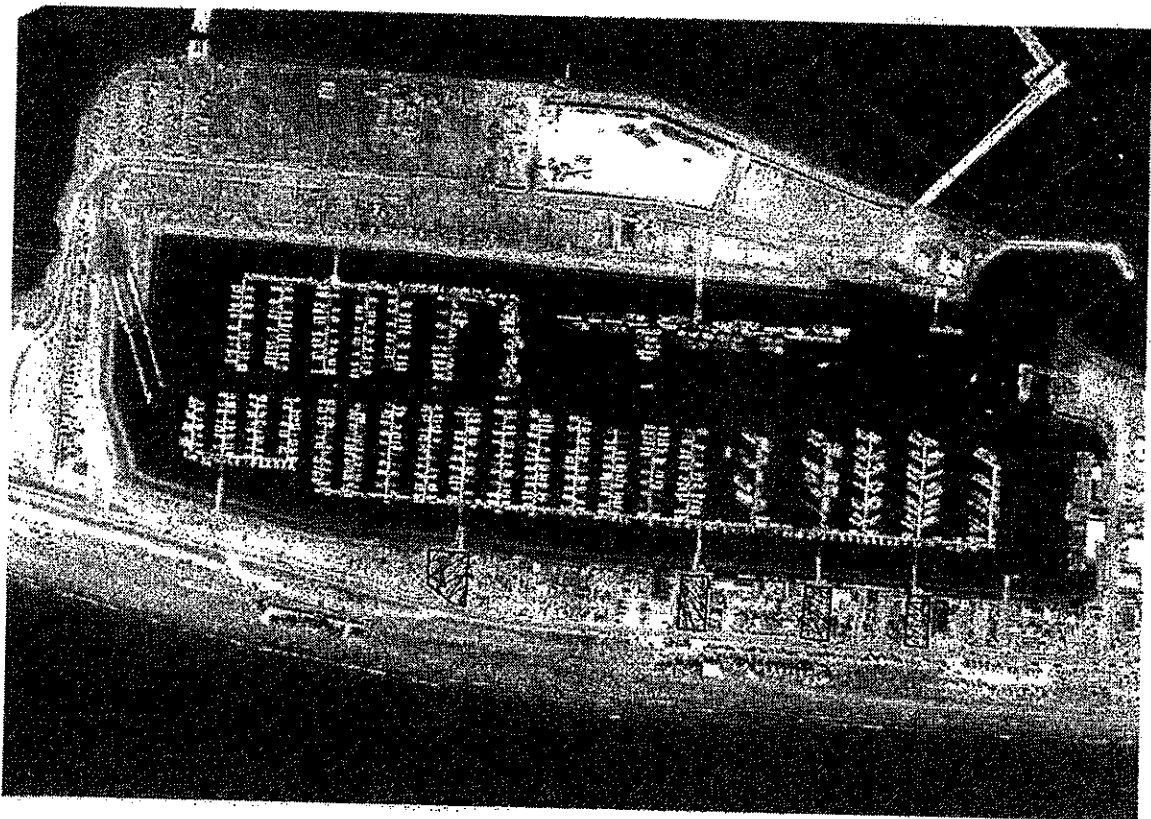
Thanks for your time.

Diana Conway



No Long-Term Parking Areas

Day-Use Parking Areas



... ..

Jo Johnson

From: Terry Felde
Sent: Friday, April 08, 2011 2:52 PM
To: Walt Wrede
Cc: Bryan Hawkins; Jo Johnson
Subject: Comments on Spit Parking Plan

Bob Thompson, a year-round resident across the Bay, called and wants to provide some feedback/suggestions regarding the parking plan before it gets passed on Monday. He does not have internet and will not be able to be at the meeting on Monday evening.

His suggestion is that there be an additional category for residents that allows residents to park for two weeks before having to move their cars, as he can't always get over on a weekly basis. He feels this is forcing residents across the bay into paying \$200 for long term parking, and that the long term parking is not convenient. He also wants to convey that while many residents who reside across the Bay are able to afford the \$200, there are several, including himself, that are on a fixed income, and that \$200 is a large sum of money for them. A second suggestion would be that there be an income threshold implemented around the yearly parking fee,

Terry Felde

*Administrative Assistant to City Manager
City of Homer
491 E. Pioneer Ave.
Homer, AK 99603
907-435-3102
907-235-3148 fax*

Jo Johnson

From: Walt Wrede
Sent: Monday, April 11, 2011 11:09 AM
To: Jo Johnson
Subject: FW: Harbor Parking Restrictions
Attachments: 00182635.DOCX

JO:

Please put this e-mail and the attached draft ordinance in the supplemental packet. I wanted to give the Council a heads up.

Thanks, walt

From: Thomas Klinkner [<mailto:tklinkner@BHB.com>]
Sent: Thursday, April 07, 2011 2:51 PM
To: Walt Wrede
Subject: Harbor Parking Restrictions

Walt,

Resolution 11-036, regarding parking in the harbor area, should be supported by the attached ordinance providing that violation of parking restrictions established by the harbormaster is an offense punishable by a fine, and for the forfeiture of the fine in lieu of a court appearance. I recommend its adoption before the commencement of parking enforcement activities in the harbor area.

Thomas F. Klinkner | Birch Horton Bittner & Cherot
1127 W 7th Avenue | Anchorage, AK 99501
Tel: (907) 276-1550 | Fax: (907) 276-3680
Email: tklinkner@bhb.com | Website: www.birchhorton.com

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CITY OF HOMER
HOMER, ALASKA

ORDINANCE 11-

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 10.04.100, VEHICLES AND OTHER WHEELED CONVEYANCES; AND HOMER CITY CODE 10.04.110, VIOLATION--PENALTY; REGARDING THE REGULATION OF PARKING IN THE HARBOR AREA.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 10.04.100, Vehicles and other wheeled conveyances, is amended to read as follows:

10.04.100 Vehicles and other wheeled conveyances. a. The harbormaster may designate restricted parking areas in the harbor area. In a restricted parking area, the harbormaster may:

(1) Establish time limits for parking;

(2) Designate areas for paid parking, and establish fees for paid parking there; and

(3) Designate areas for permit parking, and establish the fees and qualifications for obtaining a permit.

~~"Restricted parking" areas will be established at such time and places as may be determined by the harbormaster. "Restricted parking" areas pertain to the parking of any vehicle or trailer, private or commercial. Violations of "restricted parking" areas will be fined according to the City traffic code.~~

b. The harbormaster shall notify the public of time limits in restricted parking areas, fees required to park in restricted parking areas, and permit requirements for parking in restricted parking areas by the placement of official traffic control devices. No person may stop, stand or park a vehicle in violation of such an official traffic control device. Every day in which such a violation continues shall constitute a separate offense.

~~cb.~~ No person other than an employee of the City or other person acting on City business shall drive a vehicle upon the inside gravel slope of the Small Boat Harbor except in case of emergency. Parking or leaving boats, trailers and/or other vehicles and equipment related thereto by the public shall be limited to specific areas designated for such use.

de. Hauling out boats on skids is prohibited unless approved in advance by the harbormaster.

Section 2. Homer City Code 10.04.110, Violation--Penalty, is amended to read as follows:

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

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44
45 10.04.110 Violation--Penalty. a. Except as provided in (b) of this section, any
46 violation of the provisions contained in this title or regulations adopted pursuant to this title shall
47 be unlawful and punishable as provided in Section 1.16.010 of this Code.

48 b. A violation of HCC 10.04.100(b) is amenable to disposition without court
49 appearance upon payment of a fine in the amount of \$25.00. The person cited for the
50 violation may mail or personally deliver to the clerk of court the amount of the fine plus
51 any surcharge required to be imposed by AS 29.25.074, together with a copy of the citation
52 signed by the person indicating the person's waiver of court appearance, entry of plea of no
53 contest, and forfeiture of the fine. The payment of a fine under this subsection shall be
54 treated as a judgment of conviction. The fine paid is complete satisfaction for the offense.
55 If a person cited for a violation of HCC 10.04.100(b) appears in court to contest the citation
56 and is found guilty, the maximum sentence which may be imposed is the scheduled fine
57 amount plus any surcharge required to be imposed by AS 29.25.074.

58
59 Section 3. This Ordinance is of a permanent and general character and shall be included
60 in the City Code.

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

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65 CITY OF HOMER

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69 _____
70 JAMES C. HORNADAY, MAYOR

71 ATTEST:

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73
74
75 _____
76 JO JOHNSON, CMC, CITY CLERK

77 YES:

78 NO:

79 ABSTAIN:

80 ABSENT:

81
82 First Reading:

83 Public Hearing:

84 Second Reading:

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

85 Effective Date:

86

87 Reviewed and approved as to form:

88

89

90

91 Walt E. Wrede, City Manager

92 Date: _____

Thomas F. Klinkner, City Attorney

Date: _____

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

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