

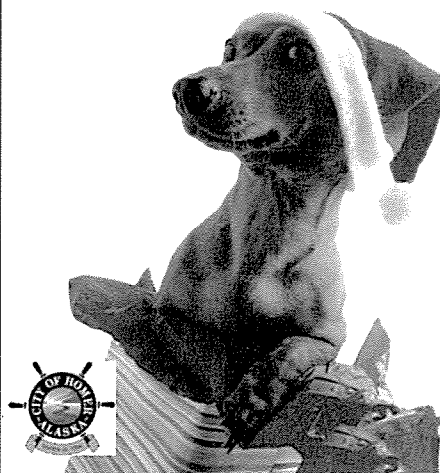
City Council
December 12, 2011
Monday



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

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

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2011 - 2012 DECEMBER/JANUARY

- Monday 12TH** **CITY COUNCIL** Special Meeting 4:00 p.m., Committee of the Whole 5:00 p.m., and Regular Meeting 6:00 p.m.
- Wednesday 14th** **PORT AND HARBOR ADVISORY COMMISSION**
Regular Meeting 5:00 p.m.
- Thursday 15th** **KACHEMAK DRIVE PATH COMMITTEE** Meeting 5:30 p.m.
- LIBRARY LANDSCAPE COMMITTEE** 12:00 to 1:00 p.m. at Library.
- Monday 26th** **CITY OFFICES CLOSED** in observance of Christmas.
- Monday 2nd** **CITY OFFICES CLOSED** in observance of New Year's.
- Tuesday 3rd** **LIBRARY ADVISORY BOARD** Regular Meeting 5:00 p.m.
- Wednesday 4th** **PLANNING COMMISSION** Worksession 5:30 p.m. and Regular Meeting 6:30 p.m.
- Monday 9th** **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
with the exception of December 5:30 p.m.

Planning Commission 1st and 3rd Wednesday 6:30 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 months of February, May, August, and November 5:15 p.m.

MAYOR AND CITY COUNCILMEMBERS AND TERMS

JAMES C. HORNADAY, MAYOR - 12

BARBARA HOWARD, COUNCILMEMBER - 14

DAVID LEWIS, COUNCILMEMBER - 14

FRANCIE ROBERTS, COUNCILMEMBER - 12

KEVIN HOGAN, COUNCILMEMBER - 12

MARY E. (BETH) WYTHE, COUNCILMEMBER - 13

BRYAN ZAK, COUNCILMEMBER - 13

City Manager, Walt Wrede

City Attorney, Thomas Klinkner

<http://www.cityofhomer-ak.gov/cityclerk> 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.

**MEETING NOTICE
SPECIAL MEETING AGENDA**

1. **CALL TO ORDER, 4:00 P.M.**
2. **AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)
3. **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**
4. **NEW BUSINESS**
 - A. **Memorandum 11-155**, From City Clerk, Re: 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. (Legal Issues Regarding Seawall). Page 7
 - B. **Memorandum 11-156**, From City Clerk, Re: 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. (Kazan Property). Page 9
 - C. **Memorandum 11-157**, From City Clerk, Re: 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. (Enforcement and Overdue Fee Collection for Derelict Vessels in the Harbor) Page 11
5. **COMMENTS OF THE AUDIENCE**
6. **COMMENTS OF THE CITY ATTORNEY**
7. **COMMENTS OF THE CITY CLERK**
8. **COMMENTS OF THE CITY MANAGER**
9. **COMMENTS OF THE MAYOR**
10. **COMMENTS OF THE CITY COUNCIL**
11. **ADJOURNMENT NO LATER THAN 4:50 p.m. NEXT REGULAR MEETING IS SCHEDULED FOR MONDAY, JANUARY 9, 2012 AT 6:00 P.M. THE NEXT COMMITTEE OF THE WHOLE IS SCHEDULED FOR MONDAY, JANUARY 9, 2012 AT 5:00 P.M. A WORKSESSION IS SCHEDULED FOR MONDAY, JANUARY 9, 2012 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.

Office of the City Clerk

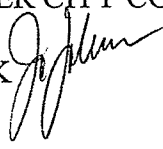
Jo Johnson, CMC, City Clerk
Melissa Jacobsen, CMC, Deputy City Clerk II
Renee Krause, CMC, Deputy City Clerk I



491 E. Pioneer Avenue
Homer, Alaska 99603
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Fax: (907) 235-3143
Email: clerk@ci.homer.ak.us

MEMORANDUM 11-155

TO: MAYOR HORNADAY AND HOMER CITY COUNCIL

FROM: JO JOHNSON, CMC, CITY CLERK 

DATE: DECEMBER 6, 2011

SUBJECT: 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. (LEGAL ISSUES REGARDING SEAWALL)

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

City Manager Wrede requested an Executive Session regarding "Legal Issues Regarding Seawall" for the Special Meeting of December 12, 2011. This has been publicly and internally noticed since that time.

Attorney Klinkner will be present.

RECOMMENDATION:

Approve the request for Executive Session and conduct immediately in the Council Chambers.

Office of the City Clerk


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



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MEMORANDUM 11-156

TO: MAYOR HORNADAY AND HOMER CITY COUNCIL

FROM: JO JOHNSON, CMC, CITY CLERK 

DATE: DECEMBER 6, 2011

SUBJECT: 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. (KAZAN PROPERTY)

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

City Manager Wrede requested an Executive Session regarding "Kazan Property" for the Special Meeting of December 12, 2011. This has been publicly and internally noticed since that time.

Attorney Klinkner will be present.

RECOMMENDATION:

Approve the request for Executive Session and conduct immediately in the Council Chambers.

Office of the City Clerk


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



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MEMORANDUM 11-157

TO: MAYOR HORNADAY AND HOMER CITY COUNCIL

FROM: JO JOHNSON, CMC, CITY CLERK 

DATE: DECEMBER 6, 2011

SUBJECT: 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. (ENFORCEMENT AND OVERDUE FEE COLLECTION FOR DERELICT VESSELS IN THE HARBOR)

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

City Manager Wrede requested an Executive Session regarding "Enforcement and Overdue Fee Collection for Derelict Vessels in the Harbor" for the Special Meeting of December 12, 2011. This has been publicly and internally noticed since that time.

Attorney Klinkner will be present.

RECOMMENDATION:

Approve the request for Executive Session and conduct immediately in the Council Chambers.

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

DECEMBER 12, 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.

Councilmember Zak has requested telephonic participation or excusal.

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

A. Matt Clarke, Chair, Employee Committee Report

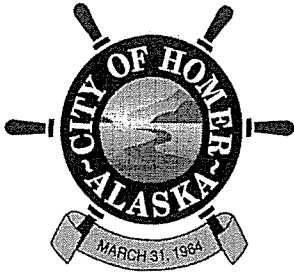
Memorandum 11-158 from Employee Committee as backup.

Page 15

4. REGULAR MEETING AGENDA

5. COMMENTS OF THE AUDIENCE

6. ADJOURNMENT NO LATER THAN 5:50 P.M. NEXT REGULAR MEETING IS SCHEDULED FOR MONDAY, JANUARY 9, 2012 AT 6:00 P.M. THE NEXT COMMITTEE OF THE WHOLE IS SCHEDULED FOR MONDAY, JANUARY 9, 2012 AT 5:00 P.M. A WORKSESSION IS SCHEDULED FOR MONDAY, JANUARY 9, 2012 AT 4:00 P.M. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.



**CITY OF HOMER
CITY HALL
PERSONNEL OFFICE**

491 East Pioneer Avenue
Homer, Alaska 99603

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E-mail personnel@cityofhomer-ak.gov

MEMORANDUM 11-158

TO: MAYOR HORNADAY AND CITY COUNCIL
THRU: Walt Wrede, City Manager
FROM: Employee Committee
DATE: December 6, 2011
RE: Employee Benefits

On December 6, 2011, the City of Homer employees participated in a vote conducted by the Employee Committee regarding a preferred health insurance alternative. Of the entire employee body, 77 employees cast their votes resulting in a 75% approval for a premium only proposal. This proposal is described by the below fee schedule:

	Per Pay Period	Per Month	Annually
Employee Only	\$ 17.84	\$ 38.65	\$ 463.84
Spouse	\$ 56.75	\$ 122.96	\$ 1,475.50
Child (each)	\$ 4.81	\$ 10.42	\$ 125.06

Employee Only	\$ 17.84	\$ 38.65	\$ 463.84
Emp/Spouse	\$ 74.59	\$ 161.61	\$ 1,939.34
Emp/Spouse/Child	\$ 79.40	\$ 172.03	\$ 2,064.40
Emp/Spouse/ 2 Children	\$ 84.21	\$ 182.46	\$ 2,189.46
Emp/Spouse/ 3 Children	\$ 89.02	\$ 192.88	\$ 2,314.52
Emp/Spouse/ 4 Children	\$ 93.83	\$ 203.30	\$ 2,439.58
Emp/Spouse/ 5 Children	\$ 98.64	\$ 213.72	\$ 2,564.64
Emp/Spouse/ 6 Children	\$ 103.45	\$ 224.14	\$ 2,689.70
Emp/Spouse/ 7 Children	\$ 108.26	\$ 234.56	\$ 2,814.76
Emp/Child	\$ 22.65	\$ 49.08	\$ 588.90
Emp/ 2 Children	\$ 27.46	\$ 59.50	\$ 713.96
Emp/ 3 Children	\$ 32.27	\$ 69.92	\$ 839.02
Emp/ 4 Children	\$ 37.08	\$ 80.34	\$ 964.08
Emp/ 5 Children	\$ 41.89	\$ 90.76	\$ 1,089.14
Emp/ 6 Children	\$ 46.70	\$ 101.18	\$ 1,214.20
Emp/ 7 Children	\$ 51.51	\$ 111.61	\$ 1,339.26

This fee schedule generates \$150,000 annually from employee out-of-pocket premiums. It is the Employee Committee's recommendation that this money is allocated to the employee health insurance fund and to no other budget item(s). This \$150,000 contribution should supplement current FY 2012 proposed health insurance fund account, 600.

The Employee Committee would like the Council to be aware that this was a very difficult decision, one that effectively reduces every benefited employee's income. The employees offer this contribution without having received a COLA since 2009.

If the Council determines that it must amend the employee benefit package for budgetary reasons, we offer this proposal as an alternative to the existing proposed budget amendments drafted by Council members, Hogan and Roberts.

RECOMMENDATION: Adopt this proposal as an alternative to the existing proposed budget amendments drafted by Council members, Hogan and Roberts.

CALL TO ORDER
PLEDGE OF ALLEGIANCE
AGENDA APPROVAL

**MEETING NOTICE
REGULAR MEETING AGENDA**

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

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Councilmember Zak has requested telephonic participation or excusal.

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

2. AGENDA APPROVAL

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

4. RECONSIDERATION

5. CONSENT AGENDA

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

A. Homer City Council unapproved Regular Meeting minutes of November 28, 2011. City Clerk. Recommend adoption. Page 23

B. **Memorandum 11-159**, from Mayor, Re: Appointment of Neil Wagner to the Economic Development Advisory Commission and Appointment of Debra Lowney to the Parks and Recreation Advisory Commission. Page 41

6. VISITORS

A. **Buck Laukitis**, North Pacific Fisheries Association, Inc., Report on United Fishermen of Alaska Meeting, 10 minutes.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Borough Report

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
- C. Matt Clarke, Chair, Employee Committee Report
- Memorandum 11-159 from Employee Committee as backup. Page 47
- D. South Peninsula Gas Line Project (Email to Governor Parnell from Karin Marks
Page 49
- 8. PUBLIC HEARING(S)**
- A. **Ordinance 11-41**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2012 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures). City Manager. Introduction October 10, 2011, Public Hearings November 28 and December 12, 2011, Second Reading December 12, 2011. Page 55
- Memorandum 11-160 from Parks and Recreation Advisory Commission. Page 113
- B. **Resolution 11-094**, A Resolution of the City Council of Homer, Alaska, Maintaining the City of Homer Fee Schedule at the Current Rates. City Clerk. Recommended to follow Budget Ordinance 11-41 schedule. Page 115
- Resolution 11-094(S)**, A Resolution of the City Council of Homer, Alaska, Maintaining the City of Homer Fee Schedule at the Current Rates, and Amending Customer Classifications in the Water and Sewer Rate Schedules. City Clerk. Recommended to follow Budget Ordinance 11-41 schedule. Page 139
- C. **Resolution 11-095**. A Resolution of the City Council of Homer, Alaska, Maintaining the Port of Homer Terminal Tariff No. 600 at the Current Rates. City Clerk. Recommended to follow Budget Ordinance 11-41 schedule. Page 143
- D. **Ordinance 11-44**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.14.020, Permitted Uses and Structures; 21.16.020, Permitted Uses and Structures; and 21.18.020, Permitted Uses and Structures; to Add One Detached Dwelling Unit as a Permitted Accessory Building to a Principal Single Family Dwelling in the Urban Residential, Residential Office, and Central Business Zoning Districts. Planning. Recommended dates: Introduction November 28, 2011, Public Hearing and Second Reading December 12, 2011. Page 207

- Ordinance 11-44(S)** An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.14.020, Permitted Uses and Structures; 21.16.020, Permitted Uses and Structures; and 21.18.020, Permitted Uses and Structures; to Add One Detached Dwelling Unit as a Permitted Accessory Building to a Principal Single Family Dwelling in the Urban Residential, Residential Office, and Central Business Zoning Districts. Planning. Page 211
- Memorandum 11-154 from City Planner as backup. Page 213
- E. **Ordinance 11-45**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Accepting and Appropriating a Grant from The Homer Foundation in the Amount of \$4,904.00 for the Purpose of Making Energy Efficiency Improvements at the Port and Harbor Office Building. City Manager. Recommended dates: Introduction November 28, 2011, Public Hearing and Second Reading December 12, 2011. Page 229
- F. **Ordinance 11-46**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget to Accept and Appropriate \$322,100 in the General Fund, the Utility Fund and the Port and Harbor Fund Operating Budgets for the Purpose of Recognizing and Accounting for State of Alaska PERS Relief Provided in 2011. City Manager/Finance. Recommended dates: Introduction November 28, 2011, Public Hearing and Second Reading December 12, 2011. Page 245
- G. **Ordinance 11-47**, An Ordinance of the Homer City Council Amending the FY 2011 Capital Budget by Transferring \$415,873 from the City Hall / Town Center Project Construction Account to the New City Hall Expansion and Renovation Project Construction Account. City Manager/Finance. Recommended dates: Introduction November 28, 2011, Public Hearing and Second Reading December 12, 2011. Page 249
9. **ORDINANCE(S)**
- A. **Ordinance 11-48**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Capital Budget by Accepting and Appropriating a Legislative Grant in the Amount of \$6,000,000 for the Purpose of Constructing Deep Water / Cruise Ship Dock and Passenger Facility Improvements. City Manager. Recommended dates: Introduction December 12, 2011, Public Hearing and Second Reading January 9, 2012. Page 263
10. **CITY MANAGER’S REPORT**
- A. City Manager’s Report Page 289
- B. Games Report Page 301
1. Kachemak Bay Family Planning Clinic
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
- F. Port and Harbor Improvement Committee

13. PENDING BUSINESS

14. NEW BUSINESS

15. RESOLUTIONS

- A. **Resolution 11-109**, A Resolution of the City Council of Homer, Alaska, Establishing the 2012 Regular Meeting Schedule for the City Council, Economic Development Advisory Commission, Library Advisory Board, Parks and Recreation Advisory Commission, Advisory Planning Commission, Port and Harbor Advisory Commission, Lease Committee, Permanent Fund Committee, Public Arts Committee and Transportation Advisory Committee. City Clerk. Page 309

Memorandum 11-161 from Planning Commission as backup. Page 313
Memorandum 11-162 from Parks and Recreation Advisory Commission as backup. Page 317
Memorandum 11-163 from Port and Harbor Advisory Commission as backup. Page 319
Memorandum 11-164 from Library Advisory Board as backup. Page 321
Memorandum 11-165 from Lease Committee as backup. Page 323
Memorandum 11-166 from Public Arts Committee as backup. Page 325
Memorandum 11-167 from Permanent Fund Committee as backup. Page 327
Memorandum 11-168 from Transportation Advisory Committee as backup. Page 329
- B. **Resolution 11-110**, A Resolution of the City Council of Homer, Alaska, Approving a New Contract with Anderson Group, LLC in the Amount of \$40,000 for Lobbying Services in Calendar Year 2012. City Manager. Page 331
- C. **Resolution 11-111**, A Resolution of the City Council of Homer, Alaska, Approving a Two Year Extension to the Current Agreement for Professional Services with Coastal Animal Care at the Current Annual Compensation of \$123,800 for Operation and Maintenance of the Homer Animal Shelter. City Manager. Page 339

Memorandum 11-169 from Police Chief as backup. Page 341

- D. **Resolution 11-112**, A Resolution of the City Council of Homer, Alaska, Awarding the Art Work for the City Hall Renovation and Expansion Project to Keith Appel of Anchorage, Alaska, in the Amount of \$4,200, to Gerard HouseWorks of Homer, Alaska, in the Amount of \$3,300, to Tierra Tile, LLC of Homer, Alaska, in the Amount of \$5,000, to Moose Run Metalsmiths of Homer, Alaska, in the Amount of \$2,500, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk.

Page 351

Memorandum 11-170 from 1% for the Arts Selection Committee as backup.

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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, JANUARY 9, 2012 AT 6:00 P.M. THE NEXT COMMITTEE OF THE WHOLE IS SCHEDULED FOR MONDAY, JANUARY 9, 2012 AT 5:00 P.M. A WORKSESSION IS SCHEDULED FOR MONDAY, JANUARY 9, 2012 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 11-34 a Regular Meeting of the Homer City Council was called to order on November 28, 2011 at 6:04 p.m. by Mayor Pro Tempore Beth Wythe, at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

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

STAFF: CITY MANAGER WREDE
CITY CLERK JOHNSON
CITY PLANNER ABOUD
FINANCE DIRECTOR MAURAS
LIBRARY DIRECTOR DIXON
PERSONNEL DIRECTOR PETERSEN
PORT AND HARBOR DIRECTOR HAWKINS
PUBLIC WORKS DIRECTOR MEYER

Mayor Hornaday has requested excusal.

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

Council met as a Committee of the Whole from 5:00 p.m. to 5:55 p.m. to discuss 2012 Budget, Memorandum 11-150 from Parks and Recreation Advisory Commission, re: 2012 Budget Request; Memorandum 11-151 from Parks and Recreation Advisory Commission, re: Construction and Installation of Vaulted Restroom Facilities at Mariner Park, and Regular Meeting Agenda items.

Mayor Pro Tempore Wythe announced the death of former Councilmember Dennis Novak and reflected on his service and commitment to the City of Homer. A moment of silence followed.

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 approved by consensus of the Council.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Bob Hartley, city resident, favors Resolution 11-099 as harbor improvements are needed as soon as possible.

RECONSIDERATION

- A. **Resolution 11-099**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Draft and Submit a Revenue Bond Sale Application and Take Other Steps Necessary to Prepare for a Possible Bond Sale to Finance Construction of Six Top Priority Capital Projects Within the Homer Harbor. Howard, Lewis, Wythe.

Memorandum 11-145 from City Manager as backup.

Mayor Pro Tempore Wythe called for a motion for the reconsideration of Resolution 11-099.

HOGAN – SO MOVED.

Motion died for lack of second.

CONSENT AGENDA

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

- A. Homer City Council unapproved Regular Meeting minutes of October 24, 2011. City Clerk. Recommend adoption.
- B. **Memorandum 11-146**, from Deputy City Clerk, Re: Liquor License Renewal for Café Cups and Ring of Fire Meadery.

Mayor Pro Tempore Wythe called for a motion for approval of the recommendations of the consent agenda as read.

ROBERTS/LEWIS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

- A. **Rachel Lord**, Cook Inletkeeper, Alaska Clean Harbor

Rachel Lord, Outreach and Monitoring Coordinator for Cook Inletkeeper and Statewide Coordinator for the Alaska Clean Harbors Program announced the Homer harbor is the first Alaska clean harbor in the state. It is a voluntary and non regulatory program providing pollution prevention controls for local communities to protect marine resources that support coastal

economies. The Alaska Clean Harbors program leads to increased pollution prevention, increased waste reduction, substantial long term cost savings and ongoing promotion of clean boating. The City of Homer passed a resolution in 2010 endorsing Homer's participation in the program and pursuit of clean harbor certification. Deputy Harbormaster Matt Clarke dedicated time to implementing practices for a clean harbor. The efforts have paid off with the Homer harbor classified as the leader in Alaska for pollution control. It is an example of how to run a large industrial marina. Best management practices implemented in 2011 include an upgrade of ramp signage to include environmental rules and practices, establishing used zinc collection stations at the top of both tidal grids, and creating a new Alaska Clean Harbors page on the Port and Harbor's website. The harbor continues to provide satellite stations to collect used oil, oil filters, antifreeze, and used batteries. Matt, Bryan, and all the harbor staff can be proud.

Rachel Lord presented Matt Clarke, Deputy Harbormaster, the Alaska Clean Harbor certification and a flag.

Matt Clarke, Deputy Harbormaster, thanked Rachel Lord and Alaska Clean Harbors. It was a real learning experience. He reassured the community and harbor users of the City's commitment to the clean harbors pledge. We are here to provide public safety and facilitate an economy and act as stewards for our environment. They will work to improve the harbor.

A. **Peter Micciche**, President of the Boys and Girls Clubs of the Kenai Peninsula and **Kelly Cooper**, Homer Boys and Girls Club Task Force

Peter Micciche, President of the Boys and Girls Clubs of the Kenai Peninsula, has been on the board for twenty years. The club is community based. He has seen many children succeed that statistically shouldn't have, they have gone on to become leaders and have quality families. The Boys and Girls Clubs provide young people a safe place to spend non school hours. They have fun, laugh, and learn, and build new skills. Many programs are targeted to specific problems within communities. There are now six clubs on the Peninsula. The budget was \$1.7M per year and is now at \$1.5M. About .5M in federal funding has been lost and the programs must now be sustained by the community. Since 1999 the Boys and Girls Clubs of the Kenai Peninsula has invested \$1M in the Homer club. They are appreciative of the City's generosity in the past. With the school district and possible state funding we can pull this together for the kids. Mr. Micciche asked Council to pass Resolution 11-105.

Kelly Cooper, Homer Boys and Girls Club Task Force presented a slide show of the Homer club. In addition to after school care for the kids, the club provides:

- Homework assistance
- Computer labs
- Healthy snacks
- Exercise

There are 140 children participating in the local program. Support from the business community has been tremendous as employers realize the majority of our businesses employ parents with children attending the club. The Task Force has been working on:

- Fundraisers

- A pledge drive
- Grants and capital funding (a sizeable block grant can be applied for next year)

A building committee for the HERC building has been formed. It is comprised of experts Larry Shirts, Pat McNary, Jack Cushing and Rick Abboud. They have completed an initial scope of the HERC building including evaluating the general physical condition, space use, diversity and space environmental requirements, and occupancy and climatic design. They are reviewing a 1998 hazmat report on the building commissioned by the borough. We are at the stage of coming to a decision on the long-term use of the HERC building. There are several options for development. She asked for support of Resolution 11-105 and that a Worksession with Council be scheduled in the next few months.

Fundraising efforts for the Soldotna club closed a \$35,000 gap; other clubs within the peninsula are operating in the black. The gap for a summer program for the Homer club is \$67,000. They are asking for community help to narrow that gap. All clubs within the peninsula are year-round with the exception of Homer, which has missed three summer programs. Boys and Girls Clubs across the country are primarily located in school buildings. The Nikiski, Kenai, and Soldotna clubs are within school buildings. From 1988 until 2009 the fee was \$20 per child, per year. It is now \$75 per child, per year. Summer programs are \$200 per child.

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Borough Report

Kenai Peninsula Borough Assemblyman Bill Smith thanked Peter Micciche and Kelly Cooper for the good work they are doing for the Boys and Girls Club. Borough Mayor Mike Navarre is very supportive of the club too, and may offer assistance. Assemblyman Smith is comfortable there will be funding from the Legislature capital projects to do the design work on the Homer High School track. When money becomes available the work will begin. Civil work has begun on the solid waste transfer station. The project will bid in the spring. The Borough has received cruise ship dollars, with the City receiving 50% and the Borough 50%. The Mayor will talk to Bear Creek people about receiving money for cruise ships.

B. Commissions/Board Reports:

1. Library Advisory Board

Mayor Pro Tempore Wythe announced there is one seat open on the Board and the student member seat is open.

2. Homer Advisory Planning Commission

3. Economic Development Advisory Commission

Mayor Pro Tempore Wythe announced there are three seats open on the commission.

4. Parks and Recreation Advisory Commission

- a. Memorandum 11- Recommendation to Support Construction and Installation of Vaulted Restroom Facilities at Mariner Park.

Bumppo Bremicker, Chair of the Parks and Recreation Advisory Commission, reported a \$1,000 budget request the commission plans to use frugally, with some funds used for Park Day. The Spit Parks and Recreation Committee recommended a better restroom for Mariner Park and a change to the entrance of the park. The park receives high usage in the summer and the entrance at the curve in the road creates a dangerous situation. The committee suggested moving the entrance further toward the base of the Spit where the road is much flatter and straighter. Additionally, the committee recommended reducing the speed in that vicinity to 35 mph. There are two openings on the Parks and Recreation Advisory Commission. The commission has looked at the prospect of moving the road in Karen Hornaday Park. They anticipate having the costs by the end of November. The Wooden Boat Society has volunteered to move the red shed that is near the playground area the HoPP (Homer Playground Project) group is working on. Chair Bremicker requested Council send Resolution 11-090 back to the commission. The Kachemak Drive Path Committee is still working on the plan and hopes to provide a more focused and detailed plan for the path.

5. Port and Harbor Advisory Commission

Mark Hottmann, Port and Harbor Advisory Commissioner, reported the commission held a special meeting on November 9th to review the port bond issue. There are many steps before the bond process, including public hearings and reviewing other projects. The commission's next meeting is December 14th where they will look at more harbor projects. The pilings behind Pier One Theatre are a concern, along with provisions for big sized boats in the harbor. There is some resistance to a new harbor office.

- C. Mayor's Recognition to Joe Young, Treatment Plant Operator, "Water Operator of the Year" and Todd Cook, Water/Wastewater Treatment Superintendent, "Wastewater System of the Year" Awards.

Mayor Pro Tempore Wythe presented awards and recognition to Joe Young as "Water Operator of the Year" and Todd Cook for "Wastewater System of the Year".

Mayor Pro Tempore Wythe called for a recess at 7:03 p.m. and reconvened the meeting at 7:09 p.m.

PUBLIC HEARING(S)

- A. **Ordinance 11-41**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2012 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures).

City Manager. Introduction October 10, 2011, Public Hearings November 28 and December 12, 2011, Second Reading December 12, 2011.

Mayor Pro Tempore Wythe opened the public hearing.

Milli Martin, Homer resident, spoke in favor of the Pratt Museum that began in 1967. She asked that Council continue the current funding.

Suzanne Haines, city resident, supports continued funding of the Pratt Museum. The museum contains an amazing variety of materials and programs for the community.

Ryjil Christianson, city resident and Director of the Education Program at the Pratt Museum, advocated for funding at the current level.

Monte Davis, Homer Chamber of Commerce Executive Director, asked for \$30,000 for continued advertisement of Homer.

Mayor Pro Tempore Wythe closed the public hearing.

B. **Resolution 11-094**, A Resolution of the City Council of Homer, Alaska, Maintaining the City of Homer Fee Schedule at the Current Rates. City Clerk. Recommended to follow Budget Ordinance 11-41 schedule.

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

C. **Resolution 11-095**. A Resolution of the City Council of Homer, Alaska, Maintaining the Port of Homer Terminal Tariff No. 600 at the Current Rates. City Clerk. Recommended to follow Budget Ordinance 11-41 schedule.

Kevin Hogan, city resident, commented on the crane usage and ice rates increase of 300% over the years he has operated a business on the Spit. While he has raised his rates to his customers only 13%, one 6% rate increase resulted in the loss of 50% in business. We are beyond the point of sustaining the level of fees at the port. Tariff rates are published with the Federal Maritime Commission so they are nondiscriminatory. He questioned why he pays \$90 per hour for crane usage when a competitor pays \$24 per hour.

D. **Ordinance 11-43**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 14.08.037, Water Meters; Regarding the Number of Water Meters Required Per Lot. City Manager. Introduction October 24, 2011, Public Hearing and Second Reading November 28, 2011.

Memorandum 11-143 from City Manager as backup.

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

Mayor Pro Tempore Wythe called for a motion for the adoption of Ordinance 11-43 by reading of title only for second and final reading.

LEWIS/HOWARD - SO MOVED.

The ordinance will limit one meter per lot, with the exception of the Spit where multiple meters are allowed.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

- A. **Ordinance 11-44**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.14.020, Permitted Uses and Structures; 21.16.020, Permitted Uses and Structures; and 21.18.020, Permitted Uses and Structures; to Add One Detached Dwelling Unit as a Permitted Accessory Building to a Principal Single Family Dwelling in the Urban Residential, Residential Office, and Central Business Zoning Districts. Planning. Recommended dates: Introduction November 28, 2011, Public Hearing and Second Reading December 12, 2011.

Memorandum 11-154 from City Planner as backup.

Mayor Pro Tempore Wythe called for a motion for the adoption of Ordinance 11-44 for introduction and first reading by reading of title only.

LEWIS/ROBERTS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Ordinance 11-45**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Accepting and Appropriating a Grant from The Homer Foundation in the Amount of \$4,904.00 for the Purpose of Making Energy Efficiency Improvements at the Port and Harbor Office Building. City Manager. Recommended dates: Introduction November 28, 2011, Public Hearing and Second Reading December 12, 2011.

Mayor Pro Tempore Wythe called for a motion for the adoption of Ordinance 11-45 for introduction and first reading by reading of title only.

HOGAN/LEWIS - SO MOVED.

City Manager Wrede thanked the Lentfer's for their generous donation to The Homer Foundation to help City Council implement the Climate Action Plan. Energy improvements will be made at the Port and Harbor facility until we can get a new building.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- C. **Ordinance 11-46**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget to Accept and Appropriate \$322,100 in the General Fund, the Utility Fund and the Port and Harbor Fund Operating Budgets for the Purpose of Recognizing and Accounting for State of Alaska PERS Relief Provided in 2011. City Manager/Finance. Recommended dates: Introduction November 28, 2011, Public Hearing and Second Reading December 12, 2011.

ROBERTS/LEWIS - MOVED TO ADOPT ORDINANCE 11-46.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- D. **Ordinance 11-47**, An Ordinance of the Homer City Council Amending the FY 2011 Capital Budget by Transferring \$415,873 from the City Hall / Town Center Project Construction Account to the New City Hall Expansion and Renovation Project Construction Account. City Manager/Finance. Recommended dates: Introduction November 28, 2011, Public Hearing and Second Reading December 12, 2011.

ROBERTS/LEWIS – MOVED TO ADOPT ORDINANCE 11-47.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

CITY MANAGER'S REPORT

A. City Manager's Report

City Manager Wrede commended Steiner Construction for their timely completion of the City Hall expansion. Tomorrow the Homer High School football team will be helping the Clerks and Finance move to the new areas. Beginning tomorrow there will be a new entrance to Finance as

the reception area will be under construction. At the break between Christmas and New Year's the other departments (Administration, Planning, and IT) will move back. The current construction budget has furniture for all public areas, but there is no money for furniture in the offices. We are putting together a list of furniture that is necessary. Some ancient pieces of furniture would look bad in the new space and some needs replacement ergonomically. Funds for new furniture could be used from the general depreciation account or money authorized from the revolving energy fund. The money already approved can be put into efficiency for the building and for furniture.

In the recent windstorms damage occurred at the dock when two fenders blew off. We plan to use cruise ship money to replace all the fenders. It needs an emergency repair. The engineers have been asked to create a design for the repairs, and an ordinance for an appropriation will be forthcoming at the next meeting. It is hoped the engineers will have the design and cost; a grant will then pay for the work.

A proposal for uses in the HERC building was provided in the supplemental packet. Community Recreation Coordinator Illg put the proposal together. Although the numbers may need to be refined, the basic concept of a community building is there. A group raising money for the Boys and Girls Club has a subcommittee looking at raising funds for the building. If used as an educational component the building may not have to meet code. Kenai Peninsula Mayor Navarre will ask the borough to look at asbestos abatement and they will talk to the Legislature about funding. Kelly Cooper mentioned a block grant that could help with the changes. Fireweed Academy was interested in building, but they would need sprinklers. We are obtaining an estimate for sprinklers. Often times landlords upfront the money for improvements and re-coop the costs through the rent.

Tsunami Warning System: after false alarms Administration recommended and Council approved local control of the siren warning system. The National Weather Service figured out how to do regional tsunami warnings and have given assurance they can do so every time. We told the Office of Emergency Management we were willing to give it a chance to see how it works. At the same time we will take measures to enhance our backup and redundancies. Right now the system is activated by internet. If the internet goes down we want the ability to set off the alarms by radio. We will have the ability to read the FIPS code (Federal Information Processing Standards), a radio frequency the antenna on the bluff receives. We will take those signals and use our own radios to broadcast that.

Ice Rink-Beluga Lake/Ben Walters Park: The City Attorney is reviewing documents to see if there is a legal obligation for the City. It will be a City Council decision since the City has not maintained an ice rink for 22 years. An ice rink was maintained for two years and then was stopped due to budget constraints. The ice rink is a liability issue. Does Council want the additional expense and liability? A non-profit may want to do the work.

City Klinkner commented the Beluga Lake ice rink may be more complex than portrayed in emails to City Manager Wrede. He has reviewed council minutes and documents relating to the transfer. There is more to it than appears on the surface. It goes back to 1983 with development of the park. It was a slowed down process due to issues with the title of the property. In May of

1983 Council adopted a resolution acknowledging and accepting the deed from Mr. Neal that included certain conditions of the property. It must be a park and access road to serve other properties adjacent to the park. There was no reference to an ice rink. Six weeks later covenants were recorded relating to the same property executed by Mr. Neal and then the City Manager. It is here that the ice rink appears, initialed by the signing parties. There is no record of where it was put before the Council. It will need further review.

Another breach of the Seawall occurred over the weekend with a structure threatened. The stabilizing ground behind it washed out exposing tie rods. After impassioned pleas, City Manager Wrede authorized Troy Jones to do a temporary repair. It was a tough decision to make since Council has said to stay away from the Seawall, but he would have had a hard time explaining a house going over the side. The Corps of Engineers (COE) say we must be involved. Council will have to decide whether to fix the Seawall fully.

City Attorney Klinkner reported he reviewed the COE regulations in the text of the permit. There is a disconnect between what the COE assumes and what the City does. The City owns only a small segment of the seawall. The issue is how to correct the permit. COE regulations provide for modification of the permit, where the owner could be corrected. He is looking into pursuing that.

B. Games Report

1. Homer Emblem Club 350
2. Popeye Wrestling Club
3. Share the Spirit Inc.
4. Snomads, Inc.

CITY ATTORNEY REPORT

City Attorney Klinkner provided a written report and offered to answer any questions. There were no questions from the Council.

COMMITTEE REPORT

- A. Public Arts Committee
- B. Transportation Advisory Committee
- C. Permanent Fund Committee

Mayor Pro Tempore Wythe announced there was one seat open.

- D. Lease Committee
- E. City Hall Renovation and Expansion Task Force

F. Port and Harbor Improvement Committee

PENDING BUSINESS

- A. **Resolution 11-090**, A Resolution of the City Council of Homer, Alaska, Supporting the Concept and Construction of Non-Motorized Pathways to Increase the Safety for Motorized and Non-Motorized Users Along Kachemak Drive Located Within the City Limits, from the Base of the Homer Spit to East End Road. Lewis/Zak/Parks and Parks and Recreation Advisory Commission. (Referred to the Planning Commission September 12, 2011.)

Memorandum 11-152 from Planning Technician as backup.

Motion on the floor from September 12: MOTION FOR THE ADOPTION OF RESOLUTION 11-090 BY READING OF TITLE ONLY.

HOWARD/HOGAN - MOVED TO AMEND TO REMAND RESOLUTION 11-090 BACK TO THE PARKS AND RECREATION ADVISORY COMMISSION.

There was no discussion.

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

Motion carried.

NEW BUSINESS

RESOLUTIONS

- A. ***If reconsidered: Resolution 11-099***, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Draft and Submit a Revenue Bond Sale Application and Take Other Steps Necessary to Prepare for a Possible Bond Sale to Finance Construction of Six Top Priority Capital Projects Within the Homer Harbor. Howard, Lewis, Wythe.

Memorandum 11-145 from City Manager as backup.

Reconsideration failed under RECONSIDERATION.

- B. **Resolution 11-101**, A Resolution of the Homer City Council Adopting an Alternative Allocation Method for the FY 12 Shared Fisheries Business Tax Program and Certifying That This Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Cook Inlet Fisheries Management Area. City Manager.

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 11-101 by reading of title only.

ROBERTS/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- C. **Resolution 11-102**, A Resolution of the City Council of Homer, Alaska, Approving a Borough Area Wide Mutual Aid Agreement for Fire and Emergency Medical Services and Authorizing the City's Participation in That Agreement. City Manager/Fire Chief.

Memorandum 11-147 from Fire Chief as backup.

ROBERTS/LEWIS - MOVED TO ADOPT RESOLUTION 11-102.

Salaries of fire and emergency personnel are paid by the City. If there is not sufficient employee coverage within the city or if the budget does not permit, we do not respond. Whatever the Fire Chief does has to be within the budget already approved.

Asked about the liability, City Attorney Klinkner advised state statutes limit the liability of emergency responders called outside their jurisdiction. There is some liability assumed if responding units from Homer cause damage outside their jurisdiction. If our personnel get hurt it would be covered under workers compensation.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- D. **Resolution 11-103**, A Resolution of the City Council of Homer, Alaska, Approving the Grant Aviation, Inc. Air Carrier/Ticket Counter Sublease at the Homer Airport Terminal and Authorizing the City Manager to Sign the Appropriate Documents. City Manager.

Memorandum 11-148 from Airport Terminal Manager as backup.

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 11-103 by reading of title only.

HOWARD/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- E. **Resolution 11-104**, A Resolution of the City Council of Homer, Alaska, Approving a New Lease for the Pier One Theatre for a Term of Five Years and a Rental Rate of One Dollar Per Year and Finding That it is in the Public Interest to Award the Lease Without a Competitive Bidding Process and at Less Than Fair Market Rent. City Manager/Lease Committee.

Memorandum 11-149 from City Manager as backup.

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 11-104 by reading of title only.

LEWIS/ROBERTS - SO MOVED.

City Manager Wrede reported Pier One Theatre is responsible for capital upgrades. They have already made a number of improvements per the Fire Marshall. He is not sure if they are under the City's umbrella insurance policy. Pier One Theatre does not charge sales tax on tickets.

HOGAN/HOWARD - MOVED TO MAKE CERTIFICATE OF FIRE AND HAZARD INSURANCE A CONDITION OF THE LEASE.

Finance Director Mauras reported the theatre's general liability coverage is \$100,000. Their personal injury limitation of \$1M is consistent with lease requirements.

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

Motion carried.

Asked of the gross revenue of sales for the season, Lance Petersen, representative for Pier One Theatre, reported year to date gross sales are \$77,000. They have a not for profit mission to provide for performing arts. Although they currently do not charge sales tax on tickets, they could. Expenses for the non-profit are \$76,800 year to date.

HOGAN/HOWARD – MOVED TO AMEND LINE 35 BY INSERTING “CERTIFICATE OF OCCUPANCY” AFTER FIRE MARSHALL APPROVAL.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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

Motion carried.

- F. **Resolution 11-105**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Enter Into a New Short Term Lease With the Homer Boys and Girls Club and to Extend the Club's Occupancy of the Lower Level of the Homer Education and Recreation Complex Building (HERC) Until May 31, 2012. Howard/Lewis.

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 11-105 by reading of title only.

HOWARD/LEWIS – SO MOVED.

ZAK/HOGAN – MOVED TO AMEND LINE 41 TO PLACE A PERIOD AFTER THE SCHOOL YEAR AND LINE 55 TO REDUCE THE RENT PER MONTH TO \$1.00.

Councilmember Zak defended the Boys and Girls Club has offered to pay \$750 per month for utilities. With the current momentum, there will be additional support for the building. The \$750 savings will benefit the Boys and Girls Club more than the City receiving the income over the five-month period.

Councilmember Howard noted the lease was proposed with the expectation of the \$750 monthly income from the Boys and Girls Club. It would take away a lot of the pride, ownership, and momentum by reducing the rent.

VOTE: (amendment) YES. ZAK, HOGAN

VOTE: NO. ROBERTS, WYTHER, HOWARD, LEWIS

Motion failed.

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

Motion carried.

- G. **Resolution 11-106**, A Resolution of the Homer City Council Directing the City Manager to Develop a Budget, Scope, and Schedule for the Waddell Way Road Improvement Project. Roberts/Transportation Advisory Committee.

ROBERTS/HOGAN - MOVED TO ADOPT RESOLUTION 11-106.

HART (Homer Accelerated Roads and Trails Program) money is to be used for the model extension. There will be no LID (Local Improvement District) for the Lake Street to Heath Street east to west road that affects two property owners. The resolution authorizes planning for the project.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- H. **Resolution 11-107**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Apply for and Accept Special Act Appropriations Project (SAAP) Funds in the Form of a Grant (45% Matching Requirement) in the Amount of \$485,000 for the Purpose of Completing the Kachemak Drive (Phase II) Water & Sewer Improvements Project. City Manager/Public Works Director.

Memorandum 11-153 from Public Works Director as backup.

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 11-107 by reading of title only.

HOWARD/LEWIS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- I. **Resolution 11-108**, A Resolution of the City Council of Homer, Alaska, Finding the Need to Create the Crittenden Drive Reconstruction and Paving Local Improvement District (LID) and Setting a Public Hearing for January 23, 2012. City Clerk.

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 11-108 by reading of title only.

LEWIS/ROBERTS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

COMMENTS OF THE AUDIENCE

Peter Micciche, Soldotna Mayor, thanked Council for their support on Resolution 11-105. He is looking forward to working with the community to make it work for the long term.

Mark (last name indiscernible) expressed his condolences for Dennis Novak. He was one of the good guys that everyone knew.

Kelly Cooper, Homer resident, thanked Council and the City Manager for supporting the Boys and Girls Club.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner no comment.

COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comment.

COMMENTS OF THE CITY MANAGER

City Manager Wrede had no comment.

COMMENTS OF THE MAYOR

Mayor Pro Tempore Wythe thanked the Boys and Girls Club for coming and presenting. She looks forward to their future success.

COMMENTS OF THE CITY COUNCIL

Councilmember Roberts congratulated the Public Works Department for winning the water awards. It is a wonderful thing for our water and sewer system. There is great water here because of our employees. She was very saddened by the passing of Dennis Novak. He was a mentor to her and a good person who cared about Homer. He was very interested in the community and did a lot for the community. She misses him already.

Councilmember Howard expressed appreciation to Todd Cook, Joe Young, Bryan Hawkins, and Matt Clarke who did us proud. She thanked them for their wonderful achievements. It is exciting that Homer is the first clean harbor. She thanked Beth for her leadership. It was great meeting management, thoughtful, and efficient.

Councilmember Zak expressed appreciation for Councilmember Novak who always had a smile on his face no matter what you talked to him about. He always listened. He has a clear image of him, a good image. He cared about our community and gave. He thanked the people that showed up tonight and the different roles they play in the community. It was full of students tonight learning about city council. He liked listening to Mayor Micciche and hearing of the changes on the federal level. We are left with the pieces at the community level. We are seeing families move away. Unless we provide structure locally there may be a tendency for families to move to large cities. Councilmember Zak puts a high mark on high community value. Millie did a good job with the history of the Pratt Museum and its progression over the years. Ryjil talked about no funding for utilities at the Pratt through the grant process. He got a lot out of tonight's meeting. He offered more thoughts out to Dennis and his family; Dennis has a sister.

Councilmember Lewis offered condolences to Dennis's family. He offered congratulations to water and sewer and the harbor. Events for the upcoming weekend include the Nutcracker fair, the ski meet on Lookout Mountain, and games at the rink with the high school on Thursday, Friday, and Saturday afternoon.

Councilmember Hogan explained he issued reconsideration on the harbor bond resolution out of respect to the Port and Harbor Advisory Commission, not anything against the project or the committee's report. They indicated they needed more input. We appreciate our boards and commissions. He will miss the twinkle in Dennis Novak's eye; it was always there. He congratulated Todd Cook, Joe Young, and Matt Clarke for their awards. He also congratulated Bob Moss who was honored by the United Fishermen of Alaska with a lifetime achievement award. He is a true gentleman.

ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tempore Wythe adjourned the meeting at 8:37 p.m. The next Regular Meeting is scheduled for Monday, December 12, 2011 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday, December 12, 2011 at 5:00 p.m. A Special Meeting is scheduled for Monday, December 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.

JO JOHNSON, CMC, CITY CLERK

Approved: _____



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

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

MEMORANDUM 11-159

TO: HOMER CITY COUNCIL

FROM: JAMES C. HORNADAY, MAYOR

DATE: DECEMBER 6, 2011

SUBJECT: APPOINTMENT OF NEIL WAGNER TO THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION AND APPOINTMENT OF DEBRA LOWNEY TO THE PARKS AND RECREATION ADVISORY COMMISSION.

Neil Wagner is appointed to the Economic Development Advisory Commission for a term to expire April 1, 2014. This fills the seat vacated by Dean Ravin.

Debra Lowney is appointed to the Parks and Recreation Advisory Commission for a term to expire October 31, 2014. This fills the seat vacated by Thomas CarlinSchauer.

RECOMMENDATION:

Confirm the appointment of Neil Wagner to the Economic Development Advisory Commission, and the appointment of Debra Lowney to the Parks and Recreation Advisory Commission.

Fiscal Note: N/A



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

DEC 02 2011 11:57
CITY CLERKS OFFICE
CITY OF HOMER
491 E. PIONEER AVENUE
HOMER, ALASKA 99603
PHONE 907-235-3130
FAX 907-235-3143

RECEIVED BY CLERK'S OFFICE

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

Name Neil Wagner Date Nov 29, 2011

Physical Address 2095 Jakes Little Fireweed Lane City Homer

Mailing Address POB 1801 Zip Code 99603

Phone 235-6953 Work # 235-6953 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"/>	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 6:00 P.M.
<input type="checkbox"/>	PARKS & RECREATION ADVISORY COMMISSION	3RD THURSDAY OF THE MONTH AT 6:30 P.M.
<input type="checkbox"/>	PORT & HARBOR ADVISORY COMMISSION	4TH WEDNESDAY OF THE MONTH AT 6:00 P.M.
<input type="checkbox"/>	PUBLIC ARTS COMMITTEE	3RD THURSDAY OF THE MONTH AT 11:00 A.M. WORKSESSIONS AT 10:00 A.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 AT 3:00 P.M.
<input type="checkbox"/>	OTHER - PLEASE ENTER THE COMMITTEE/TASK FORCE	

I have been a resident of the City for 11 mos. yrs I have been a resident of the area for 20 mos. yrs.

I am presently employed as: Self employed with rental and local investments. Also a business consultant for ANL corp. which I sold in 2008

List any special training, education or background you have which is related to your choice of commission, committee, board, or task force: Started and ran few small businesses involved with the fishing industry, marine trades and an internet company.

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

If so, when & where: The Global Warming Task Force in Homer

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

I am interested in serving on the above because:

I'd like to help in creating jobs in Homer.

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

Yes No If yes, please list organizations:

Questions regarding the Homer Advisory Planning Commission:

Have you ever developed real property, other than your personal residence? No If yes, briefly describe the development:

Questions regarding the Port & Harbor Advisory Commission:

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

If yes, is you use primarily: Commercial Recreational Both

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

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



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

REG 06 2011 AMO-09

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

RECEIVED BY CLERK'S OFFICE

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

Name Debra Lowney Date 12-5-11
Physical Address 350 Woodside Ave City Homer
Mailing Address PO Box 1445 Zip Code 99603
Phone 235-6154 Work# _____ Cell # 299-0344
Email Address dlowney@acsalaska.net

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 type="checkbox"/>	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 6:00 P.M.
<input checked="" type="checkbox"/>	PARKS & RECREATION ADVISORY COMMISSION	3RD THURSDAY OF THE MONTH AT 6:30 P.M.
<input type="checkbox"/>	PORT & HARBOR ADVISORY COMMISSION	4TH WEDNESDAY OF THE MONTH AT 6:00 P.M.
<input type="checkbox"/>	PUBLIC ARTS COMMITTEE	3RD THURSDAY OF THE MONTH AT 11:00 A.M. WORKSESSIONS AT 10:00 A.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 AT 3:00 P.M.
<input type="checkbox"/>	OTHER - PLEASE ENTER THE COMMITTEE/TASK FORCE	

I have been a resident of the City for 30 mos. yrs

I have been a resident of the area for 31 mos. yrs.

I am presently employed as: Retired

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

Minor in Recreation - ASU
Physical Education Instructor
Outdoor Education Teacher
Outdoor Enthusiast

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

If so, when & where:

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

I am interested in serving on the above because:

It is my belief that the health of a community can be gauged by its availability and quality of green space, trails and recreation opportunities. I would like to have a positive influence in this area.

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: RNSC

Questions regarding the Homer Advisory Planning Commission:

Have you ever developed real property, other than your personal residence? Yes If yes, briefly describe the development:

Built a fitness trail behind Homer Middle School with students
I have worked on & developed portions of snowshoe trails on Bay Ski area.

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 making:

My summer job in college was working for Wisconsin DNR
I was the supervisor of an inner city youth program. I supervis 5 group leaders and 30 youth through the process of building and maintaining trails on state land.

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
CITY HALL
PERSONNEL OFFICE**

491 East Pioneer Avenue
Homer, Alaska 99603

Telephone (907) 235-8121 ext 2225
Fax (907) 235-3148
E-mail personnel@cityofhomer-ak.gov

MEMORANDUM 11-158

TO: MAYOR HORNADAY AND CITY COUNCIL
THRU: Walt Wrede, City Manager
FROM: Employee Committee
DATE: December 6, 2011
RE: Employee Benefits

On December 6, 2011, the City of Homer employees participated in a vote conducted by the Employee Committee regarding a preferred health insurance alternative. Of the entire employee body, 77 employees cast their votes resulting in a 75% approval for a premium only proposal. This proposal is described by the below fee schedule:

	Per Pay Period	Per Month	Annually
Employee Only	\$ 17.84	\$ 38.65	\$ 463.84
Spouse	\$ 56.75	\$ 122.96	\$ 1,475.50
Child (each)	\$ 4.81	\$ 10.42	\$ 125.06

Employee Only	\$ 17.84	\$ 38.65	\$ 463.84
Emp/Spouse	\$ 74.59	\$ 161.61	\$ 1,939.34
Emp/Spouse/Child	\$ 79.40	\$ 172.03	\$ 2,064.40
Emp/Spouse/ 2 Children	\$ 84.21	\$ 182.46	\$ 2,189.46
Emp/Spouse/ 3 Children	\$ 89.02	\$ 192.88	\$ 2,314.52
Emp/Spouse/ 4 Children	\$ 93.83	\$ 203.30	\$ 2,439.58
Emp/Spouse/ 5 Children	\$ 98.64	\$ 213.72	\$ 2,564.64
Emp/Spouse/ 6 Children	\$ 103.45	\$ 224.14	\$ 2,689.70
Emp/Spouse/ 7 Children	\$ 108.26	\$ 234.56	\$ 2,814.76
Emp/Child	\$ 22.65	\$ 49.08	\$ 588.90
Emp/ 2 Children	\$ 27.46	\$ 59.50	\$ 713.96
Emp/ 3 Children	\$ 32.27	\$ 69.92	\$ 839.02
Emp/ 4 Children	\$ 37.08	\$ 80.34	\$ 964.08
Emp/ 5 Children	\$ 41.89	\$ 90.76	\$ 1,089.14
Emp/ 6 Children	\$ 46.70	\$ 101.18	\$ 1,214.20
Emp/ 7 Children	\$ 51.51	\$ 111.61	\$ 1,339.26

This fee schedule generates \$150,000 annually from employee out-of-pocket premiums. It is the Employee Committee's recommendation that this money is allocated to the employee health insurance fund and to no other budget item(s). This \$150,000 contribution should supplement current FY 2012 proposed health insurance fund account, 600.

The Employee Committee would like the Council to be aware that this was a very difficult decision, one that effectively reduces every benefited employee's income. The employees offer this contribution without having received a COLA since 2009.

If the Council determines that it must amend the employee benefit package for budgetary reasons, we offer this proposal as an alternative to the existing proposed budget amendments drafted by Council members, Hogan and Roberts.

RECOMMENDATION: Adopt this proposal as an alternative to the existing proposed budget amendments drafted by Council members, Hogan and Roberts.

Jo Johnson

From: Walt Wrede
Sent: Saturday, December 03, 2011 2:51 PM
To: Jo Johnson
Subject: FW: South Peninsula Gas Line Project

Information item for Council packet.

From: Karin Marks [<mailto:kjm59@alaska.net>]
Sent: Saturday, December 03, 2011 1:23 PM
To: sean.parnell@alaska.gov
Cc: john.moller@alaska.gov; [senator bert stedman@legis.stae.ak.us](mailto:senator_bert_stedman@legis.stae.ak.us); [representative bill stoltze@legis.state.ak.us](mailto:representative_bill_stoltze@legis.state.ak.us); susan.bell@alaska.gov
Subject: South Peninsula Gas Line Project

Dear Governor Parnell,

I am writing to you to ask for your support for the South Peninsula Gas Line Project because it would reduce the energy costs in the area and spur economic development.

I have lived in Alaska and Homer for over 20 years and have been the owner of a small business, the Art Shop Gallery, for close to 20 years. My business is open year round. The majority of my business has always been in the summer, but there has been enough year round business to keep at times up to 5 part time employees on the payroll. However, I have seen a decline in the year round population in the last several years, especially during the winter months. This is also proven by the decline in the school population. I believe that a major factor for this decline comes because of the expense of energy for families and businesses.

My concern is that the Homer area is turning into another "summer only" town of which the state already has a goodly number and that is not healthy economically for our state. By being on the road system and in a more moderate climate, the Homer area should be growing. The Homer area has high energy costs and the Homer area does not have a way to compete with the rest of the Kenai, Anchorage and the MatSu because they are in a natural gas service area that has more reasonable priced energy. The South Peninsula needs access to this service area in order to maintain families, keep businesses open that provide jobs and increase both. If the South Peninsula grows, there will be a better tax base and more dollars revolving in the area.

I am a believer in government having a limited role, but it does have a role. Providing infra structure is in my belief a proper role as the state government has done with other communities in the area of energy.

Thank you for considering my comments for the Capital Budget bill.

Karin J Marks
202 W Pioneer Ave
Homer, AK 99603
[Kjm59@alaska.net](mailto:kjm59@alaska.net)
907-399-7421

PUBLIC HEARING(S)

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

**Ordinances 11-41, 11-44, 11-45, 11-46, and 11-47
Resolutions 11-094 and 11-095**

A **public hearing** is scheduled for **Monday, December 12, 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 11-41, 11-44, 11-45, 11-46 and 11-47 internet address:
<http://www.cityofhomer-ak.gov/ordinances>

Resolutions 11-094 and 11-095 internet address:
<http://www.cityofhomer-ak.gov/resolutions>

Ordinance 11-41, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2012 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures). City Manager.

Resolution 11-094, A Resolution of the City Council of Homer, Alaska, Maintaining the City of Homer Fee Schedule at the Current Rates. City Clerk.

Resolution 11-095. A Resolution of the City Council of Homer, Alaska, Maintaining the Port of Homer Terminal Tariff No. 600 at the Current Rates. City Clerk.

Ordinance 11-44, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.14.020, Permitted Uses and Structures; 21.16.020, Permitted Uses and Structures; and 21.18.020, Permitted Uses and Structures; to Add One Detached Dwelling Unit as a Permitted Accessory Building to a Principal Single Family Dwelling in the Urban Residential, Residential Office, and Central Business Zoning Districts. Planning.

Ordinance 11-45, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Accepting and Appropriating a Grant from The Homer Foundation in the Amount of \$4,904.00 for the Purpose of Making Energy Efficiency Improvements at the Port and Harbor Office Building. City Manager.

Ordinance 11-46, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget to Accept and Appropriate \$322,100 in the General Fund, the Utility Fund and the Port and Harbor Fund Operating Budgets for the Purpose of Recognizing and Accounting for State of Alaska PERS Relief Provided in 2011. City Manager/Finance.

Ordinance 11-47, An Ordinance of the Homer City Council Amending the FY 2011 Capital Budget by Transferring \$415,873 from the City Hall / Town Center Project Construction Account to the New City Hall Expansion and Renovation Project Construction Account. City Manager/Finance.



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 News: December 8, 2011

A handwritten signature in black ink, appearing to read 'Jo Johnson', written over the text 'Publish: Homer News: December 8, 2011'.

CLERK'S AFFIDAVIT OF POSTING

I, Renee Krause, Deputy City Clerk I for the City of Homer, Alaska, do hereby certify that a copy of the Ordinance 11-41, Appropriating Funds for the Calendar Year 2012 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and capital Reserve Funds (Conditional Expenses); Resolution 11-094, Maintaining the City of Homer Fee Schedule at the Current Rates; and Resolution 11-095, Maintaining the Port of Homer Terminal Tariff No. 600 at the Current Rates; Ordinance 11-44, Amending Homer City Code 21.14.020, Permitted Uses and Structures; 21.16.020, Permitted Uses and Structures; 21.18.020, Permitted Uses and Structures; to Add One Detached Dwelling Unit as a Permitted Accessory Building to a Principal Single family Dwelling in Urban Residential, Residential Officer, and Central Business Zoning Districts; Ordinance 11-45, Amending FY2011 Operating Budget by Accepting and Appropriating a Grant from the Homer Foundation in the Amount of \$4,904.00 for the Purpose of Making Energy Efficiency Improvements at the Port and Harbor Office Building; Ordinance 11-46, Amending FY2011 Operating Budget to Accept and Appropriate \$322,100 in the General Fund, the Utility Fund, and the Port and Harbor Operating Fund Budgets for the Purpose of Recognizing and Accounting for State of Alaska PERS Relief Provided in 2011; Ordinance 11-47, Amending FY2011 Capital Budget by Transferring \$415,873 from the City Hall/Town Center Project Construction Account to the New City Hall Expansion and Renovation Project to the City of Homer kiosks located at City Clerk's Office, Captain's Coffee Roasting Co., Harbormaster's Office, Redden Marine Supply of Homer, on December 2, 2011 and posted same on City of Homer Website on November 29, 2011.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 30th day of November, 2011


Renee Krause, CMC, Deputy City Clerk I

ORDINANCE REFERENCE SHEET
2011 ORDINANCE
ORDINANCE 11-41

An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2012 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures).

Sponsor: City Manager

1. City Council Regular Meeting October 10, 2011 Introduction
2. City Council Regular Meeting November 28, 2011 Public Hearing
3. City Council Regular Meeting December 12, 2011 Public Hearing and Second Reading
 - a. Budget amendments
 - b. Written public comments
 - c. Memorandum 11-160 from Parks and Recreation Advisory Commission

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 11-41

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, APPROPRIATING FUNDS FOR THE CALENDAR YEAR 2012 FOR THE GENERAL FUND, THE WATER-SEWER FUND, THE PORT/HARBOR FUND, DEBT FUNDS, AND CAPITAL RESERVE FUNDS (CONDITIONAL EXPENDITURES).

THE CITY OF HOMER ORDAINS:

Section 1. Pursuant to the authority of Alaska Statute, Title 29, the appropriations for Calendar Year ending December 2012 are appropriated as follows:

General Fund	\$10,782,862
Water-Sewer Fund	\$ 3,343,362
Port/Harbor Fund	\$ 3,680,579
Capital Projects	\$ 1,856,339
Internal Service Funds	\$ <u>1,713,872</u>
Total Expenditures	\$ 21,377,014

Section 2. Such amounts are appropriated to the objects and purposes stated in the adopted budget.

Section 3. A copy of the budget shall be certified by the City Clerk and filed in the Office of the City Clerk.

Section 4. The supporting Line Item Budget detail as presented by the Administration and reviewed by the City Council is incorporated as part of this Budget Ordinance.

Section 5. The property tax mill levy is set at 4.5 mills for 2012.

Section 6. This Ordinance is limited to approval of the Budget and appropriations for Calendar Year 2012, is a non code Ordinance and shall become effective January 1, 2012.

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

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

ATTEST:

JO JOHNSON, CMC, CITY CLERK

Introduction:
Public Hearing:
Second Reading:
Effective Date:

AYES:
NOES:
ABSTAIN:
ABSENT:

Reviewed and approved as to form:

Walt E. Wrede, City Manager

Date: _____

Thomas Klinkner, City Attorney

Date: _____

Fiscal Note: See Line Item Budget and detail.

City of Homer
2012 Operating Budget

Amendment No.	Council Member	Fund	Page No.	Dept No.	Account	Description	Proposed Budget Changes										
							Change in Budget	General	Water/Sewer	Port & Harbor	Projects	Internal Services					
A-1	Management	Port/Harbor	164	400-611	5105	Overtime	+										
			165	400-612	5105	Overtime	+				1,500						
			166	400-614	5105	Overtime	+				100						
											500						
Justification: In moving Port/Harbor Maintenance from Public Works Overtime was overlooked.																	
A-2	Wythe	G/F Depreciation Reserves	171	156-369	5990	Depreciation Reserve	+										
		G/F Fishing Hole Maintenance Reserve	171	156***	4992	Maintenance Reserve	-										
Justification: Establish a maintenance fund for Fishing Hole.																	
A-3	Wythe	Port & Harbor Depreciation Reserves	188	456-380	5990	Depreciation Reserve	+										
		Bond Reserve Fund	171	456***	4992	Maintenance Reserve	-										
Justification: Establish reserve as required for Revenue Bond Issuing for P&H Improvement Project.																	
A-4	Management	Fire Depreciation Reserve	171	156-393		Depreciation Reserve	+									10,000	
Justification: Replacement of base station to meet FCC requirements																	
A-5	Lewis	G/F Fund Balance	47	100-***		Fund from Fund Balance											
		G/F Homer Foundation/Homer Hockey	114	100-350	5814	Homer Foundation	+									10,000	
Justification: Change in gaming vendor and loss of \$10,000 to \$15,000. KBA brings many players both youth and adult during the winter to Homer.																	
A-6	Zak	G/F Depreciation Reserves - Sister Cities	171	156-399	5990	Depreciation Reserve	+									5,868	
		Establish Funds for Parks/Rec Commission	171	156-***	5990	Depreciation Reserve	+									1,000	
		G/F Library	80	100-145	5228	Books	-									(3,878)	
		G/F City Clerk	58	100-101	5227	Advertising	-									(1,000)	
		G/F City Clerk - Elections	60	100-102	5227	Advertising	-									(2,000)	
Justification: To Fund Sister Cities and Establish funds for Parks/Rec Board by reducing the expenditures to Library Books and City Clerks and Elections Advertising																	
A-7	Hogan	G/F (All Departments)	45-113	ALL	5102	Health Care Contribution	-									(77,520)	
		W/S (All Departments)	115-139	ALL	5102	Health Care Contribution	-									(18,720)	
		P&H (All Departments)	144-169	ALL	5102	Health Care Contribution	-									(21,360)	
		G/F - Economic Development	66	100-112	5210	Chamber of Commerce	-									(21,375)	
		G/F - Leased Properties	70	100-114	5203	Fuel/Lube	+									10,000	
		G/F Library	80	100-145	5227	Books	-									(6,000)	
		G/F City Contributions	114	100-350	5801	Museum	-									(35,500)	
		G/F City Contributions	114	100-350	5814	Homer Hockey	+									10,000	
		G/F City Contributions	114	100-350	****	Boys & Girls	+									21,375	
		Port&Harbor - (Increase Revenue)	151-152	601	46**	H2O Harbor Floats	+									Increase in Revenue, does not decrease expense... \$40,000	
		Port&Harbor	156/188	601	5990	Transfer to Reserves	+									40,000	
		G/F City Clerks	58	101	5101-5106	Add back PT Clerical 4	+									15,150	
		G/F Finance	74	120	5101-5106	Add back PT Clerical 6	+									22,725	
Justification: Various																	

**City of Homer
2012 Operating Budget**

Amendment No.	Council Member	Fund	Page No.	Dept No.	Account	Description	Change in Budget	Proposed Budget Changes				
								General	Water/Sewer	Port & Harbor	Projects	Internal Services
A-8	Howard	G/F - Leased Properties	70	114	5203	Fuel/Lube	+	8,000				
		G/F - Leased Properties	70	114	5217	Electric	+	4,000				
		G/F - Leased Properties	70	114	5218	Water	+	1,000				
		G/F - Leased Properties	70	114	5219	Sewer	+	1,000		(21,360)		
<i>Justification: To keep Boys & Girls Club open through May 2012. Expense to be covered by new revenues: \$3,750 from Boys & Girls Club for Utilities, & \$10,250 transfer from G/F Reserves.</i>												
<i>Justification: Commission & Committee Appreciation.</i>												
A-9	Roberts	G/F - City Council	55	100	5101	Council Stipend	-	(4,500)				
		G/F - City Council	55	100	5280	Volunteer Incentives	+	4,500				
		G/F - City Contributions	114	350	5801	Pratt Museum	-	(5,000)				
A-10	Management	G/F - Economic Development	66	112	5210	Chamber of Commerce	-	(5,000)				
		G/F - City Contributions	114	350	5814	Homer Hockey	+	10,000				
		<i>Justification: To Fund Homer Hockey</i>										
A-11	Management	G/F (All Departments)	45-113	ALL	5101-5106	Salaries & Benefits	+	94,350				
		W/S (All Departments)	115-139	ALL	5101-5106	Salaries & Benefits	+		22,211			
		P&H (All Departments)	144-169	ALL	5101-5106	Salaries & Benefits	+			24962		
<i>Justification: Raise the employee's wages by amount equal to 6% of the costs of the plan. Revenues to offset the costs of the Health Care Plan, Revenues of \$94,732 to be considered</i>												
A-11	Management	G/F City Manager	62	100-110	5101-5107	Salaries & Benefits	-	10,197				
		G/F Airport	82	100-149	5101-5107	Salaries and Benefits	-	1,572		1,500		
		G/F Economic Development	66	100-112	5101-5107	Salaries and Benefits	+	17,727		100	500	
<i>Justification: Implements Memorandum 11-144. Decrease in Salary for Administrative Asst, Increase in Economic Development Coordinator Salary</i>												
<i>Justification: A Capital Expenditure from P&H Reserves to design, repair and replace fenders on Deep Water Dock</i>												
							+				125,000	

CITY OF HOMER

2012 PROPOSED BUDGET AMENDMENT FORM

Date Submitted: 10/9/2011
 Date Received: 11

Fund #	Dept #	Acct #	Account Description	Increase	Decrease
400	611	5105	Overtime	1,500	
	612			100	
	614			500	
Total (Must Be Balanced)				2,100 ⁰⁰	
Part of operating budget, overtime was overlooked in moving these departments from Public Works to Port N Harbor					
Requested by: B Hawkins			Prepared By: R Maurer		

CITY OF HOMER

2012 PROPOSED BUDGET AMENDMENT FORM

Date Submitted: 10/10/11

Date Received: _____

Fund #	Dept #	Acct #	Account Description	Increase	Decrease
156	369		Gen Res Fund Resum		7,000,000
156	--		Fishing Hole Maint	100,000	
			Revenue Fund		
			new Rev.		
			Fishing Hole Parking		
			Total (Must Be Balanced)	100,000	100,000
Establish a maint fund for Fishing Hole.					
Requested by: <u>MEW</u>			Prepared By		

CITY OF HOMER

2012 PROPOSED BUDGET AMENDMENT FORM

Date Submitted: 10/10/11

Date Received: _____

Fund #	Dept #	Acct #	Account Description	Increase	Decrease
400	380A		Reserve Fund		\$500,000
400	380?		Bond Reserve Fund	\$500,000	
Total (Must Be Balanced)					
To establish reserve as required for					
Revenue Bond issuing for PTH & D improvement					
Project					
Requested by: <u>MED</u>			Prepared By		

CITY OF HOMER

2012 PROPOSED BUDGET AMENDMENT FORM

Date Submitted: 10/10/2011

Date Received: _____

Fund #	Dept #	Acct #	Account Description	Increase	Decrease
156	393		Depreciation Reserves	10,000	
			G/F Balance		10,000
			Total (Must Be Balanced)	10,000	10,000
Replacement of Base Station to meet FCC requirements.					
Requested by: R. Painter			Prepared By		

**CITY OF HOMER
DEPARTMENT BUDGET REQUEST
YEAR 2012**

Requesting Department Fire Date 9/29/2011

Level of Need: Urgent Essential Necessary Desirable

Request for Additional Personnel:
 Position Title _____
 Salary Range & Step _____
 Full-time
 Part-time Hours Per Year _____

Request Other Than Personnel:
 Description Base Station Radio Replacement
 Fund Name: Capital Equipment

(FINANCE DEPT WILL COMPLETE)	
5101 Permanent Employees	_____
5102 Fringe Benefits	_____
5103 P/T Employees	_____
5104 Fringe Benefits P/T	_____
5105 Overtime	_____
Total Personnel Cost	_____

Account Name: Fire Dept. Capital Equipment
 Account # 156 - 393
 Estimated Cost: \$10,000

Justification:

During the recent radio narrowbanding project funded by the Borough, it was determined that our existing base station radio is not capable of meeting the FCC's requirements and must be taken out of service by the end of 2012. The base station provided communications from the fire station to mobile and portable radios during fire and EMS responses and acts as a back-up radio to dispatch if that radio system were to fail for any reason. The base station also has a remote control station located in the Emergency Operations Center in the fire station. The new radio will be compatible with all existing and proposed communications requirements and will be capable of initiating a tone to activate fire department member's pagers if needed when normal dispatch is unable to function.

Requestor's Name: Robert Painter, Chief

Department Head Approval: R.Painter, Chief

City Manager Recommendation: _____ Date _____
 Approved _____
 Denied _____
 Comments _____

CITY OF HOMER

2012 PROPOSED BUDGET AMENDMENT FORM

Date Submitted: 10/24/11
 Date Received: _____

Fund #	Dept #	Acct #	Account Description	Increase	Decrease
100	-	-	General Fund - Fund Balance		10,000
350		5814	Homer Hockey / Homer Foundation	10,000	
Total (Must Be Balanced)				10,000	10,000
Reason → Change in gaming vendor & loss of 10,000 → 15,000					
KBA → brings many players both youth & adult, during the winter to Homer.					
Requested by: <u>David Lewis</u>			Prepared By: <u>David Colewis</u>		

CITY OF HOMER

2012 PROPOSED BUDGET AMENDMENT FORM

Date Submitted: 11/16/11
Date Received: _____

Fund #	Dept #	Acct #	Account Description	Increase	Decrease
100 200 400	ALL	5102	HEALTH CONTRIBUTION EMPLOYEE 100 of MO		117,600
100 200 400	ALL	5102	HEALTH CONTRIBUTION DEPENDANTS		TBD
100	112	5210	CHAMBER OF COMMERCE		21,375
100	114	5203	OLD SCHOOL HEAT	10,000	
100	145	5227	BOOKS		6,000
100	350	5801	MUSEUM		35,000
100	350	5814	HOCKEY	10,000	
100	350	58XX	BOYS + GIRLS CLUB	21,375	
400	601	46XX	METERED H ₂ O HARBOR FLOATS	40,000	Revenue
400	601	5218	WATER (HARBOR) SEE ABOVE		40,000
400	601	5990	RESERVE (HARBOR)	40,000	
100	101	5101 5106	CLERK OFFICE P.T. CLERICAL (.40)	16,750	
100	120	5101 5106	FINANCE DEPT P.T. CLERICAL (.60)	22,725	
			Total (Must Be Balanced)	119,850	220,475
Requested by: <u>HOGAN</u> Prepared By _____					

FINANCE FAX #
907 - 235 - 3140

CITY OF HOMER

2012 PROPOSED BUDGET AMENDMENT FORM

Date Submitted: 11/18/11
 Date Received: _____

Fund #	Dept #	Acct #	Account Description	Increase	Decrease	NEW REV.
100	114	5203	FUEL/HENC BUILDING	8,000		
100	114	5217	ELECTRIC/HENC BUILDING	4,000		
100	114	5218	WATER/HENC BUILDING	1,000		
100	114	5219	SEWER/HENC BUILDING	1,000		
			<u>NOTE:</u> TO KEEP BOYS & GIRLS CLUB OPEN			
			THROUGH MAY 2012. EXPENSE TO			
			BE COVERED BY NEW REVENUES:			14,000
			<u>3,750 FROM UTILITY COST CONT.</u>			
			<u>FROM B&G. CLUB AND 10,250</u>			
			<u>TRANSFER FROM G.F. RESERVES</u>			
100	100	5101	COUNCIL STIPEND		4,500	
100	100	—	NEW LINE ITEM / COMMISSION AND COMMITTEE APPRECIATION	4,500		
100	350	5801	PNAAT MUSEUM		5,000	
100	112	5210	CHAMBER OF COMMERCE		5,000	
100	350	—	HOMER HOCKEY	10,000		
			Total (Must Be Balanced)	28,500	14,500	14,000
Requested by: <u>B. HOWARD</u>			Prepared By <u>W. WREDE</u>			

CITY OF HOMER

2012 PROPOSED BUDGET AMENDMENT FORM

Date Submitted: 12/01/2011
 Date Received: _____

Fund #	Dept #	Acct #	Account Description	Increase	Decrease
100	ALL	5101-5106	Salaries & Benefits (Net)	94,350	
200	ALL	5101-5106	Salaries & Benefits (Net)	22,211	
400	ALL	5101-5106	Salaries & Benefits (Net)	24,962	
<p>Justification: Raise the employee's wages by amount equal to 6% of the costs of the plan. (See attached for computation), difference are associated benefits.</p> <p>Note: Revenues to offset costs of Health Care Plan., Revenues of \$94,732 to be considered in the Health Care Plan.</p>					
Total (Must Be Balanced)				141,905	
Requested by: F. Roberts			Prepared By: R. Mauras		

CITY OF HOMER

2012 PROPOSED BUDGET AMENDMENT FORM

Date Submitted: 12/7/2011

Date Received: _____

Fund #	Dept #	Acct #	Account Description	Increase	Decrease
100	110	5101-5107	Salaries and Benefits		10,197
100	112	5101-5107	Salaries and Benefits	17,727	
100	149	5101-5107	Salaries an Benefits		1,572
Total (Must Be Balanced)				17,727	11,769

Implements memorandum 11-144, RE: Community and Economic Development Coordinator position. Decrease in salary for Administrative Asst in City Mgr office due to a personnel transfer.

Requested by: W. Wrede

Prepared By: R. Mauras

CITY OF HOMER

2012 PROPOSED BUDGET AMENDMENT FORM

Date Submitted: 12/6/11
 Date Received: 12/6/11

Fund #	Dept #	Acct #	Account Description	Increase	Decrease
456	380		P&H DEPRECIATION RES.	\$125,000	
Total (Must Be Balanced)				\$125,000	

A CAPITAL EXPENDITURE FROM P&H RESERVES TO DESIGN, REPAIR, & REPLACE FENDERS ON DEEP WATER DOCK.

Requested by: W. WREDE Prepared By W. WREDE

C. MEYER
 B. HAWKINS

December 1, 2011

Homer City Council
491 East Pioneer
Homer, AK 99603



Re: City Budget

Dear Council Members,

I want to urge you to continue the financial support for the marketing of Homer and to include the \$30,000 item in the 2012 budget for the Homer Chamber of Commerce. The HCOC and Visitors Center is the organization that has the proven expertise to market Homer. For years the city has been able to use the HCOC as its marketing arm and this saves the City from having to bear the expenses of maintaining and financing its own department to bring business to Homer.

As the newest of Chamber board members and a fairly new resident to Homer I was surprised that the money requested from the City by the Chamber was not a regular and planned annual budget outlay.

To my mind the value of the HCOC to the City, not just its members, is undeniable and the Chamber should be able to rely on its funding from the City.

In this day and age, with the economy continuing to struggle and tourists being very cautious where they spend their dollars, the solid marketing of the town is what will continue to bring them to Homer. I understand the need to look at every line item in the City's budget. However, to not regularly pay for the service the Chamber performs, when the city has no other marketing plan in place, is counterproductive.

Please plan to regularly support the Homer Chamber of Commerce and Visitors Center.

Sincerely yours,

Jim Lavrakas
P.O. Box 1459
Homer, AK 99603

Jo Johnson

From: Michael Walsh [slideruleblues@gmail.com]
Sent: Wednesday, December 07, 2011 10:12 AM
To: Department Clerk
Subject: Pratt funding

The Pratt Museum is a very important cultural and historical Museum, not only for Homer but for the state of Alaska, it's many awards are a testament to that. With these financial hard times, we all are needing to buckle down a bit, but I encourage the City of Homer to keep in full it's funding to the Pratt. They already run on a shoe string budget and they can't afford to be tightened up any more.

Thanks you
Michael Walsh

Jo Johnson

From: Kim Sweeny [ksweeny@wmo.bssd.org]
Sent: Wednesday, December 07, 2011 10:17 AM
To: Department Clerk
Subject: support

This is a letter to request the City Council to award full funding for the Pratt Museum.

Thank you.
Kim Sweeny

Jo Johnson

From: Marie Walker [emw@xyz.net]
Sent: Wednesday, December 07, 2011 10:19 AM
To: Department Clerk
Subject: Support Pratt Funding

Homer City Council

Council Members,
Re: Pratt Museum funding

The Pratt Museum is a vital part of Homer from student education to tourist information to historical records. As a past board member of this organization and a long time volunteer I know first hand how important the funding from the City of Homer is and encourage you to support funding for their budget.

Thank-you,
Marie Walker

Jo Johnson

From: Bill Butler [butler@alaska.net]
Sent: Wednesday, December 07, 2011 10:30 AM
To: Department Clerk
Subject: Pratt

The Pratt Museum is so important for our Community. I draws many visitors and helps educate school groups from all over Alaska. The City funding is so important for their operating budget. Please make every effort to fully fund the Pratt.

Dolores Butler,

Jo Johnson

From: Roger and Denice Clyne [rdclyne@xyz.net]
Sent: Wednesday, December 07, 2011 10:30 AM
To: Department Clerk
Subject: Funding for the Pratt Museum

Dear Council Members:

We are writing you to request that you vote to continue funding for the Pratt Museum which as you know is a nationally recognized institution and an economic contributor to the community as well as. It appears to be operated in a very cost effective manner and is now on the threshold of becoming an even better museum that will benefit the community even more in the future.

The city's continued financial support is essential not only to operate the building and continue programs, but it is equally important when applying for grants by demonstrating community support for the museum which is often a requirement for grant application.

We ask that you vote to continue financial support for the Pratt Museum, as so many of us local citizens do, and as has been done in the past so that it can continue to become an even better economic engine for the community, to expand and to offer more for the community in return for this financial support.

Thank you.

Yours truly,

Roger and Denice Clyne

Jo Johnson

From: Linda Rowell [klrowell@xyz.net]
Sent: Wednesday, December 07, 2011 10:43 AM
To: Department Clerk
Subject: Support for the Pratt

Council Members:

The Pratt Museum is a central part of the Homer community as a keeper of local history and a primary reason why many people from across the state and the nation come to Homer. As the Museum draws people to the community, these visitors make a major contribution to the Homer economy. The Pratt Museum is recognized nationally as a jewel among small museums. Although economic conditions are stressed, full funding for one of the brightest spots in Homer is a necessity. Full funding for the Pratt Museum is a major booster to Homer's tourist industry and therefore Homer's economic health.

Linda Rowell
President, Patrons of the Pratt Society
Volunteer for 12 years

Jo Johnson

From: Sandy Gillespie [sandygillespiestudio@gmail.com]
Sent: Wednesday, December 07, 2011 10:33 AM
To: Department Clerk
Subject: Please support Pratt funding--for Council packet

Dear Council:

Please support funding for the Pratt Museum's capital project. This organization is a vital part of our community.

Sandy Gillespie
106 W Bunnell Ave
Homer, AK

Sent from my iPhone

Jo Johnson

From: Tonda Allred [hilltop@homernet.net]
Sent: Saturday, December 03, 2011 9:33 PM
To: Department Clerk
Subject: Chamber

I read that the City would like to cut funding to the Chamber because some businesses feel like the Chamber does not help or represent them. My business is in Anchor Point and I am a member of both chambers. I feel that we would be in big trouble in Homer and Anchor Point without the Homer Chamber. They do a good job of spreading the word about Homer being a great place to visit. How else will that happen? By being members we are able to pool our advertising dollars and as a group we have more advertising power. Without tourism Homer will be in a world of hurt. It is crucial that we support our Chamber.

Tonda Allred
Mariners View Guest House
907-235-7514

Jo Johnson

From: Rita Jo [ritajo@alaskahardy.com]
Sent: Friday, December 02, 2011 12:21 PM
To: Department Clerk
Subject: budgeting for the Chamber

Dear Chamber members;

I read the newspaper this past week with a great deal of surprise. I truly believe our Chamber of Commerce is one of the best in the USA for a small town. I'm sure some of the members do not realize the number of volunteers that are at the Chamber all summer and the other amount of 'free' benefits the Chamber provides for our area.

The Dollars the City provides are returned in multiples from the activity generated from the B&B bookings, the Charter businesses, the Restaurants, and from many more businesses. These folks in turn spend their earned dollars in Homer, they pay their property taxes of which Homer receives a portion and they pay perhaps the largest percentage (of one group-tourism) of sales tax that comes to the City. I can't imagine the City not supporting this organization.

May I suggest a bit more research as to the contributions, both direct and indirect, be provided for the council in order that they can make a more informed decision.

Rita Jo Shoultz
Fritz Creek Gardens
Alaska Hardy Peony LLC
Rita Jo Shoultz
Box 15226
Fritz Creek, AK 99603
ritajo@alaskahardy.com
www.alaskahardy.com
(907) 235-4969
fax (907) 235-8116

www.alaskahardy.com

Jo Johnson

From: Tom Stroozas [bluewater@comporium.net]
Sent: Friday, December 02, 2011 1:59 PM
To: Department Clerk
Subject: Homer Chamber Marketing Grant

Please pass my comments onto the Homer City Council members accordingly:

As a business owner, resident and a member of the Homer Chamber, I earnestly solicit your efforts to approve the marketing grant request for assisting their relentless efforts in marketing the Homer area to travelers and tourists. As a tax payer and publisher of a dining guide which is found in virtually every hotel room in the Anchorage market for 2011 and will expand to include the Kenai Peninsula markets in 2012, this grant will compliment our efforts as we work with the Chamber and Visitor's Center to enhance the Homer experience. This will help generate more local business revenues, sales taxes and jobs. It doesn't take a rocket scientist to figure out that without the sales tax revenues generated by visitors we would ALL be paying much higher property taxes and receive fewer services. The cost of this grant is a small price to pay for something that is beneficial to everyone who lives in Homer. Thanks for listening.
-Tom

Tom Stroozas - Publisher
AmericasCuisine - Anchorage & the Kenai Peninsula
P. O. Box 1481
Homer, AK 99603
907-235-3677
704-488-3779 cell
www.CuisineOfAnchorage.com

Dear Jo Johnson,

We own a small lodging business in City of Homer. We rely largely on the Homer Chamber of Commerce's successful marketing strength to keep us alive especially in this hard economy. It will be devastating for us if the Chamber of Commerce were not adequately funded to keep the marketing campaign going next year. We are fortunate enough to have a very good season in 2011, thanks again to the Chamber marketing efforts. We are grateful that we are able to pay the thousands of dollars property tax, we have collected thousands of dollars sales tax from our guests, but if the City does not fund the existing proven-to-be successful HCOC marketing plan, we are very concerned we won't be able to collect much sales tax dollar for our city and borough next year.

Tourism Sales Tax dollars should be used partially to fund the tourism marketing. This is the only way to keep the tourism industry alive, keep the community alive. In Mat-Su, the local B&B association was able to get grant to further marketing the lodging industry from the borough.

We are very fortunate to have a professional marketing director to lead our HCOC. We hope the city council do the right things and support the Homer Chamber of Commerce marketing fund plan as proposed by the Director Monte Davis.

Thanks very much.

Sincerely,

Juxia Scarpitta
Halcyon Heights B&B/Inn
1200 Mission Road
Homer AK 99603
907 235 2148
877 376 4222
info@halcyonheightsbandb.com
www.halcyonheightsbandb.com

Jo Johnson

From: paula@paulasplacebandb.com
Sent: Saturday, December 03, 2011 8:27 AM
To: Department Clerk
Subject: Homer Chamber of Commerce & Visitor Center

I hear you are contemplating reducing the budget for the Visitor Center. They are already working on a shoestring budget, even to the point of having to do some of their own fundraising; i.e. the Halibut Derby, which is going to get considerably smaller if the one-fish limit goes into effect. What do you want them to do next - have a bake sale?

I have a small B&B and the cost to me to have it listed in the advertising at the Visitor Center is a major part of my advertising budget. However, I feel this is a necessity because of the visitors they bring into the area. They are doing a good job of promoting our town and they are the only ones doing it. I had a visitor this week who had spent two major vacations in Alaska, but had never been to Homer. She came in to buy property here because she had researched the web and the Visitor Center site and decided this was the best place in Alaska to live - all without having seen it in person! How's that for really promoting our town? Incidentally, after a week in Homer, she was convinced it was a great place and did buy property. Without the advertising the Visitor Center puts out, she would never have come down to even look us over.

Instead of cutting the Chamber's budget, you should give them a big round of applause and "thank you."

Paula Riley
Paula's Place B&B

Jo Johnson

From: PORTER'S ALASKAN ADVENTURES [relax@portersak.com]
Sent: Saturday, December 03, 2011 10:07 AM
To: Department Clerk

Hello,

This is Becky Porter with Porter's Alaskan Adventures. We have rental cabins on Hesketh Island and have been extremely happy with all that the Homer Chamber of Commerce does for the community of Homer. We are active members, and pay property and sales taxes as well. Thanks and hope you have a wonderful Christmas!

Becky Porter 

PORTER'S ALASKAN ADVENTURES

www.portersak.com

907-235-8060

Jo Johnson

From: dcoes@yahoo.com
Sent: Saturday, December 03, 2011 1:29 PM
To: Department Clerk
Subject: Gift and Taxes

To Whom it may concern:

Thank you for the grant given to the Chamber. We do believe it will be used wisely.

Our business taxes are paid and not oppressive. We have yet to enjoy the 5% incentive, but again, thank you. Our property tax is also reasonable, so again, thanks.

Before this letter sounds redundant, we are producing and selling products and effectively servicing what we sell. With what we currently have gathered, the businesses of this Kachemak Bay Area are doing the same, at a good pace.

Please consider the current budget carefully as we all seek to encourage one another to press on to successes. I do believe we have the same goal.

Sincerely,

Dan and Nancy Coe
Handpainted

Jo Johnson

From: Renee Krause
Sent: Wednesday, December 07, 2011 9:38 AM
To: Jo Johnson
Subject: FW: Budget Message For Council

See below budget comments.

Renee Krause, CMC
Deputy City Clerk I

From: tlmf63@alaska.net [<mailto:tlmf63@alaska.net>]
Sent: Wednesday, December 07, 2011 9:11 AM
To: Renee Krause
Subject: Budget Message For Council

Members of the City Council:

This email is in support of restoring the full budget request for new books at the Homer Public Library.

This valuable resource must be constantly updated and expanded to contribute as it does to our community. Any resident may benefit from this City-owned facility with no cost involved unless privileges are abused.

I would also like to respectfully remind Council of a tough decision made some years ago to stop funding non-profits by line-item, but to send the funds (and requests!) to the Homer Foundation.

The Pratt Museum is the exception due to an historic agreement between Council's predecessors and the Homer Society of Natural History which operates the Pratt Museum.

The City budget must first focus on fully funding City-owned facilities knowing that any extra monies can be sent to the Homer Foundation for dispersal within our community.

Thank you for taking these thoughts into consideration.

Tamara Fletcher
4658 Rochelle Road
235-0626

Jo Johnson

From: Betsy Webb [webb@cosmichamlet.net]
Sent: Wednesday, December 07, 2011 10:44 AM
To: Department Clerk
Subject: Restore Full Pratt Museum Funding

Dear City Council Members:

You know the old saying, "It takes money to make money." As the former Curator of Collections at the Pratt Museum for 16 years, I am living proof of the adage. From my modest salary, supported by the City of Homer, I raised over one million dollars for the Pratt Museum and the community at large by writing regional foundation as well as state and federal grants to support our program goals. That doesn't even include the many other collaborative grants working with a wider circle of staff. As the Pratt soldiers on through this debilitating recession, the City of Homer's core funds are more vital now than ever before in our 45-year history for matching and leveraging many times over. Not only do we need to keep the lights on and doors open, we need to maintain the high functioning staff whose blood, sweat and tears keep this community treasure alive and well funded.

Respectfully yours, Betsy Webb

Jo Johnson

From: Laurie Coates [coates@alaska.com]
Sent: Wednesday, December 07, 2011 10:45 AM
To: Department Clerk
Subject: Funding the Pratt and the Library

I would like to comment that I am absolutely against reducing the funding of the Pratt Museum or the Library to fund the Boys and Girls Club or the Hockey Rink. I think both the Boys and Girls Club and the Hockey Rink are great additions to our community but neither are items that local government should be overseeing and/or take over funding. The users of these organizations will need to find funding on their own. It is not government's job to provide daycare to the children of this town or teach them how to skate, that is their parents responsibility. I am very tired of this entitlement mentality. The taxpayers fund enough, let the users pay for what they use.

Laurie Coates
1500 Cottonwood Lane
Homer, AK 99603

Jo Johnson

From: Dale Banks [dale@loopylupine.com]
Sent: Wednesday, December 07, 2011 10:42 AM
To: Department Clerk
Subject: Pratt funding

Council and Mayor,

I support continued funding of the Pratt Museum to the full extent without any reduction from last year's level. The Pratt is a valuable community asset and the cornerstone of community culture, art, science, and history. The Pratt relies on your continued support, and with the help of that support strengthens Homer's economy through local spending for wages, supplies, and services.

Please consider ways to maintain the full level of funding to this essential institution.

Thanks,

Dale Banks
Owner
Loopy Lupine Distribution

--

Dale Banks
Cup Man
(907) 235-5100 phone
(907) 299-0524 mobile
Loopy Lupine Distribution
PO Box 2888
4854 Eagle Place
Homer, AK 99603
www.loopylupine.com

Jo Johnson

From: Rika Mouw [rika@alaska.com]
Sent: Wednesday, December 07, 2011 10:50 AM
To: Department Clerk
Subject: city funding for the Pratt

Dear Council members,

I appreciate the very difficult decisions you need to make for next year's budget. I support full funding for the Pratt. It really is a responsibility the City has in keeping this remarkable institution strong and viable. It is not only a cultural treasure, conserving the area's heritage, it is an economic engine for the entire area. Cutting funding to the Pratt is equivalent to cutting an organ out of the community. Jobs are at stake as well as future outside grant monies coming into Homer. Homer's cultural heritage, educational facilities and major destination stop are at stake. Cutting funding to the Pratt at this point is simply not in the City's or community's best interest.

respectfully,

Rika Mouw

Jo Johnson

From: Adele Groning [adele@bunnellstreetgallery.org]
Sent: Wednesday, December 07, 2011 10:55 AM
To: Department Clerk
Subject: Funding wishy washiness

Dear Members of the Homer City Council,

I am dismayed by Councilman Hogan's budget proposals to cut large sums of funding to the Chamber of Commerce and to the Pratt Museum. It is irresponsible to yank funding so abruptly and undermines the incredible effort that a non-profit organization puts into creating a sustainable and stable operating picture. Reprioritize if you will, but do so in a way that the non-profit can successfully and gradually adapt. The Pratt has a long-time agreement with the City that the City MUST honor.

Furthermore, funding non-profits should be a non-politicized process, because some of us like art, some sports, some environmental programs, some education. It can't be at the whim of individual councilpersons. The Hockey Association received \$50,000 in 2008 to make ends meet. That is not a sustainable or fair way of funding to other non-profits who must present balanced operating budgets when applying for grant money.

Thank you,
Adele Groning

Jo Johnson

From: akoeninger@acsalaska.net
Sent: Wednesday, December 07, 2011 10:55 AM
To: Department Clerk
Subject: Support for Pratt Museum

Dear Homer City Council members,
The Pratt Museum is an important part of Homer, as well as a strong draw for tourism. Please retain city support for the Pratt at it's present or higher level.
Thank you,
Art Koeninger
488 Spruceview
Homer, AK 99603

Jo Johnson

From: Adele Groning [adele@bunnellstreetgallery.org]
Sent: Wednesday, December 07, 2011 10:55 AM
To: Department Clerk
Subject: Funding wishy washiness

Dear Members of the Homer City Council,
I am dismayed by Councilman Hogan's budget proposals to cut large sums of funding to the Chamber of Commerce and to the Pratt Museum. It is irresponsible to yank funding so abruptly and undermines the incredible effort that a non-profit organization puts into creating a sustainable and stable operating picture. Reprioritize if you will, but do so in a way that the non-profit can successfully and gradually adapt. The Pratt has a long-time agreement with the City that the City MUST honor.

Furthermore, funding non-profits should be a non-politicized process, because some of us like art, some sports, some environmental programs, some education. It can't be at the whim of individual councilpersons. The Hockey Association received \$50,000 in 2008 to make ends meet. That is not a sustainable or fair way of funding to other non-profits who must present balanced operating budgets when applying for grant money.

Thank you,
Adele Groning

Jo Johnson

From: Asia Freeman [asia@bunnellstreetgallery.org]
Sent: Wednesday, December 07, 2011 10:57 AM
To: Department Clerk
Cc: Holly Cusack- Mc Veigh; Michele Miller
Subject: Support for Pratt

Dear Mayor and City Council Members,

I dearly hope Homer's City Council will find a way to sustain funding for the Pratt Museum. The Pratt is Homer's oldest arts and culture organization, receiving national recognition and awards for its outstanding marriage of arts and sciences, educational programs and historical collections. Our community museum is a vibrant light within Homer's educational resources and anchor to our cultural tourism industry, as well as the major attractor of young families and retirees that move here. For all of these reasons, and the fact that these sustainable industries contribute to Homer's healthy growth and stable future, it is essential that we support the Pratt.

Balancing the budget has never been an easy process -- but the City of Homer has historically provided operating support for the Pratt for decades. The idea of slashing funding this year is a very dangerous precedent. The Pratt has outgrown its facility, and it is in the midst of a capital campaign. Maintaining operating support is vital to the healthy function of the museum. City support attracts essential support of other funders as well. Upon this foundation, the Pratt has grown and thrived, an institutional "elder" that has helped shape and mold Homer's identity and sophistication nationwide. The Pratt truly strengthens Homer and deserves our support.

Asia Freeman
Executive/Artistic Director
Bunnell Street Arts Center
106 West Bunell, Suite A
Homer, AK 99603
907.235.2662
asia@bunnellstreetgallery.org

Jo Johnson

From: angienewby@alaska.com on behalf of Angie Newby [angienewby@alaska.com]
Sent: Wednesday, December 07, 2011 11:00 AM
To: Department Clerk
Subject: please support continued funding for the Pratt Museum at the current 2011 level

A key element in the Council process of determining funding support should be “how relevant is the organization to the economic health and well being of the City, and how important is the organization to the quality of life in Homer”?

As everyone in Homer and virtually all of South Central Alaska, already knows, the Pratt Museum is the heart and soul of our historical and present day narrative for Homer and the greater Kachemak Bay environs. It has received a plethora of State and National rewards and recognition. The staff is ferocious in their pursuit of alternative and grant funding.

However, without City support at the current level, other funding sources will be in jeopardy. An intrinsic part in all grants is the question of local support. In addition, the City has a pact with the Pratt, whether current Council members like it or not, to continue supporting this venerable institution.

More importantly, the Pratt museum IS a critical part of our economic engine. People really do come to Homer to visit the Museum and while they are here, they spend money on lodging, food, other venues, AND pay sales tax on any purchases.

I understand that money is tight right now, with the decrease in real property evaluations impacting property tax revenues, partial annual food sales tax, and a lot of competition for support. It is time for the City Council to consider a small increase in the property tax mil rate and to also get behind the formation of a Service Area for funding recreational and cultural services. Those two actions would create more than enough funding for a myriad of organizations and activities.

Thank you for considering my comments and I look forward to your support for the Pratt in 2012.

Angie Newby, CCIM, CRS

Homer Real Estate

1529 Ocean Dr

Homer, AK 99603-0997

Direct - (907) 235-5294

Sell - (907) 299-1514

Fax-(907) 235-5223

angienewby@alaska.com

<http://www.homerrealestate.com>

Jo Johnson

From: Julia Clymer [clymer.cpa@gmail.com]
Sent: Wednesday, December 07, 2011 9:49 AM
To: Department Clerk
Subject: Support for Nonprofits Vital

City Council Members--

Thank you for your time and service on the Council. It is important and often thankless work, but vital to making a community of our size function. The budget season is a particularly difficult time, with lots of hard choices to be made. I have been part of this community for several decades and take a particular interest in the budget cycle due to my belief and support of the local nonprofits. I remember when the change was made to redirect the city grant awards through the Homer Foundation, alleviating the Council of a huge amount of time and effort. Recently it appears that has begun to shift back, so that the local nonprofits are now competing in front of the council again and moving the decision making into a more political popularity contest. I am concerned about that shift and would ask you to reconsider the huge benefit the Foundation provides in evaluating community requests, involving a carefully structured review process, and ensuring that your dollars are spent both wisely and fairly. I also support the carefully considered line item funding for the Chamber, the Library and the Pratt Museum. Please continue to show strong leadership as a Council to stand by the existing funding structure and provide solid continued support for those organizations that each have a unique and long-established relationship with the City.

As a resident of Homer I make it a point to support local nonprofits with regular contributions of monetary support as well as my time and expertise. In these difficult economic times every single dollar makes a difference and continued stable or even increased funding from the City is absolutely essential. If you want to provide additional support for other nonprofits, please do it within the Homer Foundation funding process, but please do NOT reduce the funding levels for the Pratt Museum, the Library or the Chamber. Do you really want to be spending a huge amount of your time on the council listening to a long parade of various nonprofit supporters each arguing their case? We changed that for good reason. There are many demands on your time and attention, please allow the Homer Foundation process to function as it was intended and allow you to focus on the larger components of the whole budget.

Thank you,

--Julia Clymer

Jo Johnson

From: michaelandpeggy@acsalaska.net
Sent: Wednesday, December 07, 2011 9:55 AM
To: Department Clerk
Subject: Funding the Pratt

As a long term member and supporter of the Pratt Museum, I have always been proud of the support that the city of Homer has so gratuitously given the museum for routine operations. Those funds have been the corner stone to keeping the lights on, the building warm, and keeping a staff of museum professionals. The funds that we are once again asking the city to contribute to the museum are for those purposes only. Regardless of what one or more members of the city council may believe, those funds have not and will not be going toward our planned building project. All funds for that project have come from separate grants, gifts, and donations specifically specified for that purpose. Where existing staff has spent time on the development of the plans for that project, their wages have come from that pool of money, not from the funds dedicated to routine operations. Whether we ultimately go forward with the construction of a new building, which I believe we will, or not, it will not be with the funds that the city annually gives to support the museum. Whether the museum will be able to survive in our current economic environment without the city's contribution is subject to discussion, regardless of the status of any new building project. The Pratt has been one of the attractions that has made Homer what it is, and I believe it is well worth supporting.

I am currently a member of the board of directors of the Pratt and have been a member since before I moved here in 2003.

Michael Craig
2373 Mount Augustine Dr.
Homer, AK 99603
235-0631

Jo Johnson

From: Ramona Pearce [ramonainalaska@gmail.com]
Sent: Wednesday, December 07, 2011 10:00 AM
To: Department Clerk
Subject: Pratt Museum

This email is in support of Pratt funding for the City of Homer's 2012 budget. The museum is an important part of our city and tourist industry and should most definitely be supported by the city and funding included in their budget.

Jo Johnson

From: flatfish@gci.net on behalf of Mary Captain Mike's [flatfish@gci.net]
Sent: Wednesday, December 07, 2011 10:02 AM
To: Department Clerk
Subject: Please support full funding for the Pratt. It is a very important part of our community.
Sincerely, Mary Huff

Sent from Samsung mobile

Jo Johnson

From: Holly Cusack- Mc Veigh [hcm@prattmuseum.org]
Sent: Wednesday, December 07, 2011 9:20 AM
To: Department Clerk
Subject: In support of our community's future

To Whom It May Concern:

I ask you to seriously consider the long-term costs of not supporting the Pratt Museum. As the Curator of the Museum, I wish to emphasize the vital role that the Pratt Museum has played in our community over many, many decades. We strive to deliver community-wide programs, exhibits and educational services that reflect the interests of ALL community members. We work very, very hard to deliver a balance in the arts, sciences and cultural/historical areas. We have always sought ways to speak to community interests in deeply meaningful ways.

Our collections are the living legacy of this vibrant community. The Pratt Museum protects our shared past and encourages a bright future for our diverse community. Without your continued support this living legacy will be in jeopardy. Sadly, there are examples worldwide of communities who have lost their museums through social and political unrest. Others have been victims of the economic downturn. Regardless of the reasons, the result is a profound loss for all.

As a mother and community member, I ask you to continue your support of a community institution that celebrates the exploration of children and encourages community dialogue. There is no other place in Homer that defines, shapes and supports our community in the way that the Pratt does. My children have grown up knowing their local history and natural surroundings because of the many Pratt programs offered for our youth. Please give the next generation this same opportunity to gain a sense of self and place! There are far too many young people in our world who do not have a strong sense of identity and a shared, community sense of place!

I urge you to consider the consequences of this lost community treasure that so many have worked so hard to build and support over the years. No other institution can fill this gap and maintain our collective sense of community the way a museum can. Please carefully weigh the decades of shared community experience and protect this irreplaceable legacy for future generations.

Sincerely yours,
Holly Cusack-McVeigh

Jo Johnson

From: Karen King [karen.king@nerland.com]
Sent: Wednesday, December 07, 2011 9:21 AM
To: Department Clerk
Subject: Please support the Pratt

Hello:

I want to show my support for the Pratt Museum and thank the city of Homer for its support to date as well. Though I live in Anchorage, I recently bought property in Homer — and agreed to participate on the Pratt Board. The museum is an extremely valuable part of my Homer experience and now, especially, needs the city's support as it moves forward on its capital campaign for a new and much-needed building. Please approve continued financial backing of this Homer treasure.

Thank you./Karen

.....
KAREN KING
Owner/President
Nerland Agency Worldwide Partners
T: 907.274.9552
F: 907.274.9990

SEE [brave:works AT NERLAND.COM](mailto:karen.king@nerland.com)

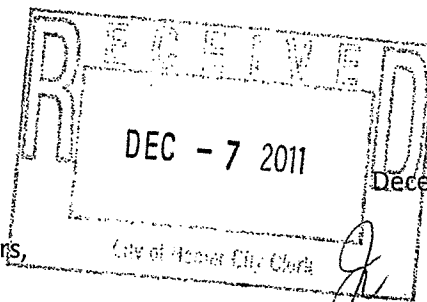
Jo Johnson

From: Shawn Hansen [hanvikingsen@gmail.com]
Sent: Wednesday, December 07, 2011 9:21 AM
To: Department Clerk
Subject: Non Profit Pratt Museum funding

Homer City Council

I would like to express my strong support for funding the Pratt Museum. The Pratt attracts visitors enhances Homer's reputation, educates our children and improves our quality of life. It is an investment that pays dividends

Shawn Hansen
4234 Sevdlund Ct.
Homer, AK. 99603



December 6, 2011

Mayor Hornaday and Homer City Council Members,

You know, perhaps better than anyone, the great diversity of opinions and characters we have in Homer. Imagine the job of selecting books that would make everyone in Homer happy. Impossible! Only by selecting a great diversity of books – in both style and content – could you begin to satisfy the Homer community’s appetite for information, entertainment, and discovery.

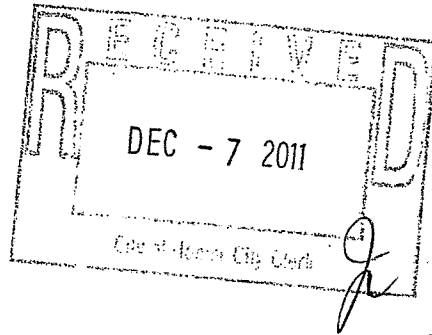
The Homer Public Library staff is tasked with just this job - to create a book collection that responsibly reflects Homer’s needs. With 13,016 library service area patrons, the 2012 Homer library book budget request comes out to a modest \$1.77 per person. In fact, the City of Homer’s library book budget is meager compared to other libraries on the Kenai Peninsula. In 2010, the City of Kenai spent \$6.73 per capita on books; the City of Seward, \$7.62; and the City of Soldotna, \$10.56.

Library books are the pinnacle of responsible resource use. These books circulate around the community as many as 200 times, with periodic repairs by library staff and volunteers, before finally being retired into the biannual library book sale. No waste here. The Homer community supported and helped fund the new library building, and once built, the community has come over and over again for library services. And books are at the core of these services; fiction and non-fiction books for adults, picture books for preschoolers, chapter books for elementary-aged children, and teens; and large print books for seniors.

I encourage you to fund the \$23,000 library book budget request – just \$1.77 per person - in full for 2012.

Thank you for your time and consideration,

Sue Mauger
PO Box 1368
Homer, AK 99603



December 6, 2011

Dear Council Member

I want to thank you for the important job you do in your position on the Homer City Council.

As I understand it, you are in the midst of 2012 Budget preparations and many interests are vying for a piece of the pie. So it is neither with great pleasure nor lack of thought, that I send this letter.

I think we would all agree that the better equipped you are with the facts, the better you are able to make decisions that are wise, in the best interest of the City and its people, and that you will not later regret .

With that, I bring up the suggestion that you put into the 2012 Budget money for repair and maintenance of the Ocean Drive Loop Seawall. Exactly how much? I don't know. I would consult with the City Manager and the Public Works Director for their suggestions, and your perspective on the big picture of the overall budget.

Before you respond, I understand, at least through the words of the City Manager, that it is the Council's wishes to not spend money on the seawall. However, my suggestion goes beyond my wishes or yours. It goes to the legal, regulatory, and moral if you will, responsibility that the City has for the repair and maintenance of the seawall. This is clearly indicated in the Army Corps of Engineers Permit that the City holds for the seawall project.

I quote from the permit:

2. You must maintain the activity authorized by this permit in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

The wall has suffered recent damage that will require repair in the near future. Most likely it will require repair and maintenance in the future as well.

It would be prudent therefore to look at the reality of the situation now, budget the money for 2012, and not regret having not done so, in the future. If all of the money isn't

used in 2012, and we all pray that it wouldn't need to be, then it could be transferred later in another direction.

I would discourage spending expensive City Attorney fees or countless employee hours trying to avoid this, but rather encourage putting that money where it can better be used, for example, on actual repairs. The last legal maneuvering cost the property owners well over \$ 100,000, and I am sure the City, twice that amount. It produced little for the time and money invested, and only complicated the situation.

If you would like to get together for an exchange of ideas, I would be happy to do so, prior to budget approval or after the Christmas/New Year holidays.

Thank you for giving this your serious consideration,

John Szajkowski

Ocean Drive Loop Property Owner

Jo Johnson

From: Alaska Ferry Adventures [jojo@akferry.com]
Sent: Tuesday, December 06, 2011 11:09 AM
To: Department Clerk
Subject: Homer Chamber/Visitor Center

Please be advised that as a business, our property taxes generate a huge amount of sales tax revenue for the City of Homer.

I truly believe the Chamber/Visitor Center does an excellent job of marketing the community of Homer and the Kachemak Bay area.

In addition, many of the new and improved projects the Chamber/Visitor Bureau is addressing and implementing will only increase this revenue even more.

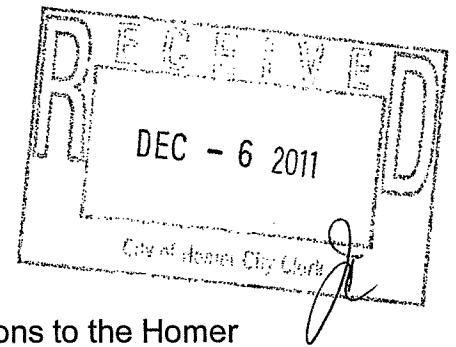
The grant contributed by our City to the Chamber/Visitor Center is an excellent investment which will continue to greatly benefit all of us.

Sincerely,

JoJo Molloy

jojo@akferry.com
Alaska Ferry Adventures and Tours
4667 Homer Spit Road Ste 1
Homer, Alaska 99603
907-235-7099 or 800-382-9229
www.akferry.com

December 6, 2012



Dear Mayor Hornaday and Members of the Homer City Council,

I am writing to express my concern about proposed reductions to the Homer Public Library's 2012 book budget. The library book budget is hardly fat to begin with. Seward, for example – a town considerably smaller than Homer even without including our out-lying areas – had a larger 2010 book budget than did Homer. Even sleepy little Talkeetna's book budget was 10% higher than ours!

The fact of the matter is that our beautiful new library is not exactly over-stocked with books to begin with, and many of those we have are in a sorry state and need to be replaced. Moreover, people (especially young people) want NEW books. Drop by the library any time of the day and you will see for yourself how folks make a beeline for the New Book section. Some, like me, like to browse until something piques their interest. Others know exactly what they're looking for, and let the librarians know if they can't find it. But we're all scratching that same itch, looking for a good book that will stretch our imaginations and increase our knowledge.

There are plenty of reasons to NOT cut the book budget (for example, we are already at the minimum to leverage our dollars with grants), but I'll just leave you with this little bit of Forrest Gump-like wisdom: "Libraries are like the dishes or the laundry. They are never done." And a good thing, too – what a sad world it would be if people stopped writing books. It would be even sadder if people stopped wanting to READ books.

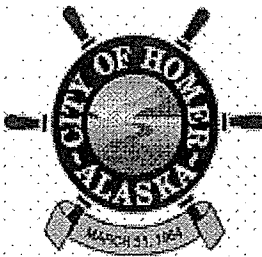
Sincerely,

Marylou Burton
41596 Manor Road

Office of the City Clerk

Jo Johnson, CMC, City Clerk

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



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

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

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

MEMORANDUM 11-160

TO: MAYOR HORNADAY AND CITY COUNCIL

FROM: PARKS AND RECREATION ADVISORY COMMISSION

DATE: DECEMBER 7, 2011

RE: RECOMMENDATION TO APPROVE BUDGET REQUEST OF ADDITIONAL SEASONAL MAINTENANCE PERSONNEL FOR PUBLIC WORKS DEPARTMENT

Background

During the October 20, 2011 Regular Meeting under Staff and Committee Reports the Commission recommended and moved to support the budget request of additional seasonal personnel to assist Ms. Otteson in proper maintenance of restroom facilities on the Spit and in town. Following is the excerpt from the minutes on the commission discussion and recommendation to City Council.

STAFF AND COUNCIL REPORTS/COMMITTEE REPORTS/BOROUGH REPORTS

A. Spit Parks and Recreation Committee

1. Synopsis of August 26, 2011 Meeting
2. Next Meeting is scheduled for November 3, 2011 at 5:30 p.m.
3. All Surveys received on Mariner Park

LILLIBRIDGE/BRANN - MOVED TO RECOMMEND AND ENCOURAGE CITY COUNCIL REINSTATE THE BUDGET REQUESTED TO ALLOW THE ADDITIONAL PERSONNEL TO MAINTAIN FACILITIES AS REQUIRED COMPLYING WITH INDUSTRY STANDARDS OF HEALTH AND SAFETY.

Mr. Meyer noted that supporting the additional personnel will be very important since there will be additional facilities constructed in the future and the added personnel will be very helpful. Mr. Meyer noted a few projects in the near future for the construction of additional restrooms.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Recommendation

Approve the allocation to the Public Works Department Budget to hire additional seasonal personnel to maintain facilities as required complying with Industry Standards of Health and Safety.

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 11-094

A RESOLUTION OF THE CITY COUNCIL MAINTAINING
THE CITY OF HOMER FEE SCHEDULE AT THE CURRENT
RATES.

WHEREAS, Fees are reviewed annually during the budget cycle; and

WHEREAS, It was determined that there was no adjustment to the City of Homer Fee
Schedule needed at this time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska, that
the City of Homer Fee Schedule is maintained at the current rates.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 12th day of
December, 2011.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

ATTEST:

JO JOHNSON, CMC, CITY CLERK

Fiscal Note: Revenue amounts not defined in CY2012 budget.

Fee Schedule

July 2011

This Pamphlet compiled by the Office of the Homer City Clerk

**Homer City Clerk
491 E. Pioneer Avenue
Homer, Alaska 99603
(907) 235-3130
Fax: (907) 235-3143
Email: clerk@ci.homer.ak.us**



City's Home Page - <http://clerk.ci.homer.ak.us>

Updated: July 2011

07/11 - clerk

The City of Homer is a First Class General Law Municipality with a Manager form of Government. Incorporated March 31, 1964.

Main Office Phone for the City of Homer 235-8121 (City Hall)

Sales Tax - 4.5% for the City, 3.0% Borough, and total sales tax paid within Homer City limits, 7.5%. Non prepared food items are exempt from Borough and City Sales Tax September 1st through May 31st of each year.

Property Tax - Mill levy
City - 4.5
Borough - 6.50
Hospital - 1.75
KPC - 0.10

HCC - Homer City Code - codification of City ordinances.
AAC - Alaska Administrative Code
AS - Alaska Statutes

Office Hours for City Hall are 8:00 a.m. to 5:00 p.m. unless otherwise specified.

Phone Numbers for main offices:

Administration - 235-8121
City Clerk - 235-3130
City Hall - 235-8121
Community Schools - 235-6090
Fire Department - 235-3155
Library - 235-3180
Planning - 235-3106
Police Department - 235-3150
Port/Harbor - 235-3160
Public Works - 235-3170

BILLING AND PAYMENTS - 235-8121 ext 2240 or 0 for the front desk.

Assessment Bills (City of Homer only) - 235-8121 ext 2240
Port/Harbor Bills - 235-3160
Water/Sewer Bills - 235-8121 ext 2240
Ambulance Bills - 235-8121 ext 2228
Emergencies - 911 (Fire, Medical, Police)

ADMINISTRATIVE FEES FOR THE CITY OF HOMER

(The following fees have been set by legislative enactments, Ordinances 04-53(S)(A), 03-36(A), 01-13(S)(A); Resolutions 11-074(A), 11-036(A)(S), 10-90(A), 06-24(S), 05-125(S), 05-49, 05-22, 04-98(S)(A), 04-96, 04-95, 04-94(S)(A), 03-159, 00-14, 99-116, 99-50, 95-1 and 92-10(A), Regulations Concerning Public Record Inspections dated March 2003.)

These fees are administrative fees for all departments of the City of Homer unless otherwise specified under that department. All fees are inclusive of sales tax. Unless otherwise specified: Any item mailed may have an additional fee added for actual postage. Handling fees may be added up to the actual staff time spent preparing the item for shipping.

An application for indigency may be filed with the City Manager for waiving or partially waiving the costs of fees. The City Manager may allow an applicant, who qualifies as an indigent, a reduced fee, a payment plan or a waiver of the fee where the Manager is able to make a written finding, based on information provided by the applicant, that payment of the fee would be a financial hardship. Based upon the information provided, the fee may be reduced or waived in accordance with the following scale:

Annual Income as a Percent of current Health and Human Services (HHS) Poverty Guidelines for Alaska	Percent of fee reduced
1-100%	100% Waiver
101-149%	75% Waiver
150-174%	50% Waiver
175-199%	25% Waiver
200% plus	No Waiver

Airport Pickup/delivery \$25
 Annual Safety Inspection commercial vehicles \$100
 Annual Taxi Permit \$75
 Appeal Fees

Water and Sewer Appeals, under HCC 14.04 and 14.08 – shall be set by Resolution; in the event the appellant is the prevailing party the fee shall be refundable. Ordinance 05-43(A).

Zoning Appeals – fee \$250.00 subject to refund if the appellant is successful on any aspect of appeal. Resolution 06-24(S)

Credit Cards are accepted for other than real property lease payments with a minimum of \$10.

Computer Disc (includes 1st class postage): \$10/disc

CD Reproductions: \$20.00

Document copying fees: \$.25/page

Certification Fee: \$10/report

Driver License Records \$10

Fax: w/in Alaska \$1/page, Continental US \$2/1st page, Subsequent pages \$1/page. Other destination \$5/1st page. Subsequent pages \$2/page.

Electronic Transmission: \$1/page (Scanned PDF document)

Lease application fee \$30

Lease fee \$300

Lease Assignment Fee \$250

Local Bidder's Preference

Non-local bid is	Local bid is not more than
\$0 - \$500,000.00	5 percent higher than non-local bid
\$0 - \$1,000,000.00	5 percent higher than non-local bid on first \$500,000.00 and 2.5 percent higher than non-local bid on amount in excess of \$500,000.00 to \$1,000,000.00

No additional adjustment for bids above \$1,000,000.00

Photograph Copying: \$10/order (includes shipping and; handling)
If done commercially – Actual Costs plus 5%

Production Fees -

Per requestor in a calendar month exceeds five-person hours the fee is the City employee's actual salary plus benefit costs. An estimate will be prepared and the requestor must deposit the estimated production and copying fees in advance. If the actual costs are greater than the estimate the records will not be released until the difference is paid and if the actual costs are less the requestor will receive a refund of the difference.

No fee for simple inspection, except when the production of records by one requestor exceeds five person hours in a calendar month.

Local Improvement Districts (LID's):

HARP (Homer Accelerated Roads Program) LID's

Assessments are: \$30 per front foot for Road Reconstruction
\$17 per front foot for Paving

HAWSP (Homer Accelerated Water and Sewer Program) LID's

Assessments are: 75% of the total project cost allocated in equal shares to each participating parcel

OTHER LID's if approved by the Council are at 100% property owner participation.

Application Fee	\$100
Bill Fee	\$3.00 per bill
Administrative Fee	
0-500,000	5%
over 500,000	\$25,000 plus 2.5%

Notary \$5.00

Smoking prohibited in City Facilities, Vehicles and Watercraft - \$25 fine

Tapes: Audio Cassette (Police Department) \$25 tape

Subsequent, \$15/tape Includes 1st class postage

Video Cassette (Police Department) \$30/tape

Vehicle Impound/Storage Fees (actual costs + towing) Storage, \$7.50/per day

AIRPORT TERMINAL FACILITY

Administration - 235-8121 (ext 2225)

(The following fees have been set by legislative enactments, Resolution 10-90(A), 04-98(S)(A), 94-61, 93-107, 08-124).

Advertising only:

\$ 75/yr. - size 9X4"

\$ 100/yr. - size 9X7"

\$125/yr. - size 9X11"

Advertising w/Direct Dial Phone - \$350/year

Long Term Parking - Per day \$5

Annual Pass \$500/year

Vending Machine Space \$30/month

ANIMAL CONTROL FEES

235-3141 Hours are 11 a.m. to 2 p.m. Monday through Friday.

(The following fees have been set by legislative enactments to HCC 20.32, Resolution 01-85)

Dog License	
Neutered/spayed	\$10.00/2 years
Nonneutered/nonspayed	\$50.00/2 years
Kennel license	\$100.00/2 years
Replacement fee, lost license	\$ 4.00
Rabies Voucher	\$ 12.00
Quarantine at Home	\$ 40.00
Quarantine at Shelter	\$ 40.00 plus daily boarding fee
Boarding fee (when available)	\$ 12.00 daily
Pickup at residence for owner release	\$ 20.00
Turn In	\$ 5.00
Turn In for Euthanasia	\$ 15.00

Impound fees:

	Nonspayed/Nonneutered	Spayed or Neutered
1st offense	\$35.00	1st offense \$25.00
2nd offense	\$50.00	2nd offense \$40.00
3rd offense	\$85.00	3rd offense \$75.00
4th offense or greater	\$100.00	same

Live Trap:

Small trap \$ 70.00 deposit, \$1.00 per day. Seven (7) day rental maximum.
Large trap \$150.00 deposit, \$1.00 per day. Seven (7) day rental maximum.
Deposit is forfeited if the trap is not returned in seven days. A portion of the deposit, up to the entire amount of the deposit, will be forfeited if the trap is damaged.

Adoption Fee \$ 15.00

All impounded animals must be properly licensed and have current rabies vaccinations prior to being released. Owners of impounded animals will be charged a daily boarding fee for every full day that the animal stays in the shelter. Vaccination and license fees shall be the owner's responsibility.

Animals being adopted shall be spayed or neutered, properly licensed and vaccinated. Associated fees shall be the responsibility of the adopting party.

The City shall charge for any additional expense incurred by the City in the actual impoundment, transportation, medical care, housing or feeding of any animal; which expenses shall be paid in full prior to the animal's release.

CAMPING FEES

(The following fees have been set by legislative enactments, Resolutions 05-05, 04-98(S)(A), 99-94, 93-35, 91-34 and; 91-20(S)).

"Campground" means an area owned, controlled, developed and/or maintained by the City, which contains one or more improved campsites or contains adequate area for one or more unimproved campsites.

"Camping" means:

1. The erection of, or occupancy of any tent.
2. The placing or leaving of any items normally found at a campsite within campsite such as cook stoves, lanterns, sleeping bags or bedding.
3. Parking of any camper unit in any area owned or controlled by the City that has been designated a camping area by official signs, in excess of twenty-four hours. "Camping Season" means that period of time from April 1 through October 30.

RV \$ 15/day
 14 calendar days \$189

All other camping \$ 8/day
 14 calendar days \$100

All fees inclusive of sales tax.

CITY CLERK

(The following fees have been set by legislative enactments, Resolutions 03-159, 05-125(S), 06-16 and 06-40(A).)

Administrative - 235-3130
 Cemetery fees amended Resolution 98-28.
 Cemetery - plot \$200

Excavation
 adult - \$500; \$400 opening, \$100 closing
 infant \$375; \$300 opening, \$75 closing

Extraordinary conditions such as weather, heavy snow coverage, ice, frozen ground and etcetera may result in fees charged up to \$200 additional at Public Works discretion.

City Council and Commission Meeting packet fee

Per Packet:

0 – 25 pages - \$5.00
 26 – 50 pages - \$10.00

51 – 100 pages - \$20.00
 100 – 200 pages - \$25.00
 200 – 500 pages - \$30.00
 500+ pages - \$35.00

Per Month, Per Council or Advisory Body:

- 1 packet same fees as above.
- 2 packets above fee with 10% reduction.
- 3 packets above fee with 12% reduction.
- 4 or more packets above fee with 15% reduction.

City Hall Facility Use Fee (Resolution 03-159)

Government Agencies, generally, are exempt from fees.

Use by non governmental agency or entity fee is \$15.00 per hour, with a minimum of two hours; maximum fee is \$75.00 per day.

Cleaning Fee – if the facility is not left as found an additional fee of up to \$30.00 may be applied.

City Pins and Mugs (Resolution 98-28)

Logo Pins \$1.00
Logo Mugs \$4.00
Scene Mugs \$8.00

Copies of meeting (audio) tapes \$10.00/each (Reso. 03-159)

Copies of meeting (digital) CDs \$10.00/each (Reso. 06-16)

The following fees have been set by legislative enactments to HCC 19, 5.

Gravel Permit, application fee \$5 (Areas B and; C require no approval of the COE or Div. of Lands, HCC 19.12.040(c).)

Fire Works Permit, HCC 5.24 \$25 (apply 30 days in advance) per exhibit plus bond for \$500 or liability insurance, must have.

LIBRARY FEES

235-3180 (Amended: Ordinance 05-08, 03/15/05; Resolution 04-98(S)(A), 12/13/04; 03-87, 06/23/03; 99-19(A), 3/22/99; 98-86, 9/28/98; 97-87, 10/13/97)

Closed - Sundays. Open - Mon, Wed, Fri and Sat from 10 a.m. to 6 p.m. Tues and Thurs from 10 a.m. - 8 p.m.

Library Cards Replacement cards \$5/issue
Temporary card \$10 non refundable
Temporary Family card \$50, \$40 refundable; limit of twelve items.
Refunds are issued the second check run of each month via check from the City of Homer. Apply for refund through Library staff and provide forwarding address. If the refund is not claimed within six months the refund becomes a donation to the Library.

Overdue Items 14 day circulation -\$0.15/day
Maximum charge \$6.00
Admin. Fee of \$25
3 day and 1 day circulation - \$1.00/day
2nd overdue notice - \$1.00/notice

Bill notice - \$1.00/notice

Photo copy \$.15/ea (letter size) and (legal size)

Interlibrary loan fee \$2 standard size books
\$.32 for photocopy
Priority Mail \$4.00
Microfilm/videos/CDS/Audios
Additional charges may be assessed and mailing costs may exceed these amounts.

Replacement/Repair of items

Lost items \$7.00 processing fee to

Damaged items \$7.00 processing fee to
 Lost or damaged cases, hang-up bags, etc. \$2.00
 Lost map or inserts - \$10/item
 Lost out-of print items - \$50/Alaskana
 \$40/non fiction
 \$35/fiction

Damaged Item - \$1.00/page
 \$2.50/cover
 Damaged beyond repair - Full bindery cost or full replacement
 cost plus \$7.00 processing charge.

Please Note: To receive a refund on a lost item, patrons must return the item within
 sixty days of lost status. Refunds of payment for items deemed valuable
 to the collection and returned after the 60-day period may be
 made at the discretion of the Director.

PLANNING AND ZONING DEPARTMENT

235-3106 or 235-8121 (Coordinates with Public Works)

Zoning Permit

(The following fees, for Zoning Permits have been set by legislative enactments, Resolution 00-17 as authorized by HCC 21.42.060, Resolution 03-12(A), Resolution 03-159, Resolution 04-35, and Resolution 04-98(S)(A), Resolution 05-27(S) and Resolution 05-35, Resolution 07-14 and Resolution 07-45, Resolution 08-124.)

Zoning Permit Fees:

Single Family /Duplex	\$200
Multi-Family/Commercial/Industrial	\$300, plus \$50 per hour when over six hours of administrative time.
Change of Use fee	\$50
Deck	\$50

Fees for commencing activities, without a permit, shall be assessed at the regular rate multiplied by one and one half (1.5) for Residential and two (2) for Commercial.
 (The following fees have been set by legislative enactments to HCC 14.08.035.)

ROW Permit - minor \$90
 major \$90

(The following fees have been set by legislative enactments to HCC 11.08.040).

Driveway Permit Residential	\$45
Commercial	\$60
Long	\$105

Publication Fees

Comp Plan large	\$20		
Comp Plan small	\$10		
Zoning Map	sm \$ 5	lg	\$25
Road Maint. Map	\$ 5		

Zoning Ordinance - HCC 21 \$ 15

Sign Permit - \$ 50
 Variance - \$250
 Erosion and Sediment Control Plan (BCWPD): \$300

Storm Water Protection Plan Fee: \$200

Conditional Use Permit Processing Fee
 Amendment \$200
 Fence \$300
 Single Family/Duplex \$200
 Multi-Family/Commercial/Industrial
 \$500 for uses less than 8,000 sq. ft.
 \$1,000 for uses 8,001 sq. ft. to 15,000 sq. ft.
 \$2,500 for uses 15,001 sq. ft. to 25,000 sq. ft.
 \$5,000 for uses 25,001 sq. ft. to 40,000 sq. ft.
 \$8,000 for uses 40,001 sq. ft. and larger
 Recording (as Required) \$50

Fees for commencing activities, without a permit, shall be assessed at the regular rate multiplied by one and one half (1.5) for Residential and two (2) for Commercial.

Traffic Impact Analysis and Community Impact Assessment – when required, applicant will be charged for the actual cost of the study, plus a 10% administrative fee. The City will be responsible for hiring and managing the study.

(Resolution 03-159 and 96-13 HCC 12.12.03)

Rezone - \$500
 (HCC 21.63 repealed via Ordinance 03-21.)

Flood Hazard Development Permit \$200

Preliminary Plat Processing Fee \$300, or \$100 per lot, whichever is greater. (Resolution 07-14, 03-159 and 96-13)

Elimination of a common interior lot line. \$200.00

Right of Way and Section Line \$300

Easement Vacation Application
 Fee: (In addition to applicable preliminary plat fees).

Utility easement vacation: no fee

Bridge Creek Watershed Permit - zoning permits are required for the Bridge Creek Watershed Area. Although no fees will be charged for the zoning permits outside of City Limits, the evaluation process is still in effect.

Street Renaming

Fees

(A) For name changes or naming of public dedicated streets other than those named during the subdivision process:

(1) Street Naming Petition and hearing advertising fee \$150

- (2) Installation of each new City sign, post, etc. Per sign: \$150
- (3) Replacement of existing City sign due to change where no post is needed. Per sign: \$ 80

The minimum fee shall be either a combination of 1 and 2 OR 1 and 3, above; however, all signs that need to be changed and/or maintained by the City must be paid for prior to installation.

(B) For Private Road Naming:

- (1) Street Naming Petition and hearing advertising fee \$150
- (2) Installation of each new City sign, post, etc. Per sign: \$150
- (3) If no public hearing or public notice is necessary, i.e., 100% petition and no partial dedicated street involved No fee
- (4) If no signs are required No fee

PORT AND HARBOR DEPARTMENT

(The following fees have been set by legislative enactments to HCC 10, Ord. 95-18(A) and Resolutions 10-89, 06-52, 06-04, 05-123, 04-96, 03-154(S), 03-104, 03-88, 00-39, 99-118(A), 99-101, 99-78(S), 99-30(A), 95-69 (Port/Harbor Tariff No. 600), Resolution 95-19, Resolution 01-84(S)(A), Resolution 02-81(A), Resolution 07-121, and Resolution 08-123)
 Harbor Office - 235-3160
 Fish Dock - 235-3162

All rates except load and launch ramp fees and parking fees for Ramps 1 - 4, which are inclusive of sales tax, will have sales tax applied. The resulting figure will be rounded to the nearest half dollar for billing purposes.

Administrative cost for changing boat in slip - \$25.00
 A \$30.00 per year charge will be assessed for a listing on a permanent reserved stall assignment.
 Large quantity waste oil disposal (with Harbor Master approval) - \$3.25 gallon

PARKING FEES

Parking fees to be collected at Ramp 1, Ramp 2, Ramp 3 and Ramp 4 seasonally (Memorial Day through Labor Day). Parking fee is \$5 per calendar day. Posted parking time limits will be established and enforced as per Homer city code 10.04.100.

Seasonal permits for day use parking (Ramps 1-4): \$250.00.

Long Term parking permits required for Vehicles 20' or less parked in excess of seven (7) Consecutive 24-hour days.

Long Term parking annual permit (January 1st through December 31st): fee \$200.00.

Long Term Parking annual permit fee for vessel owners paying annual moorage in the Homer Harbor: fee \$100.00.

Vehicles over 20' and trailers are not eligible for long term parking permits.

Long term parking will be enforced year around.

Parking lot restrictions for long term parking, May 1 through October 1 as depicted on harbor map (Resolution 11-36(A)).

Existing code definitions for Restricted parking, vehicles, junk vehicles, and fines for violations apply.

Fines, \$25.00 per calendar day, provided that the fine for overtime parking in long term parking area will be limited to \$250.00 fine per calendar year, with \$200.00 of the fine credited towards the long term parking annual permit.

Annual Moorage fee - \$35.22 per lineal foot, plus \$50.00 administrative charge.
Reserved Stall - length of the float stall assigned, or overall length of vessel whichever is greater, plus \$50.00 administrative charge.

Float Plane Fee - daily moorage rate of (2) 24' vessels shall be assessed on a daily basis for float planes or a monthly rate equal to the monthly rate for (2) 24' vessels.

Dockage charges will be assessed per calendar day or portion thereof at the rate of \$2.27 per foot for the length of the vessel.

A service charge of \$52 will be assessed to each vessel.

These charges are applicable to the "outer face" and "trestle berth" of Deep Water Dock and to all berthing locations on Pioneer Dock. The "inside berth" (berth No.2) of Deep Water Dock will have a 4-hour minimum dockage charge of 1/6 the daily rate, and a half day (up to 12 hours) docking charge of 1/2 the daily rate, with no service charge applicable.

Cruise Ship dockage will be assessed per calendar day or portion thereof at the rate of \$2.27 per foot for the length of the vessel. A service charge of \$481.53 will be assessed to each Cruise Ship.

The fees for general storage are as follows:

Open Areas, fishing gear	.11 per sq. ft.
Open Areas, non-fishing gear	.15 per sq. ft.
Fenced Storage Yard	.22 per sq. ft.

The fees for trailer parking area/long term storage Oct. 1 to May 1 are as follows:

Up to 30 feet	\$ 75.00 per month
Over 30 feet up to 40 feet	\$100.00 per month

Storage:

Short term storage seven days or less, on a space available basis.

Long term storage eight days or more, not available during May 1 through September 30.

Wharfage:

Minimum wharfage on any shipment will be ten dollars (\$10). Except as otherwise specifically provided, rates are in dollars per short ton of 2,000 lbs. or per 40 cu. ft.

COMMODITY	WHARFAGE RATE
Freight N.O.S. (Not Otherwise Specified)	\$7.96

Freight at barge ramp \$5.14
 Poles, logs, cants or cut \$3.95/thousand board ft.
 finished lumber per M.M.

(Note: Industry standard conversion formulas shall be used in converting pounds to board feet measure.)

Logs that are unloaded at Port of Homer barge beaching site will be charged 50% of the wharfage rate applicable to outbound (export) shipment. However if these cargoes are not exported over Deep Water Dock with full payment of outbound wharfage within 60 days of unloading at the barge beaching site, then the additional 50% of wharfage will be owed and paid for inbound products.

Petroleum products \$.39/barrel
 (inbound and outbound) \$.0103 gallon
 Wood Chips (all grades) \$ as per contract

Seafood/fish product Setting a tariff of \$4.76 per ton of seafood/fish product across the dock, regardless of species.

Livestock: Horses, mules, \$10.12 per head
 cattle, hogs, sheep, goats,
 all other livestock

Fowl: Any kind, crated \$10.12 per crate

Boats: Up to and including twenty (20) feet LOA \$15.66 each
 Over twenty (20) feet LOA \$1.60 per lineal ft.
 (Fishing boats, pleasure craft, skiffs, dinghies and other boats moved over the docks.)

Demurrage 0.09/sq. ft.

Uplands Storage:

Land for Gear Storage-

First come-first served basis; approved by Harbormaster; primarily for fishing related gear.

Open areas, fishing gear 0.12/ sq. ft.
 Open areas, non-fishing gear 0.17/ sq. ft.
 Fenced storage yard 0.24/ sq. ft.

Boat Trailers-

Short term storage, up to 7 days - space available basis - no fee.
 Long term storage, 8 days or more - not available May 1 to Oct 1
 Up to 30 feet \$ 75.00/month Oct 1 to May 1
 Over 30 feet \$100.00/month Oct 1 to May 1

TIDAL GRIDS:

The City of Homer operates two tidal grids. The wooden grid is for vessels of less than 60 feet in length. The steel grid is only for use by vessels of 60 feet or greater in length. Vessels that remain on either grid after their scheduled tide may be assessed a 50% surcharge for each unscheduled tide. Use of the steel grid shall be charged at the minimum rate applicable for a 60' boat if a boat of less length is allowed to use this grid.

The rate per foot per tide is \$1.05 for vessels 0' - 59'
 The rate per foot per tide is \$2.55 for vessels 60' - 80'
 The rate per foot per tide is \$3.25 for vessels 81' - 100'

The rate per foot per tide is \$3.82 for vessels 101' - 120'
The rate per foot per tide is \$4.24 for vessels 121' - 140'

WATER:

Potable water furnished to vessels at the Deep Water Dock and Main Dock:

Quantity charge - \$38.81 per one thousand gallons (minimum five thousand gallons).

Scheduled deliveries will have a minimum charge of one hundred and two (\$102.00) dollars for combined connection and disconnection.

Unscheduled deliveries will have a minimum charge of one hundred thirty nine dollars and thirty two cents (\$139.32) for combined connection and disconnection.

ELECTRICITY (per kilowatt):

Reserved stalls having a meter base at the berth shall be charged a meter availability fee.

The meter availability fee - \$23.95 per month

Connect/disconnect fee - \$28.80

Metered transient vessels will be charged a meter availability fee of \$28.80 per month with a one month minimum charge to be applied for shorter connection periods. Connect/Disconnect fee 28.80.

Unless other arrangements have been made in writing with the Harbormaster, transient vessels shall be charged the following rates (where metered power is unavailable).

	<u>110 volt</u>	<u>220 volt</u>	<u>208 volt/3-phase</u>
Daily (or part thereof)	\$ 10.20	\$ 20.12	\$42.50
Monthly	\$152.67	\$341.70	available meter only

* Vessels requiring conversion plugs may purchase them from the Harbormaster's office for a nominal fee.

208 volt/3-phase electrical power is available at System 5 on a first come first served basis, for vessels will be charged the following rates:

1. There will be an electrical usage charge per kilowatt hour as determined by the local public utility;
2. Vessels will be charged a meter availability fee of \$28.80 per month with a one month minimum charge to be applied for shorter connection periods.
3. There will be a \$28.80 connect/disconnect fee.

TOWING: Inside small boat harbor: Skiff with operator - 1/2 hour \$68.00, Skiff with operator - 1 hour \$102.00. Any additional personnel required will be charged at rate of \$99.00 per hour each.

PUMPING VESSEL: \$40.79 per day or portion thereof for electrical pumps.
\$69.97 per hour or portion thereof for gas pumps.

LABOR/PERSONNEL:

All labor provided by City personnel shall be charged at \$102.00 per hour (1/2 hour minimum at \$51.00). Work requiring callouts shall be charged at a minimum of two hours.

SPECIAL SERVICES:

Special services, including waste, bulk oil, or garbage disposal shall be billed at the City's actual cost plus 125% of city costs for services arranged for by the City but provided by others.

Waste oil in quantities greater than 5 gallons, shall be charged a \$3.35 per gallon handling and disposal fee.

REGULATED GARBAGE HANDLING FEE:

\$800.00 per round trip for certificated truck pickup plus \$90.00 per one hundred pounds. Regulated garbage, as per the Code of Federal Regulations, is garbage from foreign going vessels that contains, or that is suspected of containing food scraps or food waste.

SEARCH AND RESCUE FEES:

When the City utilizes city equipment and personnel to provide search and rescue assistance to vessels outside of the Homer Port and Harbor, such as towing and rescue, the Harbormaster will charge users of those services \$102.00 per hour for skiff and operator for the first hour and for additional search and rescue assistance beyond one hour. Additional personnel will be charged at the rate of \$99.00 per man per hour.

PUBLIC LAUNCH RAMPS:

Vessels shall be charged \$13.00 per day to launch from the public launch ramps from April 1 through October 15. (Reserved stall lessees exempt for the boat assigned to and registered to the reserved stall only, not for other boats owned by the same individual.)

Vessel owners or operators may obtain a seasonal permit for \$130.00 entitling a specific vessel and owner to launch from April 1 through October 15. (Reserved stall lessees exempt for the boat assigned to and registered to the reserved stall only, not for other boats owned by the same individual.)

BEACHES AND BARGE RAMP:

The use of beaches and barge ramp under the City ownership or control for commercial barge vessel repair, equipment loading or similar purposes, must be approved by the Harbormaster. A beach use agreement will be filled out and signed by the user and Harbormaster prior to use of the beach.

The Harbormaster shall charge a fee of \$1.50 per foot based on the overall length of the vessel, for vessels landing or parking on the beaches under City ownership or control. This same rate shall apply to vessels using the barge ramp.

Charges for extended beach or barge ramp use may be adjusted by the Harbormaster under appropriate circumstances.

The user of any beach area or the barge ramp must repair any damage to the beach or ramp and remove all debris. Failure to make such repairs and removal will result in repairs and cleanup by the harbor staff. The costs incurred by the harbor staff will be fully charged to the beach user. Labor rate for the harbor staff will be ninety dollars (\$99.00) per hour per person, plus appropriate equipment rental and material costs.

Sandblasting of vessel hull is not permitted on City beaches or barge ramp; water blasting using pressures that result in removal of paint is also prohibited. No paint chips or other paint materials are to be put into the water as a result of any maintenance done on the beach or ramp.

FISH DOCK:

The Fish Dock is to be used primarily for the loading and unloading of fish, fish products and fishing gear.

Cranes located onboard the vessel moored at Fish Dock may be utilized for loading/unloading the vessel only with prior approval granted by the Harbor Officer on duty.

Every person using a crane on the Fish Dock shall first obtain a license from the City.

Blocking access to cranes - \$150.00/hr.

Unattended vessels - \$150.00/hr.

Failure to obtain prior approval for a use other than loading and unloading fish, fish products or fishing gear will result in the imposition of a surcharge of thirty (\$30.00) dollars per hour in addition to the regular fee.

ITEM	FEE
Annual access	\$52.00 per year
Card (private license)	(annual renewal fee)
Card replacement fee	\$15.00 per occurrence
Cold Storage	\$334.75/month
(Cold storage rate structure is for storage area of eight (8) feet by ten (10) feet consecutive	\$309/per month for two (2) consecutive months
	\$283.25/per month for three (3) months
season	\$275.50/per month for nine (9) month
	Minimum one month rental
	Inspection \$50/per hour
Bait Storage Fee (4x4x4)	
Per Day	\$5.15
Per Week	\$25.75
Per Month	\$77.25
Ice Plant Bin Storage (Roofed over, open sided storage bins at west end of of ice plant building sixteen (16) feet by twelve (12) feet)	\$200/per month, minimum two (2) months
Fish Dock crane	\$90.64/per hour
Minimum charge per hour for crane	Fifteen minutes
Ice	\$119.00/per ton
Seafood Wharfage/Fish product	Setting a tariff of \$4.76 per ton of seafood/fish product across the docks. Regardless of species bait in quantities greater than one ton that is loaded onto a vessel at Fish Dock, shall be charged seafood wharfage.
Freight NOS, Nonfish Cargo	\$14.50/per ton for cargo going over the Fish Dock.
Fish Waste Disposal Fees/Fish Grinder	\$5.00/Tub \$30.00/Tote

Fishing gear is free from wharfage, except as otherwise provided under a lease agreement, contract or operating agreement with the City of Homer, ice brought onto Fish Dock to be loaded into totes or transferred to boats at the dock, shall be charged wharfage at the Freight NOS rate, unless this is ice that was purchased from the City Ice Plant.

Minimum per hour charge for the cranes and cold storage inspection will be one quarter hour (fifteen minutes). All additional charges will be in one-quarter hour (fifteen minutes) increments.

PUBLIC SAFETY

Emergency 911
 Administrative Office 235-3150
 HPD = Homer Police Department

(The following fees have been set by legislative enactments to HCC 7): Resolution 10-90(A); 06-45

Handicap Parking Violation \$100

Noisy Vehicles - enforcement begins April 28, 2004.

Noise greater than 85 decibels (dBA) at a distance of fifty (50) feet is prohibited. Between the hours of 8 p.m. and 8 a.m. not greater than 75 dBA at a distance of fifty (50) feet.

<u>Offense</u>	<u>Penalty/Fine</u>
Muffler not working properly	CORR/\$500
Muffler modified/excessive noise	CORR/\$500
Muffler removed or inoperative	CORR/\$500
Noise exceeds limits:	
First conviction	\$100
Second conviction within 6 months of first conviction	\$200
Third conviction within 6 months of any prior conviction	\$300
Sale of vehicle exceeding noise limits:	
First conviction	\$100
Second conviction within six (6) months of first conviction	\$200
Third conviction within six (6) months of any prior conviction	\$300
Jake brake use prohibited:	
First conviction	\$100
Second conviction within six (6) months of first conviction	\$200 plus proof of satisfactory HPD commercial vehicle inspection
Third conviction within six (6) months of any prior conviction	\$300 plus proof of satisfactory HPD commercial vehicle inspection

CORR: "CORR" means a correctable/dismissible offense. A citation for one of these offenses may be dismissed (or voided) if proof of correction is presented to a HPD vehicle inspector within thirty (30) days. If the required repair is not made and shown to a vehicle inspector within the specified time, the defendant must pay the fine.

Public Transportation (HCC 8.12.150 and 8.12.200):
 Vehicle Permit \$75 Fiscal Year, expires June 30th
 Permit \$37.50 after January 1st, expires June 30th
 \$5 Replacement Permit

Chauffeurs License \$75 application fee plus the fees in the amount of \$35.00 (for Fingerprinting to the State of Alaska)(none of these fees are refundable)
 Annual Safety Inspection commercial vehicles \$100

(The following fees have been set by legislative enactments AAC 13 (Paid at City Hall).

Parking Tickets -\$25

(The following fees have been set by legislative enactments to HCC 8, Ord. 01-20).

Itinerant Merchant - \$330/for 60 days
 Mobile Food Unit - \$390/per yr.

FIRE DEPARTMENT FEES

Emergency 911
 Administrative Office - 235-3155

(The following fees have been set by legislative enactments Resolutions 91-97, 92-06, 92-43(S), 03-145, 04-98(S)(A) and 06-64(S)A).

AMBULANCE:

Basic Life Support (BLS)	\$440	
Advanced Life Support (ALS)	\$550	
Non-Emergency Transport	\$440	
Standby each half hour	\$ 25	
Mileage	\$7.50 mile	
Medevac	Determined by level of call, see BLS, ALS rate	

FIRE:

Type 1 Engines (>1,000 gals or 1,500 GPM)	\$240/hr.	\$2,040 day
Type 1 Tenders (<3,000 gals or 1,000 GPM)	\$144/hr.	\$1,224/day
Ladder Truck	\$360/hr.	\$3,060/day
Medic Unit/Ambulance	\$60/hr.	\$510/day
Brush Patrol	\$100/hr.	
Command Vehicle	\$ 50/hr.	
Rescue/Extrication Truck	\$144/hr.	\$1,224/day
Command/Utility Vehicle	\$ 60/hr.	\$510/day
6 x 6 ATV	\$25/hr.	\$200/day

VOLUNTEER PERSONNEL:

Fire Department IC (1) (IC - Incident Command)	\$36/hr.
Safety Officer/Officer	\$36/hr.
Driver/Engineer (1 per vehicle)	\$24/hr.
Firefighters (Minimum 1 per tender, 2 per Engine)	\$18/hr.
EMT (Minimum 2 per Rescue Medical Unit)	\$18/hr.

PUBLIC WORKS DEPARTMENT

Administrative - 235-3170

(The following fees have been set by legislative enactment Resolution 04-98(S)(A) and 95-1).

R.V. Station dumping \$2 per dumping
Bluelines, copies minimum \$10 + \$2/pg.
Standard Construction Specs \$50
Job Specific Specifications and plans vary in price.

SUBDIVISION AGREEMENT FEE SCHEDULE:

Agreement Application, Plan Review, Inspection, and Warranty Period Deposits

A developer shall pay the City's actual cost associated with the reviewing, approving, coordinating and inspecting improvements required to be completed under a subdivision agreement. The City's cost shall include, but is not limited to, administering the agreement, plan checking, surveillance, and administrative overhead. Prior to initiating each phase of the subdivision approval process, a deposit shall be paid. Deposits shall not bear interest. The deposits shall be held in a separate account and disbursed only as authorized by this fee schedule. The deposits are described below:

- 1) Subdivision Agreement Application: Upon submitting an application agreement, the Developer will provide a \$300 deposit.
- 2) Subdivision Improvement Plan Review: Upon submission of plans for review and approval, the Developer will provide a plan review deposit of .5% of the estimated cost of improvements or \$300, whichever is greater.
- 3) Construction Inspection: Prior to the issuance of a notice to proceed with construction to the Developer, the Developer shall pay a deposit toward the City's costs based upon the estimated cost of the improvements to be constructed under the subdivision agreement as follows:

<u>Estimated Construction Cost</u>	<u>Deposit</u>
\$10,000 or less	\$300
Over \$10,000 up to \$50,000	4% of the estimated costs
Over \$50,000 up to \$150,000	3% of the estimated costs
Over \$150,000 up to \$500,000	2.5% of the estimated costs
Over \$500,000	\$13,000

After the City finds the subdivision improvements meet City specifications, it shall determine its costs to date. If costs (plus any deposit required under subsection 4 below) exceed the total deposits received, the Developer shall pay the balance to the City prior to final acceptance of the improvements. If the total deposits exceed the costs, the City shall refund the balance (less any deposit required under subsection 4 below) to the Developer.

- 4) Initiation of Warranty Period: Prior to acceptance of completion by the City of the undertaking by the developer, the Developer shall also pay a deposit toward the City's cost incurred during the warranty period under the subdivision agreement in the amount determined by the Public Works Director, but not to exceed \$2,000.

If at any time the City finds its costs exceed the total deposit received, the City may periodically bill and receive payment from the Developer for those actual incurred costs in excess of the amount of deposit.

WATER AND SEWER FEES:

(The following fees have been set by the following legislative enactment HCC Title 14, new fees set forth in Resolution 11-062(A), Resolution 09-47(S)(A), Resolution 09-48(S)(A), Resolution 07-119 (A), Resolution 07-120(A), Ordinance 06-62(A), Resolution 06-04, Resolution 05-125, Resolution 05-122, Resolution 05-121(A), Resolution 05-09, Resolution 04-95, Resolution 04-94(S)(A), Resolution 03-159, Resolution 02-80, Resolution 01-80(A), Resolution 00-123, Resolution 00-34, Ordinance 00-02, Ordinance 97-17(A), amending the rates set forth in Ordinance 97-5(S)(A), with amendments by Ordinance 97-7, Ordinance 97-13 and Ordinance 97-14).

Public Works - 235-3170
 City Hall - 235-8121
 Billing - 235-8121 x2240

A 15% admin. fee for replacement parts for water/sewer services, functions, pressure reducing valves, sewer saddles, any Public Works Department stock item for resale to public.

(Contact Planning Department - at City Hall, 235-3106. Planning issues the permits.)
 Establishing service includes a one time disconnect - \$30
 Service calls, inspections, repairs not to exceed one hour - \$25 per employee plus equipment and materials.

Service calls, inspections and repairs during normal operating hours in excess of one hour labor: actual labor costs by City plus equipment and materials.

Service calls, inspections and repairs after normal operating hours or on weekends/holidays: \$50 minimum plus equipment and materials or actual cost incurred by City, whichever is greater.

SEWER FEES:

Sewer Connection and Extension Permit Fee

Single Family/Duplex \$255
 Multi-Family/Commercial/Industrial \$330

Sewer Rate Schedule.

All sewer utility services shall be billed according to the following schedule. This schedule is for monthly sewer services and is in addition to any charges for connecting or disconnecting the service, installation of the service or any assessment of the improvements.

	Monthly Customer Charge	Charge per Gallon	Usage Charge per 1,000 Gallons of Water
Residential	\$20	\$0.00997	\$ 9.97
Commercial	\$20	\$0.01264	\$12.64

Sewer System Residential or Residential Equivalent Dischargers Who Are Not Water System Users:

Sewer system dischargers who are not water system users shall be charged at the rate of \$54.90. Variable rate \$34.90 based on 3,500 gallons per month plus monthly customer charge \$20. The City reserves the right to adjust this rate based on the characteristics of the service

for non-residential or non-residential equivalent users. Customers who receive septic service shall be charged an additional \$6.00* per month.

Sewer System Dischargers Who Are Members of Kachemak City LID:

Kachemak City Local Improvement District (LID) members have contributed to the initial cost of the sewer treatment plant and the collection system. Kachemak City LID dischargers connected within the LID and the City of Homer shall bill Kachemak City in one lump sum at the rate of \$60.90. Variable rate \$34.90 based on 3,500 gallons per month plus monthly customer charge of \$20 plus septage cost \$6.00* per month for each residential or residential equivalent discharger. Kachemak City shall be responsible for payment to the City of Homer.

Domestic sewer service customers who use large quantities of City water in addition to their domestic use shall be allowed, with the Public Works Director's approval, to install an additional water meter on the domestic water use line for the purpose of metering and charging for domestic sewer system use. Sewer system use will be billed monthly.

The City will allow, upon approval by Public Works and a permit from the Public Works Department, a second water usage meter – called a seasonal sewer meter – for each customer that desires to measure the flow of City water that is not discharged to the sewer system during the summer growing season, June 15 through September 15. Rates noted above do not apply.

Seasonal Sewer Meter Fee is \$211.97.

WATER FEES:

Water Connection Fee

Single Family/Duplex \$300
Multi-Family/Commercial/Industrial \$375

Water Rate Schedule.

All water utility services shall be billed according to the following schedule. This schedule is for monthly water service and is in addition to any charges for connecting or disconnecting the service, installation of the service or any assessment of the improvements.

	Monthly Customer Charge	Charge per Gallon	Usage Charge per 1,000 Gallons of Water
Residential	\$25	\$0.00442	\$ 4.42
Commercial	\$25	\$0.01140	\$11.40
Bulk	\$25	\$0.01269	\$12.69

Meter Size Deposits.

<u>Size (inches)</u>	<u>Residential Users</u>	<u>Nonresidential Users</u>
5/8	\$75.00	\$220.00
3/4	\$80.00	\$230.00
1	\$90.00	\$250.00
1-1/2	\$115.00	\$310.00
2	\$150.00	\$370.00
3	\$220.00	\$525.00

4	\$310.00	\$730.00
6	\$520.00	\$1,225.00

\$750 meter deposit shall apply to metered fire hydrant connections. The deposit will be returned when the meter is returned undamaged. This deposit may be waived upon the recommendation of the Public Works Superintendent.

If a bulk water customer purchases a meter from the City for measuring the quantity of water purchased, it shall be exempt from the monthly meter service charge. It is the responsibility of the bulk water customer to maintain that meter so the City can accurately determine the amount of water being purchased. In the event the meter fails, it is the bulk water customer's responsibility, at its expense, to repair it or purchase a replacement meter from the City. The City may at any time test the meter for accuracy.

RESIDENTIAL HOLDING TANK FEES

(Resolution 02-23)

City of Homer will bill property owner/customer monthly for City service, not pumping contractor charge.

Each property owner/customer will be billed once each month, regardless of number of pumping, 1 [one] Customer Charge \$3.98 + 1 [one] General Service Charge \$16.95 + Commodity Charge [\$12.00 per pumping]

Property owner/customer is responsible for payment to pumping contractor.

City of Homer monthly billing examples based on number of pumping per month:

<u>Type of Charge</u>	<u>No Pumping</u>	<u>1 mo. Pumping</u>	<u>3 mo. Pumping</u>
Customer Charge	\$3.98	\$3.98	\$3.98
Gen. Svs. Charge	\$16.95	\$16.95	\$16.95
Commodity Charge	\$0	\$12.00	\$36.00
Total Monthly Bill	\$20.93	\$32.93	\$56.93

LEGISLATIVE BODY

MAYOR
James C. Hornaday - 2010

COUNCILMEMBERS

Mary E. (Beth) Wythe—2010
Bryan Zak—2010
Barbara Howard—2011
David Lewis—2011
Francie Roberts—2012
Kevin Hogan—2012

ADVISORY BODIES

Parks and Recreation Advisory
Commission
Advisory Planning Commission
Port and Harbor Advisory
Commission
Library Advisory Board
Economic Development Advisory
Commission

DEPARTMENTS

Located At:

City Hall
City Manager's Office
Administration
Personnel
City Clerk's Office
Records & Elections
Planning & Zoning

Public Works Facility
Public Works
Water & Sewer
Maintenance
City Engineer
Inspector

On the Spit
Port and Harbor

Public Library
Library

Police Department
Public Safety
Police Department

Fire Hall
Fire Department
EMS
Fire
Rescue

Homer High School
Community Schools

CITY OF HOMER
HOMER, ALASKA

City Clerk

RESOLUTION 11-094(S)

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, MAINTAINING THE CITY OF HOMER FEE SCHEDULE AT THE CURRENT RATES, AND AMENDING CUSTOMER CLASSIFICATIONS IN THE WATER AND SEWER RATE SCHEDULES.

WHEREAS, Fees are reviewed annually during the budget cycle; and

WHEREAS, Ordinance 11-43 amends HCC 14.08.037 regarding the number of water meters per lot; and

WHEREAS, It was determined that there were no rate adjustments to the City of Homer Fee Schedule needed at this time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska, that the City of Homer Fee Schedule is amended as follows:

SEWER FEES:

Sewer Connection and Extension Permit Fee

Single Family/Duplex \$255

Multi-Family/Commercial/Industrial \$330

Sewer Rate Schedule.

All sewer utility services shall be billed according to the following schedule. This schedule is for monthly sewer services and is in addition to any charges for connecting or disconnecting the service, installation of the service or any assessment of the improvements.

Customer Classification*	Monthly Customer Charge	Charge per Gallon	Usage Charge per 1,000 Gallons of Water
Single Family Residential	\$20	\$0.00997	\$ 9.97
Multi-Family Residential	\$20 (per unit)	\$0.00997	\$ 9.97
Commercial	\$20	\$0.01264	\$12.64

*-Customer classification definitions for determining water rates:

Single Family Residential - A unit providing housing for one household; with less than 25% of the building area used for business or commercial purposes.

Multi-Family Residential - A building or lot occupied by more than one household; contained within one building or several building within one complex. Examples of multi-family units include duplexes, four-plexes and up, apartments, condominiums, co-

45 **housing projects, and multiple structures on one lot (where units are normally rented or**
46 **occupied for longer than one month at a time). Examples of units not considered as**
47 **multi-family include hotels, motels, B&B's seasonal rooms/cabins (where units are**
48 **routinely rented or occupied for less than one month at a time.)**
49

50 **Commercial - Any user not defined as Residential.**

51
52 Sewer System Residential or Residential Equivalent Dischargers Who Are Not Water System
53 Users:
54

55 Sewer system dischargers who are not water system users shall be charged at the rate of
56 \$54.90. Variable rate \$34.90 based on 3,500 gallons per month plus monthly customer charge
57 \$20. The City reserves the right to adjust this rate based on the characteristics of the service
58 for non-residential or non-residential equivalent users. Customers who receive septic service
59 shall be charged an additional \$6.00* per month.
60

61 Sewer System Dischargers Who Are Members of Kachemak City LID:

62 Kachemak City Local Improvement District (LID) members have contributed to the initial cost
63 of the sewer treatment plant and the collection system. Kachemak City LID dischargers
64 connected within the LID and the City of Homer shall bill Kachemak City in one lump sum at
65 the rate of \$60.90. Variable rate \$34.90 based on 3,500 gallons per month plus monthly
66 customer charge of \$20 plus septage cost \$6.00* per month for each residential or residential
67 equivalent discharger. Kachemak City shall be responsible for payment to the City of Homer.
68

69 Domestic sewer service customers who use large quantities of City water in addition to their
70 domestic use shall be allowed, with the Public Works Director's approval, to install an
71 additional water meter on the domestic water use line for the purpose of metering and charging
72 for domestic sewer system use. Sewer system use will be billed monthly.
73

74 The City will allow, upon approval by Public Works and a permit from the Public Works
75 Department, a second water usage meter – called a seasonal sewer meter – for each customer
76 that desires to measure the flow of City water that is not discharged to the sewer system during
77 the summer growing season, June 15 through September 15. Rates noted above do not apply.
78

79 Seasonal Sewer Meter Fee is \$211.97.
80

81
82 **WATER FEES:**

83 Water Connection Fee

84
85 Single Family/Duplex \$300
86 Multi-Family/Commercial/Industrial \$375
87

88 Water Rate Schedule.

89
90 All water utility services shall be billed according to the following schedule. This schedule is for
91 monthly water service and is in addition to any charges for connecting or disconnecting the
92 service, installation of the service or any assessment of the improvements.
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Customer Classification*	Monthly Customer Charge	Charge per Gallon	Usage Charge per 1,000 Gallons of Water
Single Family Residential	\$25	\$0.00442	\$ 4.42
Multi-Family Residential	\$25 (per unit)	\$0.00442	\$ 4.42
Commercial	\$25	\$0.01140	\$11.40
Bulk	\$25	\$0.01269	\$12.69

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***-Customer classification definitions for determining water rates:**

Single Family Residential - A unit providing housing for one household; with less than 25% of the building area used for business or commercial purposes.

Multi-Family Residential - A building or lot occupied by more than one household: contained within one building or several building within one complex. Examples of multi-family units include duplexes, four-plexes and up, apartments, condominiums, co-housing projects, and multiple structures on one lot (where units are normally rented or occupied for longer than one month at a time). Examples of units not considered as multi-family include hotels, motels, B&B's seasonal rooms/cabins (where units are routinely rented or occupied for less than one month at a time.)

Commercial - Any user not defined as Residential.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 12th day of December, 2011.

CITY OF HOMER

 JAMES C. HORNADAY, MAYOR

ATTEST:

 JO JOHNSON, CMC, CITY CLERK

Fiscal Note: Revenue amounts not defined in CY2012 budget.

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 11-095

A RESOLUTION OF THE CITY COUNCIL OF HOMER,
ALASKA, MAINTAINING THE PORT OF HOMER
TERMINAL TARIFF NO. 600 AT THE CURRENT RATES.

WHEREAS, Fees are reviewed annually during the budget cycle; and

WHEREAS, It was determined that there was no adjustment to the Port of Homer
Terminal Tariff No. 600 fee schedule at this time.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby maintains the
Port of Homer Terminal Tariff No. 600 at the current rates.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 12th day of
December, 2011.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

ATTEST:

JO JOHNSON, CMC, CITY CLERK

Fiscal Note: Revenue amounts not defined in CY2011 budget.

PORT OF HOMER TERMINAL TARIFF NO. 600

Terminal Tariff No. 600
Filed under ATFI Rules



Issued by City of Homer
Phone 907.235.3160 Fax 907.235.3152
Or Visit our Website at
<http://clerk.ci.homer.ak.us/terminaltariff.pdf>
491 E. Pioneer Avenue
Homer, Alaska 99603

Naming, Rates, Charges, Rules and Regulations
For
Wharfage, Terminal Storage, Demurrage
And
Other Terminal Services and Privileges Defined Herein
At Port of Homer Municipal Terminals
Located at Homer, Alaska

Issued: July 25, 2011

Effective: July 25, 2011

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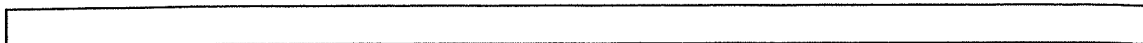
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RULE: 01 -- SCOPE (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 02 -- APPLICATION OF RATES AND CHARGES (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 03 -- RATE APPLICABILITY RULE (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 04 -- HEAVY LIFT (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 05 -- EXTRA LENGTH (I)

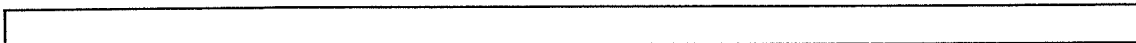
EFF: 31OCT1994

NOT APPLICABLE

RULE: 06 -- MINIMUM BILL OF LADING CHARGES (I)

EFF: 31OCT1994

NOT APPLICABLE



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RULE: 07 -- PAYMENT OF FREIGHT CHARGES (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 08 -- BILL(S) OF LADING (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 09 -- FREIGHT FORWARDER COMPENSATION (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 10 -- SURCHARGES AND ARBITRARIES (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 11 -- MINIMUM QUANTITY RATES (I)

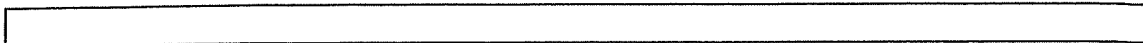
EFF: 31OCT1994

NOT APPLICABLE

RULE: 12 -- AD VALOREM RATES (I)

EFF: 31OCT1994

NOT APPLICABLE



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RULE: 13 -- TRANSSHIPMENT (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 14 -- CO-LOADING IN FOREIGN COMMERCE (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 15 -- OPEN RATES IN FOREIGN COMMERCE (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 16 -- HAZARDOUS CARGO (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 17 -- GREENSALTED HIDES IN FOREIGN COMMERCE (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 18 -- RETURNED CARGO IN FOREIGN COMMERCE (I)

EFF: 31OCT1994

NOT APPLICABLE



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RULE: 19 -- SHIPPER'S REQUESTS IN FOREIGN COMMERCE (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 20 -- OVERCHARGE CLAIMS (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 21 -- USE OF CARRIER EQUIPMENT (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 22 -- AUTOMOBILE RATES IN DOMESTIC OFFSHORE COMMERCE (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 23 -- CARRIER TERMINAL RULES AND CHARGES (I)

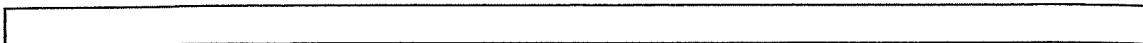
EFF: 31OCT1994

NOT APPLICABLE

RULE: 24 -- NVOCCS IN FOREIGN COMMERCE: BONDS AND AGENTS (I)

EFF: 31OCT1994

NOT APPLICABLE



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RULE: 25 -- CERTIFICATION OF SHIPPER STATUS IN FOREIGN COMMERCE (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 26 -- TIME/VOLUME RATES IN FOREIGN COMMERCE (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 27 -- LOYALTY CONTRACTS IN FOREIGN COMMERCE (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 28 -- DEFINITIONS (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 29 -- SYMBOLS (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 30 -- ACCESS TO TARIFF INFORMATION (I)

EFF: 31OCT1994

NOT APPLICABLE



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RULE: 31 -- SEASONAL DISCONTINUANCE (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 32 -- MILITARY CARGO TERMS (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 33 -- PROJECT RATES (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 34 -- TERMINAL TARIFFS (I)

EFF: 31OCT1994

For application of individual charges, consult the sub-rules contained herein.

RULE: 34.1 -- SCOPE (C)

EFF: 15SEPT1995

SECTION I

SCOPE:

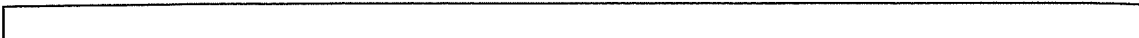
The rules, regulations, conditions, commodity rates and/or charges set forth in this tariff apply to or from the following terminal(s)

NAME

ADDRESS

PORT OF HOMER

4350 HOMER SPIT ROAD
 HOMER, ALASKA 99603



PORT AND HARBOR OF HOMER 4350 HOMER SPIT ROAD HOMER, ALASKA 99603 PHONE: 907.235.3160 TERMINAL TARIFF NO. 600	FMC NO. 600	PAGE	7
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RULE: 34.2 -- ABBREVIATIONS, SYMBOLS, DEFINITIONS (C)

EFF: 01JAN2002

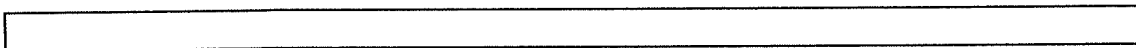
SUBSECTION 100

Abbreviations:

B.M.	- Board Measure	L.C.L.	- Less than Carload/ Container Load
Bbl.	- Barrel	Ldg.	- Loading
Bdl.	- Bundle	Lgth.	- Length
B.D.U.	- Bone Dry Unit	M.B.M.	- 1,000 ft Board Measure
Cs.	- Case; ctn-carton crt-crate	Meas.	- Measurement
C.L.	- Carload	Min.	- Minimum
C.T.	- Cubic Ton of 40/ Cu.ft.	MISC.	- Miscellaneous
Cu. Ft.	- Cubic Foot or Feet	N.O.S.	- Not Otherwise Specified
Dkg.	- Dockage	Par.	- Paragraph
Ea.	- Each	Pkg.	- Package
F	- Fahrenheit	S.T.	- Weight by Short Ton of 2,000 lb.
F.F.	- Folded Flat	S.U.	- Set-Up
F.M.C.	- Federal Maritime	Sq. Ft.	- Square Foot/Feet
Gals.	- Gallons	Stg.	- Storage
Hdlg.	- Handling	Term'l	- Terminal
Inc.	- Including, Inclusive or Incorporated	U.S.	- United States of America
K.D.	- Knocked Down	W/M	- Weight Ton of 2,000 Pounds or Cubic Ton of 40 cu.ft.
K.D.F.	- Knocked Down Flat	W.R.	- Warehouse Receipt
		Yd.	- Yard

Symbols:

- | | |
|---|---|
| (A) Denotes Increase | (E) Denotes Expiration |
| (C) Denotes Change in Wording
which results in neither
increase nor decrease in
rates of charges | (R) Denotes Reduction |
| (I) Denotes New or Initial
Matter | (N) Denotes Reissued Matter |
| | (G) Denotes General Increase
or Decrease |



PORT AND HARBOR OF HOMER 4350 HOMER SPIT ROAD HOMER, ALASKA 99603 PHONE: 907.235.3160 TERMINAL TARIFF NO. 600	FMC NO. 600	PAGE	8
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RULE 34.2 - ABBREVIATIONS, SYMBOLS, DEFINITIONS

(continued)

DEFINITIONS:

(a) DEFINITIONS OF FEDERAL MARITIME COMMISSION MAY CONTROL:

Unless provided in this Tariff, applicable definitions set forth in 46 C.F.R. shall control.

(b) BEAM:

For the purpose of this Tariff, "beam" means greatest width of the vessel, including booms, spars, gins, or any fixed extensions.

(c) CITY DOCKS:

The city docks of the City of Homer include all docks, floats, stalls, wharves, ramps, piers, bulkheads, and sea walls owned or operated by the City of Homer including the Deep Water Dock, the Wood and Steel tidal grids, the Main (Ferry) Dock, Fish Dock, and beaches within the boundaries of the City of Homer.

(d) DERELICT:

For the purpose of this Tariff, "derelict" means any vessel moored or otherwise located within the boundaries of the Homer Harbor which is forsaken, abandoned, deserted or cast away, which by appearance gives evidence of being forsaken, abandoned, deserted or cast away, or which in the opinion of any recognized marine surveyor is unsound, unseaworthy and unfit for its trade or occupation and which by any substantial evidence of neglect may be considered abandoned.

(e) FLOAT; FLOAT SYSTEM:

Those portions of the city docks located within the Homer Port that rise and fall with the tide including the pilings, ramps, ladders, and utility connections.

(f) HOLIDAYS:

Whenever in this Tariff reference is made to holidays the following are included:

- | | |
|------------------------|-----------------------|
| New Year's Day | Washington's Birthday |
| Seward's Day | Memorial Day |
| Independence Day | Labor Day |
| Alaska Day | Veteran's Day |
| Thanksgiving Day | Christmas Day |
| Day after Thanksgiving | |



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RULE: 34.2 - ABBREVIATIONS, SYMBOLS, DEFINITIONS
(continued)

(g) HOMER HARBOR:

For the purpose of this Tariff, "Homer Harbor" shall mean all salt water or tide water laying within the boundaries of the City, including that area known as the Small Boat Harbor.

(h) LENGTH:

For the purpose of this Tariff, "length" means the overall length (OAL) as measured from the furthestmost forward position including booms, spars, gins or any fixed extensions, to the further most after portion of the vessel including the booms, spars, gins or any fixed extensions.

(i) OPERATOR:

For the purpose of this Tariff, "operator" means any lessee of a vessel, and master or captain who has actual physical use, control and/or possession of a vessel and who is in the employ of, or who has a contractual relationship with the owner.

(j) OWNER:

For the purpose of this Tariff, "owner" means the individual, partnership or corporation holding legal title to the vessel.

(k) POINT OF REST STAGING AREA:

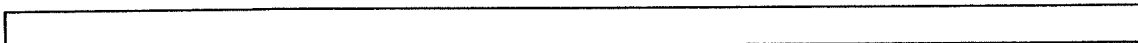
"Point of Rest Staging Area" is defined as that area on the terminal facility which is assigned for the receipt of inbound cargo from the vessel and which inbound cargo may be delivered to the consignee, and that area which is assigned for the receipt of outbound cargo from shippers for vessel loading.

(l) REGISTRATION:

"Registration" means completing a moorage or use agreement with all necessary information concerning the vessel and vessel owner, indicating type an duration of service required, and full payment of all applicable fees and charges.

(m) RESERVED MOORING:

"Reserved Mooring" means having a specific assigned stall the use of which, after payment of reserved mooring fees, takes precedence over the use of the stall by any other vessel.



PORT AND HARBOR OF HOMER 4350 HOMER SPIT ROAD HOMER, ALASKA 99603 PHONE: 907.235.3160 TERMINAL TARIFF NO. 600	FMC NO. 600	PAGE	10
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RULE: 34.2 - ABBREVIATIONS, SYMBOLS, DEFINITIONS
(continued)

(n) STALL:

A berthing location within the float system of the Homer Port and Harbor. A stall does not include the float or finger of the float; only the space between or adjacent to it.

(o) SMALL BOAT HARBOR:

“Small Boat Harbor” means that area of water protected by breakwaters constructed by the federal government and by the line of the mean higher high water of the shoreline of the area protected by breakwaters, including docks, floats, berths, tidal grids and other mooring facilities as operated by the City.

(p) TERMINAL FACILITIES:

Terminal Facilities include the two (2) City docks which are the Deep Water Dock and the Pioneer (Ferry) Dock the Fish Dock within the Small Boat Harbor and associated equipment, offices, warehouses. Storage space, roads, paved areas, water banks, beaches and shorelines under the management and control of the City of Homer.

(q) TRANSIENT:

“Transient” means any vessel using the mooring space on a temporary basis or which does not have a specific reserved mooring space.

(r) “VESSEL” DEFINED:

Whenever reference is made to a “vessel” in the Tariff, the term shall mean any boat, motor boat, ship, aircraft when waterborne, boathouse, floats, scows, rafts, pile drivers, or any floating structure or object used for recreational, or any other purpose upon the waterways, or moored at any place in any waterway within the boundaries of the City.

(s) WATERWAY:

“Waterway” means any water, waterway, lake, river, tributary or lagoon within the boundaries of the City.



PORT AND HARBOR OF HOMER 4350 HOMER SPIT ROAD HOMER, ALASKA 99603 PHONE: 907.235.3160 TERMINAL TARIFF NO. 600	FMC NO. 600	PAGE	11
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RULE: 34.2 - NOTICE TO THE PUBLIC (C)

EFF: 21DEC1999

SECTION 1

This Tariff is published and filed under the Federal Maritime Commission Automated Tariff Filing Information System as required by law and is; therefore, notice to the public, shippers, consignees and carriers, that the rates, rules and charges apply to all traffic for which contract rates have not been arranged.

In addition to the Port and Harbor Tariff, the public, shippers, consignees and carriers using City of Homer facilities should consult and be aware that the City of Homer Code of Ordinances, including but not limited to Chapter 5 (Fire Prevention), Chapter 5.14 and 21 (Utilities including Garbage, Refuse, Water and Sewage) and Chapter 10 (Ports and Harbors), all as amended, apply and govern where not specifically provided otherwise in this Tariff.

RULE: 34.4 - APPLICATION OF TARIFF (C)

EFF: 01JAN2002

SUBSECTION 105

(a) GENERAL APPLICATION OF TARIFF:

Rates, charges, rules and regulations provided in this Tariff will apply to persons and vessels using certain terminal facilities under jurisdictional control of the City of Homer and located within the harbor bounded by the City of Homer with the Small Boat Harbor entrance located at latitude 59 36'15" N and longitude 151 24'48" W and specifically to docks, appurtenant structures thereto, and waterways under the management of the City of Homer. Special terms and conditions exist for the dock operations by the State of Alaska, Alaska Marine Highway System, for operations of the State Ferry System on the Pioneer Dock and for the dock operations by a contractor engaged in chip storage and loading operations on or in the vicinity of Deep Water Dock.



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RULE: 34.4 - APPLICATION OF TARIFF
(continued)

(b) TARIFF EFFECTIVE:

Rates, charges, rules and regulations named in this Tariff and any additions, revisions, or supplements thereto shall apply to all vessels or users and to all freight received at facilities subject to the Tariff on and after the effective date of revisions, or supplements thereto. Unless otherwise specified all transit freight received at terminal and undelivered prior to effective dates of Tariff, revisions, or supplements thereto shall be charged the rates in effect on the date such freight was received until entire lot or shipment has been withdrawn.

(c) ACCEPTANCE OF TARIFF:

Use of the city docks and terminal facilities of the City shall be deemed acceptance of this Tariff and the terms and conditions named herein.

(d) RESERVATION OF AGREEMENT RIGHTS:

Right is reserved by the City of Homer to enter into agreement with carriers, shippers, consignees, and/or their agents concerning rates and services, providing, such agreements are consistent with existing local, state and federal law governing the civil and business relations of all parties concerned.

(e) COMPLIANCE WITH CONDITIONS OF BERTHING:

Use of city docks and terminal facilities and the acceptance of services shall comply with any additional Conditions of Berthing set forth in subsection 310 contained herein.

RULE: 34.5 - APPLICATION OF RATES (C)

EFF: 27DEC2000

SUBSECTION 110

Except as otherwise provided herein, rates apply per short ton which is 2,000 lbs., or per 40 cu.ft. as rated by ocean carriers, or per 1,000 feet board measure, or 42 gallons per barrel of bulk petroleum products corrected to 60 F. net, or 376 lbs. per barrel of bulk cement, or per bone dry wood chips as rated by ocean carrier.



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RULE: 34.5 - APPLICATION OF RATES
(continued)

Rates provided for commodities herein are specific and may not be applied by analogy. If rates are not provided for specific commodities, rates to be applied are those established for "Freight N.O.S."

All rates in this Tariff except daily and seasonal load and launch ramp fees will have combined Borough and City sales tax applied. The resulting figure will be rounded to the nearest quarter dollar for billing purposes. The load and launch ramp daily and seasonal fees are both inclusive Borough and City sales taxes for ease of collection at the Iron Ranger and toll booth at the load and launch ramp.

These revisions are effective upon filing with the Federal Maritime Commission as an amendment to the Homer Port and Harbor Tariff.

RULE: 34.6 - INSURANCE (C)

EFF: 15SEP1995

SUBSECTION 115

Rates named in the Tariff do not include insurance of any kind. The City of Homer shall be under no obligation to provide any insurance of any type for any vessel, cargo, or liability arising out of use of the city docks or terminal facilities. If the City does acquire any such insurance, the charges for that insurance shall be in addition to the dockage and wharfage fees described in this Tariff.

RULE: 34.7 - RESPONSIBILITY FOR COLLECTION AND GUARANTEE OF CHARGES (C)

EFF: 01JAN2002

SUBSECTION 120

(a) RESPONSIBILITY FOR CHARGES:

The vessel, its owner or agents, shippers or consignees, and the owner of cargo on the vessel shall be jointly and severally responsible for payment of charges named herein and such payment responsibility applies without regard to the provisions of bills of lading, charter party agreements, contracts or other conflicting provisions.



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RULE: 34.7 - RESPONSIBILITY FOR COLLECTION AND GUARANTEE OF
 (continued) CHARGES

(b) PREPAYMENT, TIME OF PREPAYMENT, ACCEPTABLE SECURITY:

All charges for services rendered by the Port or for the use of terminal, dock and harbor facilities are due and payable in United States currency as they accrue upon completion of such services or uses. Failure to pay an invoice when due shall render the account delinquent and subject to legal collection efforts. In his sole discretion, the Harbormaster may require payment in advance of any or all charges prior to rendering services or granting use of terminal, dock or harbor service.

(c) CHARGES ON DELINQUENT ACCOUNTS:

All invoices, except for damages to City of Homer property will be declared delinquent 45 days after billing date (statement date) and will be charged interest at the rate of 10.5% per annum (.875% per month). All accounts delinquent 90 days after billing date will be assessed a \$250 administrative fee.

RULE: 34.8 - LIABILITY FOR LOSS OR DAMAGE AND INDEMNITY (I)

EFF: 15SEP1995

SUBSECTION 125

(a) RESPONSIBILITY LIMITED

No person other than employees of the holders of authorized Terminal Use Permits of Fish Dock Use Permits shall be permitted to perform any services on the wharves or docks, on in any other terminal facility of the City of Homer, except on written authorization of the Harbormaster. The City of Homer, its employees and agents, shall not be liable for the injury of persons on city docks, or terminal facilities, nor shall they be liable for any loss, damage or theft occasioned by e such persons' presence of the city docks, or terminal facilities, except that the City of Homer shall be liable for any portion of loss or damage that is directly caused by its own negligence.



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RULE: 34.8 - LIABILITY FOR LOSS OR DAMAGE AND INDEMNITY
 (continued)

The City of Homer, its employees and agents, are not responsible for loss or damage caused by fire, frost, heat, dampness leakage, weather damage, evaporation, natural shrinkage, waste, or decay, animals, rats, mice, or other rodents, moths, weevil or other insects, leakage or discharge from fire protection systems, collapse of buildings or structures, breakdown of plant protection systems, breakage of plant or machinery or equipment, or by floats or logs, piling or camel logs required in breasting vessels away from wharf; nor will they be answerable for any loss, or damage, or delay arising from insurrection, shortage of labor, combinations, riots or strikes of any persons in their employ or in the service of others, or from any consequences arising therefrom, except the City of Homer shall be liable for any portion of loss or damage that is directly caused by its own negligence.

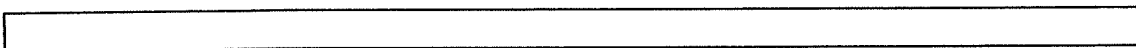
(b) INDEMNITY:

User, vessel, vessel owner and its agents, shippers or consignees shall indemnify and hold harmless the City of against any and all claims arising from any breach or default in performance of any obligation to such parties to be performed under the terms of this Tariff or arising from any act or omission of said parties for all costs, attorneys' fees, expenses and liabilities incurred in the defense of any such claims, action or proceeding brought against the City of Homer except for those caused by the City's own negligence.

(c) OWNER'S RISK:

All of the following shall be at the owner's risk except for those damages caused by the City's own negligence:

- (1) glass, liquids and fragile articles will be accepted only at owner's risk for breakage, leakage or chafing;
- (2) freight on open ground is at owner's risk for loss or damage;
- (3) freight subject to freezing will be accepted only at owner's risk; and



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RULE: 34.8 - LIABILITY FOR LOSS OR DAMAGE AND INDEMNITY
(continued)

(4) all water craft, moored in the Harbor or berthed at Port Facilities, are at owner's risk for loss or damage. This includes vessels, if and when permitted by the Harbormaster or his authorized agent moored alongside of vessels.

(d) LIMITS OF LIABILITY:

No provisions contained in this tariff shall limit or relieve the Port of Homer from liability for its own negligence nor require any person, vessel or lessee to indemnify or hold harmless the Port of Homer from liability for its own negligence.

RULE: 34.9 - RIGHTS OF THE CITY OF HOMER (C)

EFF: 21DEC1999

SUBSECTION 130

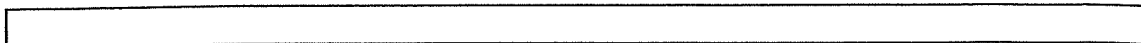
SUBJECT TO SUBRULE 34.8 (d)

Without in any way limiting the general authority of the City of Homer, the City shall have the following powers:

(a) ACCESS TO HARBOR OR PORT FACILITIES:

The City shall at all times have the right to refuse the use of any city dock or terminal or harbor facility by any person, equipment materials or vessel or to remove any vessel or, person or cargo at any time from any city dock or terminal, or harbor facility. This right shall be reserved at all times to the City without responsibility for demurrage, loss or damage when:

- (1) previous arrangements for berthing, space, receiving or unloading have not been made with the Harbormaster; or
- (2) the vessel is unsafe or hazardous and may pose risk to life or property; or
- (3) the value of the vessel, in the opinion of the Harbormaster is less than the probable service charges and other charges to its use of the city dock or terminal, or harbor facility; or



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RULE: 34.9 - RIGHTS OF THE CITY OF HOMER
(continued)

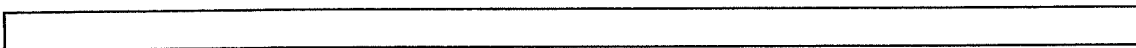
- (4) during periods of congestion, or in cases of emergency, when, in the judgment of the Harbormaster, the circumstances the prevailing or likely to occur will prevent the city docks or terminal, or harbor facilities, or any portion of them from providing customary services to the public.

For vessels that may be hazardous or become a menace to other vessels, their occupants, or city facilities, the Harbormaster or City Manager may require an operator or owner of a vessel to furnish evidence that there is currently in effect liability insurance in an amount satisfactory to the City by filing a certificate of insurance or other satisfactory evidence signed by an agent or officer of the insurance company and stating the effectiveness and expiration date thereof. (HCC 10.04.110(b))

(b) RIGHT TO REFUSE CARGO:

In his discretion the Harbormaster shall at all times have the right to refuse to accept, receive or unload, or to permit a vessel to discharge:

- (1) Cargo for which previous arrangements for space, receiving, unloading or handling have not been made with the Harbormaster by shipper, consignee or vessel.
- (2) Cargo not suitably packed for safe transportation.
- (3) Cargo, deemed by the Harbormaster in the reasonable exercise of his discretion, that is offensive, perishable or hazardous. Hazardous cargo must have been prepared for shipment in accordance with the applicable Department of Transportation regulations (including 49 C.F.R. Parts 171-179).
- (4) Cargo, deemed by the Harbormaster in the reasonable exercise of his discretion, which may be less in value than the probable service charges and other charges related to it.



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RULE: 34.9 - RIGHTS OF THE CITY OF HOMER

(continued)

- (5) Cargo, deemed by the Harbormaster in the reasonable exercise of his discretion, which may have circumstances then prevailing or likely to occur that will prevent the city docks, or terminal or harbor facilities, or any portion of them, from providing customary service to the public during a period of congestion or in cases of emergency.

(c) RIGHT TO SCHEDULE VESSELS AND CARGO:

In his discretion, the Harbormaster shall at all times have the right to schedule access to any harbor or port facility by any person or vessel, or to remove any person, vessel, or cargo at any time from any city dock or terminal facility in order to provide for efficient operation of the city docks or terminal facilities and promote the objectives of the City of Homer as set forth in the Homer Code or as adopted by the City Council of City of Homer.

(d) RIGHT TO REMOVE, TRANSFER OR WAREHOUSE CARGO:

- (1) Hazardous or offensive cargo. In his discretion, the Harbormaster shall at all times have the right to immediately remove all hazardous or offensive cargo, or cargo, which by its nature, is liable to damage other cargo or city dock, terminal or harbor facilities. The cargo may be removed from its present location or any other location with all expenses and risk of loss or damage to be charged to the account of the owner, shipper, or consignee.
- (2) Cargo beyond free time. Any cargo remaining on city dock, terminal, or harbor facilities after expiration of any free time, may be removed to public warehouses, and all expenses of removal and risk of loss or damage shall be charged to the account of the owner, shipper, consignee or vessel as responsibility may appear on shipping documents, manifests or other sources.

(e) RIGHT TO WITHHOLD DELIVERY OF FREIGHT:

Right is reserved by the City of Homer to withhold delivery of freight until all accrued charges and/or advances against said freight have been paid in full. At the Harbormaster's discretion, any or all of such freight may be placed in public or private storage and all costs of removal and subsequent handling and storage shall be charges to the account of the owner of the freight.



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RULE: 34.9 - RIGHTS OF THE CITY OF HOMER
(continued)

(f) RIGHT TO SELL FOR UNPAID CHARGES:

Freight on which unpaid terminal, dock or harbor charges have accrued may be sold to satisfy such charges and costs; provided, such sale has been publicly advertised. Freight of a perishable nature or of a nature liable to damage other freight may be sold at public or private sale without advertising; provided owner has been given proper notice to pay charges and to remove said freight and has neglected or failed to do so within a prescribed reasonable time.

(g) EXPLOSIVES:

The City of Homer shall allow the acceptance, handling or storage of explosives within the confines of the Port and Homer Small Boat Harbor.

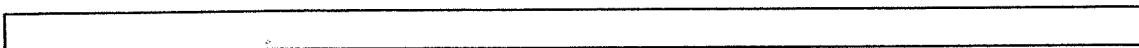
- (1) Hazardous materials, as established by the Department of Transportation Hazardous Materials Commodity List, will be charged wharfage at a rate of forty cents per hundred pounds, or fraction thereof, at locations designated for loading, unloading, or staging by U.S. Coast Guard permit.
- (2) Hazardous materials must be handled according to all federal, state, and local laws and regulations.

(h) RIGHT TO REMOVE, TRANSFER, OR REARRANGE VESSELS:

- (1) Hazardous vessels or vessels with hazardous cargo. In his discretion, the Harbormaster shall at all times have the right to immediately remove any hazardous or offensive vessel, or any vessel containing hazardous cargo, or any vessel or one containing cargo, which by its nature, is liable to damage other vessels, or other cargo, or harbor or port facilities.

The vessel may be removed from its present location to any other location and all expenses and risk of loss or damage shall be charged to the account of the owner, shipper, vessel or consignee.

- (2) Vessel beyond free time. Any vessel remaining at city dock, terminal or harbor facilities after expiration of any applicable free time, may be removed to any other public or private facility, and all expenses of removal and risk of loss or damage shall be charged to the account of the owner, shipper, consignee, or vessel.



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RULE: 34.9 - RIGHT OF THE CITY OF HOMER
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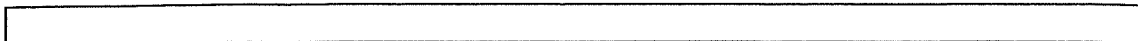
- (3) Movements of vessels to reduce congestion, or maximize services. In his discretion, the Harbormaster shall at all times have the right to move or rearrange any vessel from its present location to any other location in order to reduce congestion within or on the terminal, the docks or the harbor to prevent disruption of customary services to the public.

(i) RIGHT TO REMOVE MATERIALS OR EQUIPMENT FROM CITY DOCK
TERMINAL OR HARBOR FACILITIES

Any materials, equipment, trash, or other items left on or about any city dock, terminal or harbor facilities may be removed by the Harbormaster at any time with all expenses of removal and risk of loss or damage charged to the account of the vessel that last occupied the facility, or the owner, shipper, consignee or vessel as responsibility may appear on shipping documents, manifests, or other sources.

(j) RIGHT TO IMPOUND AND DISPOSE OF VESSEL:

- (1) Impoundment of vessels for violations. The Harbormaster is authorized to impound any vessel in or on the Homer Harbor, terminal, or dock facilities whose owner or operator is not aboard and which is not properly identified by name and/or number; or any vessel in violation of any provisions of this tariff; or any vessel whose owner or operator has not paid the stall license fee or any other fee or charge due the City for the vessel by the due date of such fee or charge and such fee or charge is thirty days past due; or any vessel which is unsafe and whose owner or operator has failed to remove it after notice. The Harbormaster may impound a vessel by immobilizing it or removing or having it removed from the water and placed in City or commercial storage with all expenses and risk of haul-out and storage to be borne by the owner of such vessel.
- (2) The owner or operator of any vessel impounded by the City shall be subject to and liable for storage charge and shall be subject to and liable for all costs incurred by the City by reason of impounding or removal.
- (3) The procedure for impoundment, including notice and pre-impoundment hearing are set forth in 10.04.120 of the Homer City Code.



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RULE: 34.9 - RIGHT OF THE CITY OF HOMER
(continued)

(k) RIGHT TO REMOVE AND DISPOSE OF NUISANCES.

The City retains the right to abate and remove nuisances including vessels which are derelicts and unfit and unseaworthy or which are maintained in such manner as to make them liable to sinking for lack of being pumped or other maintenance. The provisions of Homer City Code 10.04.130, govern the declaration and abatement of nuisances including vessels, refuse and debris.

RULE: 34.10 - SHIPPERS REQUESTS AND COMPLAINTS (I)

EFF: 15SEP1995

SUBSECTION 135

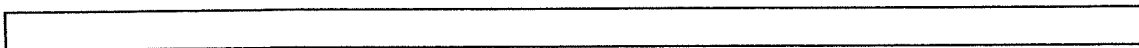
Requests and complaints may be made by any shipper, vessel, or vessel agent by filing a written statement with: Harbormaster, 4350 Homer Spit Road, Homer, Alaska, 99603, or by facsimile, number (907) 235-3152.

RULE: 34.11 - DELAYS NO WAIVER OF CHARGES (C)

EFF: 15DEC1999

SUBSECTION 140

Delays which may be occasioned in loading, unloading, receiving or delivering freight, or the berthing of vessels as a result of harbor, terminal or dock congestion, equipment failure or breakdown, or combinations, riots or strikes of any persons in the employ of the City of Homer or others, or arising from any other cause not reasonably within the control of the City of Homer, will not excuse the owners, shippers, consignees or carriers of the freight or vessel from full wharf demurrage, berthing or other terminal, dock or harbor charges or expenses which may be incurred under conditions stated herein.



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RULE: 34.12 - MANIFESTS REQUIRED OF VESSELS (C)

EFF: 15DEC1999

SUBSECTION 145

Masters, owners, agents or operators of vessels are required to furnish the City of Homer with complete copies of vessel's manifests showing the name of consignees or consignors and the weights or measurements of all freight loaded or discharged at the docks terminal or harbor facilities of the City of Homer. Such manifests must be certified as correct by an authorized official of the company and must also designate the base weight or measurement on which ocean freight was assessed. In lieu of manifests, freight bills containing all information as required above may be accepted.

RULE: 34.13 - MOORAGE IN HARBOR (C)

EFF: 01JAN2006

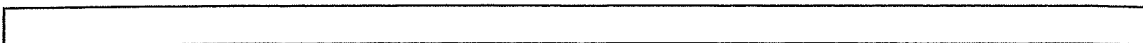
SUBSECTION 150

(a) ASSIGNMENT OF MOORAGE:

The Homer Port and Harbor is often congested and it is the policy of the City of Homer to provide for the maximum public use of available facilities. The Harbormaster shall have discretion to implement that policy.

Mooring assignments to particular stalls on the City of Homer float system are made by the Harbormaster and subject to charges named in Subrule 34.18 Subsection 200. Mooring assignments are made to a particular combination vessel and owner/operator are not assignable by the owner/operator, and automatically expire upon the sale or transfer of the vessel to another owner/operator unless stall assignee places a newly acquired or replacement vessel of permitted size in the stall as per approved request made to Harbormaster and upon payment of the \$25.00 fee to cover administrative costs of changing the boat in the reserved stall. A mooring assignment is not a lease or an exclusive right to occupy any particular stall. In order to maximize the public's use of existing facilities it is common for the Harbormaster to temporarily assign vessels to stalls normally used by another vessel when that vessel is out of the harbor.

Individuals who have a reserved stall my request a change in reserved stall assignment by completing the Swap List Request Form upon payment of the required \$25.00 Swap List Fee.

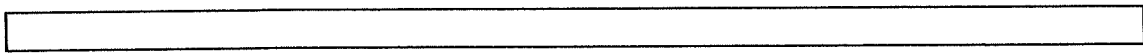


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RULE: 34.13 - MOORAGE IN HARBOR (C)
 (continued)

This fee is neither refundable nor creditable to the reserved stall holder or the reserved stall account. The Harbormaster shall place the reserved stall change request on the swap list on the swap list on a first-come, first-served basis.

As a condition precedent to securing moorage space, each applicant shall, in writing, agree to the terms and conditions of the moorage agreement provided by the Port and Harbor of the City of Homer. Providing false or misleading information on the moorage agreement is grounds for immediate termination of the moorage agreement.



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RULE: 34.13 - MOORAGE IN HARBOR (C)
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No long term (more than 3 consecutive months) live-aboard situation is permitted in the harbor without Harbormaster's approval in writing after an evaluation of the sanitary, service and congestion problems that may be a result of such arrangement.

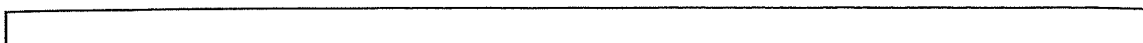
A stall, on becoming available, shall promptly be made available to the next applicant from the top of the appropriate waiting list, as provided herein. The applicant may be assigned to an available stall upon completion and execution of the moorage agreement, payment of the appropriate moorage fee, and providing proof satisfactory to the Harbormaster of vessel ownership or agreement to operate or intent to obtain a vessel within one year. In the latter case, the moorage agreement will not be renewed without showing satisfactory proof of vessel ownership. If an applicant does not want to sign a moorage agreement within the time prescribed by the Harbormaster, after being offered a stall, he will be placed at the bottom of the waiting list.

The reserved stall is personal to the individual named as owner or operator on the moorage agreement. The stall is reserved only with respect to the vessel indicated on the moorage agreement. If the vessel is not in the reserved stall, the Harbormaster may, at his discretion assign a transient vessel to the reserve stall. Neither the owner nor operator is entitled to payment for or reimbursement from the use of the reserved stall by the transient vessel.

No person may sell, lease, transfer or assign a moorage agreement for the use or control of the assigned stall to any other person or entity, or otherwise charge another person for the use of a stall. The City has the sole control of the assignment, transfer and use of the individual stalls. In the event of a sale, lease, transfer or assignment of a moorage agreement prohibited by this section, the Harbormaster shall revoke the moorage agreement after 10 days' written notice to the holder of the moorage agreement.

No Bed & Breakfast, lodging business, coffee shops or sandwich shops, cafes or similar types of businesses are allowed on boats in the harbor due to the potential of increased congestion and/or liabilities to the City and impact on services capability in the harbor.

A stall user who no longer has possession, control or custody of the vessel or loses the vessel to fire, sinking or other casualty may continue to pay moorage fees with respect to the stall and retain reserved use for a period of not more than one year from the date of sale, transfer or loss of possession of the vessel so long as he has replaced the vessel with another vessel



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RULE: 34.13 - MOORAGE IN HARBOR
 (continued)

of appropriate size for the stall assigned within such one-year period and paid the \$25.00 administrative fee for changing the boat assigned to this reserved stall. Otherwise, the moorage agreement expires. Failure of the owner or operator to give notice in writing to the Harbormaster of the sale, assignment, transfer or loss of use, control and/or possession of a vessel occupying a reserved moorage space within fifteen days of the loss or transfer is grounds for immediate termination of the moorage agreement.

Any person acquiring a vessel or any interest therein, or acquiring any interest in a corporation, partnership, or other entity owning a vessel or any interest therein, shall not thereby acquire any other right under a moorage agreement, or any right to use an assigned stall.

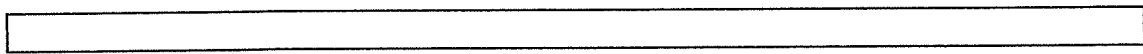
Upon the death of any reserved stall user, reserved mooring privileges shall be transferred to the surviving spouse, son or daughter upon written request to the Harbormaster.

(b) WAITING LIST FOR RESERVED STALL ASSIGNMENT:

Due to the scarcity of stalls on the City of Homer float system, vessels will be assigned a permanent reserved stall based on seniority position on waiting lists maintained by the Harbormaster's office. Separate waiting lists shall be maintained for the following size floats stalls:

- 18 feet
- 20 feet
- 24 feet
- 32 feet
- 40 feet
- 50 feet
- 75 feet

The Harbormaster shall place applicants on the waiting list on a first-come, first-serve basis only upon receipt of all requested information and payment of the annual waiting list fee. The annual waiting list fee will be accepted only from the individual whose name appears on the waiting list.



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RULE: 34.13 - MOORAGE IN HARBOR
(continued)

The fee is neither refundable nor creditable to berth lessee. An applicant or existing reserved shall licensee may be placed on one or more of these lists. An applicant need not own or operate a vessel to be placed on the waiting list.

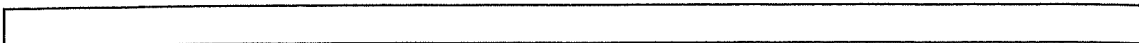
Upon the death of an applicant, the applicant's rank on the waiting list shall be transferred to the surviving spouse, son or daughter upon written request to the Harbormaster.

An applicant shall notify the Harbormaster in writing of any change of address or telephone number(s) immediately. Any individual, partnership, corporation or governmental agency may apply for use of a reserved stall. All applicants, except government agencies, shall designate a single individual whose name shall appear on the waiting list and who shall be responsible for payment of all fees. Any change in the individual designated may result in the applicant's loss of priority on the waiting list.

There is a fee of \$30.00 per year per listing upon the waiting list(s) for a permanent reserved stall assignment. An individual may sign up at any time during the year and pay a prorated fee to the May 1 Stall Wait List due date. Non payment of the fee by the May 1 due date means automatic cancellation from the wait list.

(c) RESERVED STALL ASSIGNMENTS:

- (1) The Harbormaster may assign a specific stall on the City of Homer float system within the Homer Small Boat Harbor, to a particular vessel on an annual basis.
- (2) Upon return of the permanently assigned vessel to the Small Boat Harbor, (provided property notifications are given, and based on harbor congestion and the difficulties involved in moving vessels) the Harbormaster will attempt to rearrange vessels so a vessel with a permanent reserved stall assignment may moor at that assigned stall.
- (3) A vessel assigned a permanent reserved stall assignment should notify the Harbormaster when departing for more than 5 days. If away from Homer for more than five days, a reserved stall vessel should notify the Harbormaster of its intended arrival date and time back into the Small Boat Harbor at least 24 hours prior to reentry into the Harbor.



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RULE: 34.13 - MOORAGE IN HARBOR
 (continued)

(d) **PERMANENT RESERVED STALL AND TRANSIENT MOORAGE ASSIGNMENTS:**
 There are two types of moorage assignments at the Homer Port and Harbor Small Boat Harbor. The first is a permanently assigned reserved stall and the second is a transient moorage. Stalls that are permanently assigned to a boat/owner may be used for transient moorage when the permanently assigned vessel is away from the stall.

(e) **NOTICE UPON ARRIVAL:**

All vessels should notify the Harbormaster's office prior to arrival. Those vessels who have received permanently assigned stalls should notify the Harbormaster's office 24 hours prior to expected arrival to allow the harbor staff to free the stall. If, despite reasonable efforts, the Harbormaster is unable to clear a permanently assigned stall due to congestion, high winds, or safety considerations, a vessel with a permanently assigned stall may be required to temporarily use a transient moorage space as directed by the Harbormaster.

Vessels entering the Homer Port and Harbor which have not, for any reason, received a mooring assignment by radio contact or otherwise, shall be restricted to the following areas:

Transient moorage space throughout the Small Boat Harbor, which is designated by a yellow colored bullrail (approximately 4,000 lineal feet).

There are no transient stalls in the Small Boat Harbor. If there is no available transient space available at the bullrail, a vessel is permitted to "raft" to a vessel(s) already secured to the bullrail.



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RULE: 34.13 - MOORAGE IN HARBOR
(continued)

(f) VESSEL REGISTRATION:

As a condition precedent to securing mooring space, each applicant shall, agree in writing to the terms and conditions of the moorage agreement provided by the Harbormaster and provide the information requested in the moorage agreement, Registration by completing the moorage agreement and paying the required fees must be accomplished immediately but not later than two hours after the vessel enters and moors in the Small Boat Harbor or before using and Port and Harbor Facilities. Providing false or misleading information on the moorage agreement is grounds for immediate termination of services.

RULE: 34.14 - BERTHING AT THE PORT (C)

EFF: 01JAN2002

SUBSECTION 155

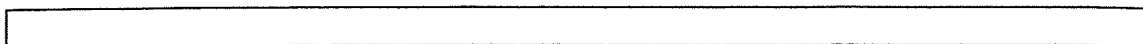
(a) ASSIGNMENT OF BERTHS:

The Homer Port Docks require advance scheduling in order to provided maximum public use of available facilities. All vessels, or their owners or agents, desiring a berth at the docks shall, within a minimum time of twenty-four (24) hours make advance application for berthing, specifying the date of docking, sailing, and the nature and quantity of cargo to be handled. Application for berthing is to be made in writing to the Port.

Vessels may occupy a berth, subject to charges named in Subrule 34.19 Subsection 205, providing such vessel shall vacate the berth upon demand by the Port. Vessels refusing to vacate berth upon demand may be moved by tug or otherwise, and any expense, including damages to other vessels or to the facility during such removal, shall be charged to the vessel so moved. Vessels at berth engaged in loading or discharging cargo may be required to work overtime at the discretion of the Port. Overtime differentials shall be added to the account of the vessel's owners, agents or operators.

(Subject to Subrule 34.8 (d) herein)

Unauthorized anchoring in open areas in or adjacent to the Homer Port and Harbor is prohibited.



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RULE: 34.14 - BERTHING AT THE PORT
(continued)

(b) PREFERENCE TO RESERVED DOCK USE:

At the Deep Water Dock priority is given to dock use reserved in advance with the Harbormaster. Reservation of dock use must specify arrival and departure dates and the nature and quantity of the freight to be loaded or discharged. Preferential berthing rights are accorded by contract to berth vessels for wood chip loading up to fifteen (15) times in each calendar year. Preferential berthing rights by contract for vessels at the dock are immediate upon arrival of each vessel during a period of twelve (12) hours before and twelve (12) hours after the established arrival times recited by a written schedule filed by the contracted company with the Harbormaster at least thirty (30) days in advance. Other vessels utilizing the dock will be removed upon the arrival of contracted vessel arriving within the scheduled arrival period at no cost to contractor, with the exception that no vessel shall be moved from the dock if doing so would, in the opinion of the Harbormaster, create an emergency condition for that vessel.

On the main face of the Pioneer Dock, preferential privileges to berth Alaska Marine Highway System ferry vessels in accordance with the published schedule is accorded. Any variance in the schedule will be provided to the Harbormaster a minimum of six (6) hours prior to arrival.

Other vessels using the dock will be cleared upon arrival of the ferry. The north face of the Pioneer Dock has preferential mooring privileges accorded to the U.S. Coast Guard vessel assigned.

RULE: 34.15 - SAFETY, SANITATION AND HOUSEKEEPING (C)

EFF: 01JAN2009

SUBSECTION 160

(a) GENERAL PROVISIONS

All users of City docks, terminal and harbor facilities shall exercise due care for the protection of life and property and the public from injury or damage.

Additional safety and sanitation rules applicable to docks and terminals should be consulted. Ordinances of the City of Homer of particular relevance include Chapter 5.06, (Nuclear Free Zone Which Includes Harbor Facilities), Chapter 5.08 (Garbage and Solid Waste Disposal), Chapter 5.16 (Public Nuisances), Chapter 5.20 (Fire Prevention and Explosives), and Title 10 (Port and Harbor).



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RULE: 34.15 - SAFETY, SANITATION AND HOUSEKEEPING
(continued)

All safety and sanitation laws, regulations and policies of the City of Homer, the Kenai Peninsula Borough, the State of Alaska, and the United States, including those adopted by international treaty, apply to city docks, terminal or harbor facilities. All users, including shippers, vessels, and consignees are hereby warned that the party or parties responsible for infractions of such laws, regulations or policies will be subject to and responsible for any penalties that may result from their violation of those laws, regulations and policies.

(b) HAZARDOUS MATERIAL, NOTICE OF HAZARDOUS CARGO AND PERMIT REQUIREMENT:

Hazardous materials, as established by the Department of Transportation Hazardous Materials Commodity List, will not be permitted without the express consent of the Harbormaster and previous arrangement (at least 12 hours prior to landing) and receipt of all appropriate manifests and U.S. Coast Guard Permits, and only at those locations designated by U.S. Coast Guard Permit.

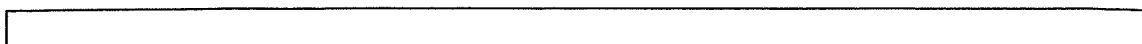
Temporary storage and/or shipment through the Port of Homer of quantities of hazardous waste in excess of 400 pounds of acutely hazardous material) requires a minimum 14 day advance request for a permit, in compliance with the "Interim Policy for the Port and City of Homer concerning notification by hazardous waste carriers and/or generators, municipal review and public notification."

No person shall throw or otherwise cause to be deposited any gasoline, oil, hazardous waste, petroleum contaminated refuse or pumping of bilge containing petroleum products onto any part of into the water of the port or harbor.

Pumping or storing fuel on floats is prohibited.

(c) RESPONSIBILITY FOR HOUSEKEEPING:

Users of docks and other terminal and harbor facilities will be required to maintain same in an orderly manner as directed by the Harbormaster. It is unlawful for any person to dump or otherwise dispose of refuse, sewage, garbage, rocks, and/or debris of any kind or type whatever into the water under the jurisdiction of the City of Homer Port and Harbor.



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RULE: 34.15 - SAFETY, SANITATION AND HOUSEKEEPING
 (continued)

Deposit of fish carcasses, including heads, bones or viscera from sport fishing activities is authorized only at designated locations.

If user does not properly clean property used, the Harbormaster shall order the work performed and user will be billed for services in accordance with the rates set forth in Subrule 34.25 Subsection 245 of this tariff.

No person shall tap, connect, disconnect, or interfere with any water outlet, water pipe, water connection, telephone equipment, electrical devise of any kind on docks or in stalls maintained or operated by the City in the Homer Port or Small Boat Harbor without first having obtained the permission of the Harbormaster; or to interfere with or tamper with any wharf, float, gangway, ramp, or any other facility operated by the City.

No person shall use or disturb any port or harbor equipment or facilities; except fire extinguishers in a fire emergency and harbor carts. City provided carts are for use on the floats and may not be removed from the harbor or used on ramps at any time. Carts should be returned to area adjacent to ramps after each use.

(d) SMOKING PROHIBITED:

No smoking shall be allowed on any wharf, pier or in any port or harbor facility, during fuel operations or at any time on any fuel station. Persons violating this rule may be barred, at the discretion of the Harbormaster, from the further use of any wharf or facility and, in addition, shall be subject to prosecution under applicable federal, state and municipal laws.

(e) WASTE OIL AND PETROLEUM PRODUCTS:

All waste oil and petroleum products must be properly disposed of by the vessel/owner. The City of Homer offers a limited ability to take small quantities of such products as a convenience to the boating public. Quantities, less than 5 gallons, of waste oil and petroleum products will be accepted by the City in the approved and designated facilities on shore. There shall be no storage, even of a temporary nature, of waste oil or petroleum products on city docks, wharves, piers, or finger floats. Any vessel/owner/agent storing or disposing of waste oil in an inappropriate or illegal manner may be barred from further use of the Homer Port and Harbor and/or penalized according to the provisions of federal, state and local law.



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RULE: 34.15 - SAFETY, SANITATION AND HOUSEKEEPING

(continued)

Larger quantities of waste oil may be accepted by the Harbormaster upon prior arrangement by written approval on a case by case basis. These larger quantities of waste oil, if accepted shall be charged \$3.25 per gallon handling and disposal fee.

(f) TUG REQUIREMENT AND SPEED LIMITATIONS

- (1) Vessels berthing or departing docks subject to the Tariff must use sufficient tugs so vessel can be berthed or removed in a safe manner. Berthing speed shall not exceed the maximum speed allowable for the tonnage or displacement of the vessel by the design of the facility.
- (2) The Deep Water Dock (DWD) fendering system was designed for a 37,500 displacement ton vessel with maximum berthing speed of 20 feet per minute then later up grader with modified corner fenders, and three breasting dolphins, to accommodate up to 65,000 ton displacement vessels. Vessels larger than 37,500 displacement tons shall have a maximum berthing speed of 16 feet per minute.
- (3) The new Pioneer Dock was designed to accommodate vessels of up to 80,000 displacement tons. Vessels larger than 37,500 displacement tons shall be docked with a maximum berthing speed of 16 feet per minute.
- (4) All craft shall restrict their speed to two miles per hour, no wake, while inside the Small Boat Harbor entering or leaving and shall operate at a reduced speed within one quarter mile of the docks outside the harbor. It shall be unlawful for any vessel to travel at a speed within any waterway causing a wake, wash or wave action which will damage, endanger or cause undue distress to any other boat or occupant thereof, regardless of established speed limits.

(g) TYING TO PILING IS PROHIBITED:

All vessels using the Deep Water Dock and Pioneer Dock will use bits and bullrails.



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RULE: 34.15 - SAFETY, SANITATION AND HOUSEKEEPING
(continued)

(h) FIRE EXTINGUISHER REQUIREMENTS:

- (1) Fire extinguishers in operating condition must be readily available on or immediately adjacent to all welding, cutting, or open flame equipment being used on vessels.
- (2) Fire extinguishers in operating condition must be readily available on all machines, cranes, and welders used on the docks or within the Terminal.

(i) NO POSTING OR DEFACEMENT:

No person shall write or post any written or printed matter in any place within or on any Homer Port or Harbor facilities, except upon bulletin boards constructed for the purpose only after having obtained permission from the Harbormaster.

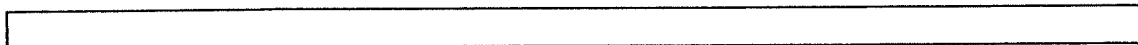
No person shall disregard, deface, remove, tamper with or damage any sign or notice posted or installed by the Harbormaster.

(j) ANIMALS:

All dogs or other animals will at all times be under the physical control of the owner or person in charge of the animal in accordance with 20.08.020 of the City Code.

(k) STOVES, FIRES, EQUIPMENT, FLAMES, ETC:

No person shall leave a stove or other heating equipment in unattended operation on a vessel moored within the Homer harbor unless such equipment has been certified as safe for such unattended use. No person shall leave any vessel within the Homer Boat Harbor unattended while fire or open flame is burning thereon. No cutting or welding or use of open flame shall be allowed on any boat undergoing repairs, on or at any Homer port or harbor facility except in an area especially designated for such repair. However, at the Harbormaster's discretion, this requirement may be waived provided adequate fire fighting equipment is physically located where the welding project is taking place. No person shall use any fire-fighting equipment located at the Homer harbor for the purpose of pumping fire suppressant water into boats for any purpose other than extinguishing fires. Any use of City fire extinguishers must immediately be reported to the Harbormaster.



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RULE: 34.15 - SAFETY, SANITATION AND HOUSEKEEPING
(continued)

(m) PLACEMENT OF GEAR:

The placement of fishing nets in the waters of the Homer Small Boat Harbor is prohibited. The physical limits of the "Small Boat Harbor" are set forth in Subrule 34.2 (o) Subsection 100 of this Tariff.

RULE: 34.16 - RESPONSIBILITY FOR PROPERTY DAMAGE (C)
EFF: 15DEC 1999

SUBSECTION 165

Users damaging city docks, floats, ramps, or other property of the City of Homer will be responsible for cost of repairs. User will be billed for repairs to damaged property at cost, including overhead.

RULE: 34.17 - BULK PETROLEUM PRODUCTS (I)
EFF: 15SEP1995

SUBSECTION 170

(a) APPLICATION OF TARIFF:

Except as otherwise provided in this section, the rates, rules and regulations published in other sections of this Tariff apply to vessels, shippers, and consignees of Bulk Petroleum Products.

(b) CLEARING AND HEATING PETROLEUM LINES:

Shippers, consignees, or vessels and persons in charge thereof are responsible for providing steam or other heating means to assure the proper flow of asphalt and other petroleum products requiring heat. Shippers, consignees, or vessels and persons in charge thereof will be responsible for clearing all petroleum products from lines located on or adjacent to any Terminal facility after a vessel completes loading or discharge unless otherwise authorized by the Harbormaster. In the event the City of Homer performs any of the above named services, rates shall be charged in accordance with Subrule 34.21 Subsection 215 of this Tariff and billed to shipper, consignee or vessel.



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RULE: 34.17 - BULK PETROLEUM PRODUCTS
 (continued)

(c) REGULATIONS GOVERNING PETROLEUM PRODUCTS:

The transfer of bulk petroleum products shall be made in compliance with City of Homer Code provisions including Chapter 5.20 (Fire Prevention), as well as other federal, state and municipal laws, rules or regulations.

(d) HOUSEKEEPING:

Flammable liquids and all hydrocarbons leaked or spilled on wharves shall be cleaned up immediately. Vessels, or consignees shall remove temporary lines immediately upon completion of receipt or discharge of flammable liquids.

Spillage from disconnected lines shall be cleaned up immediately by vessel or consignee.

RULE: 34.18 - HARBOR MOORAGE RATES (A)

EFF: 01JAN2011

SUBSECTION 200

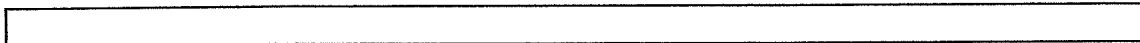
(a) CALCULATION OF MOORAGE RATES:

Mooring charges shall commence when a vessel is made fast to a wharf, pier, harbor float or other facility, or when a vessel is moored to another vessel so berthed (rafting). Charges shall continue until such vessel is completely free from and has vacated the port and harbor facilities.

A vessel moored at any time between 12:01 A.M. and 10:00 A.M. shall be charged a full day's moorage. The Harbormaster may, in his discretion and with proper and appropriate advance notice, waive a daily rate for a vessel that will occupy mooring space for a minimum time and, provided that the Harbormaster determines the use of the public facilities by others will not be congested or adversely affected.

Mooring charges shall be calculated on the length of the vessel, or in the case of a reserved stall, the length of the float stall assigned, whichever is greater.

Length shall be construed to mean the distance expressed in feet from the most forward point at the stem to the aftermost part of the stern of the vessel, measured parallel to the base line of the vessel. The length shall include all hull attachments such as bowsprits, dinghies, davits, etc.



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RULE: 34.18 - HARBOR MOORAGE RATES

(continued)

For billing purposes, when the actual length of the vessel is not immediately available, length of the vessel as published in "Lloyd's Register of Shipping" may be used. The City of Homer reserves the right to: (1) obtain the length from the vessel's register, or (2) measure the vessel.

All vessels in the harbor are subject to these rates, except properly registered seine skiffs or work skiffs attached to the mother vessel. Work skiff is defined as a boat that is usually carried on the deck or super structure of the mother vessel and is regularly used in the commercial enterprise of the mother vessel.

(b) ANNUAL MOORAGE FEE:

The annual moorage fee for reserved moorage and transient moorage privileges shall be thirty five dollars and twenty-two cents (\$35.22) per lineal foot based on the overall length of the vessel (including all hull attachments such as bowsprits, davits, dinghies, swimsteps etc.) plus a fifty dollar (\$50.00) administration charge; or for a reserved stall, the length of the finger float stall assigned, or the overall length of the vessel, whichever is greater plus a fifty dollar (\$50.00) administration charge.

Any reproduction in the moorage fee due to a substituted or amended moorage agreement is not applied retroactively and the owner or operator is not entitled to a refund or a pro-rata adjustment of the moorage fees already due or paid. Any moorage agreement that expires will, after five days, automatically be charged a monthly rate retroactive to the expiration date. Unregistered vessels will also, after 5 days, automatically be charged a monthly rate retroactively to the date the vessel entered the harbor.

- (1) All reserved stall assignments are on an annual basis beginning October 1 and ending September 30 of the following year. Prepayment of a full year's moorage is due on or before October 1 of each year. Payment for reserved moorage will only be accepted from the individual assigned the reserved stall. The reserved stall payment shall be paid in full at the time the reserved stall/moorage agreement is executed to the satisfaction of the Harbormaster. Any other arrangements are at the discretion of the Harbormaster and must be made in advance.



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RULE: 34.18 - HARBOR MOORAGE RATES

(continued)

- (2) A reserved stall assignment granted after October 1 will be charged a fee based on the number of months (including the month which it is granted regardless of the day of the month) left in the fiscal year ending September 30.
- (c) A semiannual transient rate is available on a prepaid basis only for transient vessels mooring in the Small Boat Harbor for a period of six consecutive months. The transient semiannual rate is 67% of the annual rate. Vessels that do not renew will automatically be charged the monthly rate.
- (d) The monthly transient rate will be 17% of the annual rate. Vessels that are properly registered and pay all moorage fees in advance may deduct fifty cents (\$.50) per foot per month.
- (e) The daily transient rates are: 3% of the annual rate.
Vessels that properly register and pay all moorage fees in advance may deduct five dollars per day from the daily rate.
- (f) **FLOAT PLANE FEES:**
With proper registration and specific permission from the Harbormaster, float planes may arrange for short-term moorage in the Small Boat Harbor. This is only allowed when ice and weather conditions prevent float planes from landing on Beluga Lake.

A fee in the amount equal to the daily rate for moorage of two (2) 24' vessels shall be assessed on a daily basis for float planes mooring within the confines of the Small Boat Harbor. A monthly rate in the amount equal to the monthly rate for two 24' vessels shall be assessed for float plane moorage for longer periods, and the moorage charge computed for a float plane's stay in the harbor shall be the lowest total charge resulting from the application of either the daily or the monthly rate indicated.



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RULE: 34.19 - DOCKAGE (A)

EFF: 01JAN2011

SUBSECTION 205

(a) DEFINITION:

Dockage charges are assessed on the overall length of the vessel. Length of the vessel as published in the "Lloyds Register of Ships" will be used; however, the Port reserves the right to:

- (1) obtain the length from the vessel's register, or (2) measure the vessel.

(b) DOCKAGE CHARGES:

Dockage charges will be assessed per calendar day or portion thereof at the rate of \$2.27 per foot for the length of the vessel. A service charge of \$52 will be assessed to each vessel. These charges are applicable to the "outer face" and "trestle berth" of Deep Water Dock and to all berthing locations on Pioneer Dock. The "inside berth" (berth No.2) of Deep Water Dock will have a 4-hour minimum dockage charge of 1/6 the daily rate, and a half day (up to 12 hours) docking charge of 1/2 the daily rate, with no service charge applicable.

Cruise Ship dockage will be assessed per calendar day or portion thereof at the rate of \$2.27 per foot for the length of the vessel. A service charge of \$481.53 will be assessed for each Cruise Ship.

The crane at the inside of (berth No. 2) of Deep Water Dock shall be subject to same terms for charge and usage as for the cranes on Fish Dock (Rule 34.30).

RULE: 34.20 - DEFINITIONS AND CHARGES WHARFAGE (A)

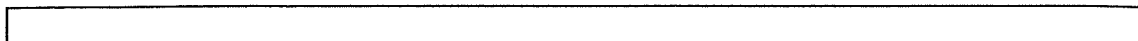
EFF: 01JAN2011

SECTION II

SUBSECTION 210

(a) DEFINITION:

Wharfage is the charge assessed against any freight placed in transit shed or on a wharf, or passing through, over or under a wharf, or transferred between vessels, or loaded to or unloaded from a vessel at a wharf, regardless of whether or not a wharf is used. Wharfage is solely the charge for use of wharf and does not include handling, sorting, piling of freight or charges for any other services.



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RULE: 34.20 - DEFINITIONS AND CHARGES WHARFAGE
(continued)

Log quantities will be reported by manifest to the Port Office for subsequent billing. The basis for measuring 1,000 board feet (M.B.M.) log scale shall be the Scribner Rule or Scribner Dec. C Log Rule. All log scales will be performed by an independent log scaling bureau. Certified copies of log scale tickets and/or log scale books shall be provided to the Port for all logs shipped. The basis for the tariff payment to the City will be computed on a net log scale, with a maximum of a twenty five percent (25%) deduct factor for defects and taper; that is gross scale minus 25% total deduct.

A Bone Dry Unit (BDU) is defined as 1.2 bone dry tons of wood chips. A bone dry ton is that quantity of wood chips which would weigh 2,000 lbs when dry.

(b) APPLICATION:

Wharfage rates named in the Tariff will be charged for all merchandise or cargoes received inbound or shipped outbound over the city docks (except the Fish Dock for which wharfage rates are contained in Rule 34.30 Subsection 275, barge ramp, or barge beaching site within the Homer Port and Harbor and will be in addition to all other charges made under provisions of this Tariff, EXCEPT:

No wharfage shall be charged to ship's gear, such as strongbacks, lines, hatch covers, walking boards, etc., placed on wharf during unloading operations. Fuel handled over wharf will not be considered as ship stores and will be subject to wharfage and other charges that may be incurred. Logs that are unloaded at Port of Homer barge beaching site will be charged 50% of the wharfage rate applicable to outbound (export) shipment. However if these cargoes are not exported over Deep Water Dock with full payment of outbound wharfage within 60 days of unloading at the barge beaching site, then the additional 50% of wharfage will be owed and paid for the inbound product.

(c) OVERSIDE:

One-half of wharfage named herein will be charged to merchandise or cargo discharged or loaded overside of vessel directly to or from another vessel or to the water when vessel is berthed at wharf.



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RULE: 34.20 - DEFINITIONS AND CHARGES WHARFAGE
(continued)

(d) OVERSTOWED CARGO:

Overstowed cargo destined for discharging at another port will be exempt of wharfage charges, provided such cargo is not removed from the wharf prior to re-loading to the vessel.

(e) SCHEDULE OF RATES:

Minimum wharfage on any shipment will be ten dollars (\$10). Except as otherwise specifically provided, rates are in dollars per short ton of 2000 lbs. or per 40 cu. ft.

COMMODITY	WHARFAGE RATE
Freight N.O. S.	\$7.96
Freight at Barge Ramp	\$5.14
Poles, logs, cants or cut	\$3.95/thousand board
Finished lumber per MBM	feet
(Note: Industry standard conversion formulas shall be used in converting pounds to board feet measure.)	

In absence of board feet measure on bill of lading, a loadout will be assessed a tariff by converting the weight of logs to board foot measure, for the average diameter of logs (small end diameter) in accordance with the following table for white spruce logs:

Scaling Diameter of Logs Inches	Weight per Board Feet Pounds
8"	14.5
12"	11.5
16"	9.5
20"	8.5
24"	7.8

Kiln dried lumber: Three pounds will equal one board foot measure.

Petroleum Products	\$.39/barrel
(inbound and outbound)	\$0.0103/gallon
Wood Chips (all grades)	\$ as per contract



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RULE: 34.20 - DEFINITIONS AND CHARGES WHARFAGE

(continued)

Seafood/fish product:	Setting a tariff of \$4.76 per ton of seafood/fish Product across the dock, regardless of species.
Livestock: Horses, mules	
Cattle, hogs, sheep, goats	\$10.12 per head
All other livestock:	
Fowl: Any kind, crated:	\$10.12 per crate
Boats: Up to and including twenty feet L.O.A.	\$15.66 each
Over twenty feet L.O.A.:	\$1.60 per lineal foot
(Fishing boats, pleasure craft, skiffs, dinghies and other boats moved over the docks.)	

RULE: 34.21 - DEMURRAGE (A)

EFF: 01JAN2011

SUBSECTION 215

(a) DEFINITION:

The term "demurrage" as used in this tariff shall mean the charge assessed against cargo remaining in or on terminal facilities after the expiration of free time, unless arrangements have been made for storage.

(b) FREE TIME:

- (1) Definition: The specified period during which cargo may occupy space assigned to it on terminal property free of demurrage or terminal storage charges, immediately prior to the loading, or subsequent to the discharge, of such cargo off the vessel.
- (2) Computing free time: Free time is calculated inclusive of Saturdays, Sundays or holidays. Free time starts the first 7 A.M. after freight is received or unloaded onto wharf from car, truck, or, in the case of freight received from vessel, the first 7 A.M. after completion of vessel's discharge. On outbound traffic from vessel, delivery of which is made after the allotted time period, the day freight is loaded out or delivered to truck or car is to be included in the computation as storage day.



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RULE: 34.21 - DEMURRAGE (A)
(continued)

When freight is transshipped between deep sea vessels and involves application of both a long and short time period, the longer period shall be allowed, but not the aggregate of any two free time periods.

- (3) Free time period: Free time of 3 days will be allowed on all inbound traffic.
Free time of 3 days will be allowed on all outbound traffic.

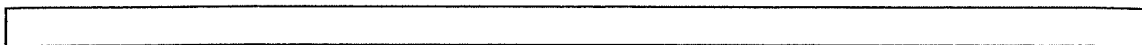
(c) RATES:

Demurrage will be assessed at a rate of nine cents (\$.09) per square foot per day, based on the "foot print" occupied by cargo in the laydown area or for cargo with overhangs, the footprint plus the area under the overhang that the overhang renders unusable for other storage.

(d) LAY-DOWN AREAS:

All cargo is expected to vacate city docks, and piers as soon upon arrival as possible. Cargo is not to be stored on City piers awaiting pick up by vessels unless prior arrangements are made with the Harbormaster. The Harbormaster shall have the discretion to refuse all cargo activities and/or laydown, either in-bound or out-bound. Cargo that is allowed to wait for "beyond" transportation shall adhere to the following rules.

- (1) The Harbormaster shall designate laydown areas for cargo.
- (2) Cargo may not be placed on city docks or terminal facilities except in designated laydown areas.



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RULE: 34.21 - DEMURRAGE
(continued)

- (3) Cargo and freight not placed in designated laydown area must be immediately removed from a city dock or terminal facility upon order of the Harbormaster.
- (4) A vessel, shipper or consignee who refuses to move cargo on demand will be assessed wharf demurrage at five times its applicable rate, starting at the time the vessel, shipper or consignee is notified to move the cargo.
- (5) In addition, the Harbormaster may, in his discretion move cargo or freight and any expense or damages, including damage to cargo or freight during such movement, shall be charged to the vessel, shipper or consignee except damages caused by the City's own negligence.

RULE: 34.22 - UPLAND STORAGE (A)

EFF: 01JAN2009

SUBSECTION 230

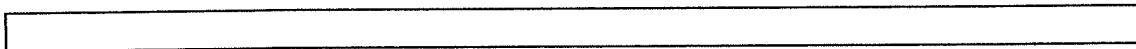
(a) AREA OF LAND AVAILABLE:

The City of Homer may make available a limited area of land for gear storage subject to the following conditions:

- (1) Space is made available on a first-come, first-served basis. All storage assignments must be approved by the Harbormaster.
- (2) This upland storage area is primarily for fishing related gear. No vehicle or boat trailers may be place on the upland storage area without prior permission of the Harbormaster.

(b) BOAT TRAILER STORAGE:

- (1) Short term storage of boat trailers not to exceed 7 days will be provided on a space available basis. Storage is allowed only in designated areas where posted.



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RULE: 34.22 - UPLAND STORAGE

(continued)

(2) Long term storage of boat trailers (8 or more days) is not available during the summer season beginning May 1 and ending September 30. Long term storage of boat trailers other than during the summer season must be approved and assigned by the Harbormaster. Long term boat storage is available commercially off the Spit.

(c) METHOD OF CALCULATIONS OF RATES:

Charges shall be based on type of storage required, vehicle, boat trailer, gear or equipment.

(d) STORAGE CHARGES:

No charge for storage should be generated for free time of 2 days or less. Storage time beyond 7 days shall generate one month charge.

(e) RATES:

All general storage is on a month-to-month basis unless otherwise provided. Charges for any particular lot shall begin at the receipt of the first unit of that particular lot in store and shall continue and include the storage month during which the last unit of the particular lot is removed from storage. Charges shall be made on the basis of square footage of units in any particular lot in store during the storage month. All charges for storage are due on the first day of a storage month.

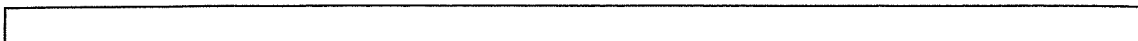
A storage month shall extend from a date in one calendar month to, but not including, the same date of the next and all succeeding calendar months. Less than one month's storage will be charged for the full month. The Harbormaster may negotiate storage contracts for six months or longer.

Fees for general storage are as follows:

Open Areas, fishing gear	\$.12 per square foot
Open Areas, non fishing gear	.17 per square foot
Fenced Storage Yard	.24 per square foot

The fees for trailer parking area/long term storage Oct. 1 to May 1 are as follows:

Up to 30 feet	\$75.00 per month
Over 30 feet up to 40 feet	\$100.00 per month



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RULE: 34.22 - UPLAND STORAGE

(continued)

There will be no storage of trailers of total length greater than 40 feet and no long term storage available from June 1 to Oct. 1.

Equipment and materials stored without proper registration and advance payment will be charged according to storage fees above.

(f) EMPTY CRADLES/TRAILERS:

For the purpose of this Tariff, a vessel trailer or cradle shall be treated as a vessel of the length of the vessel normally occupying the cradle.

RULE: 34.23 - TIDAL GRIDS (A)

EFF: 01JAN2011

SUBSECTION 235

(a) TIDAL GRIDS

The City of Homer operates two tidal grids. The wooden grid is for vessels of less than 60 feet in length. The steel grid is generally for use by vessels of 60 feet or greater in length. Vessels over 60' may not use the wooden grid without specific approval of the Harbormaster. Vessels over 300 displacement tons or over 120' may not use the steel grid without specific approval of the Harbormaster. Vessels that remain on either grid after their scheduled tide may be assessed a 50% surcharge for each unscheduled tide. Use of the steel grid shall be charged at the minimum rate applicable for a 60' boat if a boat of less length is allowed to use this grid.

Sandblasting of vessel is not permitted on tidal grids; water blasting of vessel to remove barnacles or other marine growth is permitted provided that the water pressure used does not result in removal of paints onto the grid work platform or into the water of the harbor.

(b) RATES:

The rate per foot per tide is \$1.05 for vessels 0'-59'

The rate per foot per tide is \$2.55 for vessels 60'-80'

The rate per foot per tide is \$3.25 for vessels 81'-100'

The rate per foot per tide is \$3.82 for vessels 101'-120'

The rate per foot per tide is \$4.24 for vessels 121'-140'



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RULE: 34.23 - TIDAL GRIDS
(continued)

(c) USE OF TIDAL GRIDS

Except in emergencies, use of tidal grids is limited to three tide cycles. Use of the tidal grids must be scheduled in advance and a deposit equal to one tide use must be paid. Deposit may be refunded if cancellation of reservation is at least forty-eight hours prior to scheduled use.

(d) WRITTEN PERMISSION FOR USE OF GRIDS:

No vessel shall be moored onto the tidal grids until permission has been granted by the Harbormaster and the appropriate Utilization Agreement/Waiver and Release forms completed by User.

RULE: 34.24 - HANDLING, LOADING AND UNLOADING (I)

EFF: 15SEP1995

SUBSECTION 240

(a) HANDLING DEFINED:

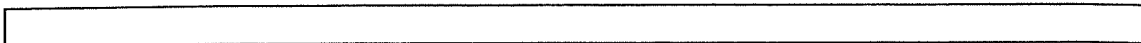
Handling means the service of physically moving cargo between point of rest and any place on the terminal facility other than the end of a ship's tackle.

(b) LOADING AND UNLOADING DEFINED:

Loading and unloading means the service of loading or unloading cargo between any place on the terminal and trucks lighter or barges or any other means of conveyance to or from the terminal facility.

(c) TERMINAL USE PERMIT:

Handling, loading and unloading services are provided by independent agents at all terminal facilities covered by this Tariff. A Terminal Use Permit or Fish Dock Use Permit is available to any qualified agent desiring to provide long shore services at the terminal facilities of the City of Homer.



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RULE: 34.25 - SERVICE CHARGES (A)

EFF: 01JAN2011

SUBSECTION 245

A service charge is assessed, in addition to any other charges set forth in this Tariff, for specific services provided by the City of Homer or its agents. Service charges do not include charges for dockage, wharfage, wharf demurrage and handling.

(a) SPECIFIC SERVICES:

The following rates shall apply for services provided by the City of Homer.

- (1) Potable water furnished to vessels at the Deep Water Dock and Main Dock:
 The following charges in dollars will be made for furnishing water to vessels berthed at docks or terminals subject to this Tariff:
 - a. Quantity charge, \$38.81 dollars per one thousand gallons (minimum five thousand gallons).
 - b. Scheduled deliveries will have a minimum charge of \$102.00 for combined connection and disconnection.
 - c. Unscheduled deliveries will have a minimum charge of \$139.32 dollars for combined connection and disconnection.

- (2) Electricity (per kilowatt):
 - (a) Reserved stalls having a meter base at the berth shall be charged a meter availability fee.
 1. The meter availability fee will be \$23.95 per month.
 2. There will be an electrical usage charge cost per kilowatt determined by the local public utility.
 3. Licensee shall notify the Harbormaster of any period when the assigned vessel will not occupy the stall and the Harbormaster, upon payment of a \$28.80 connect/disconnect fee, shall disconnect service to the license holder's stall.



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RULE: 34.25 - SERVICE CHARGES

(continued)

- (b) Subject to availability, transient vessel may buy electrical power on a metered basis from October 15 to April 15.
1. There will be a \$28.80 connect/disconnect fee.
 2. Metered transient vessels will be charged a meter availability and connect/disconnect fee of \$28.80 per month with a one month minimum charge to be applied for shorter connection periods.
 3. There will be an electrical usage charge per kilowatt as determined by the local public utility.
- (c) Unless other arrangements have been made in writing with the Harbormaster, transient vessels shall be charged the following rates (where metered power is unavailable).

	110 volt	220 volt	208 volt 3 phase
Daily (or part thereof)	\$10.20	\$20.12	\$45.20
Monthly	\$152.67	\$341.70	Available meter only

If a transient vessel consumes more electricity than would be covered by these flat rates, then such transient vessel shall be charged for the actual consumption. If a transient vessel on the daily rate accrues daily charges that total for a 30 day period more than the monthly flat rate, then the monthly rate shall be billed.

- Vessels requiring conversion plugs may purchase them from the Harbormaster's office for a nominal fee.

- (d) 208 volt/3 phase electrical power is available at System 5 on a first come-first served basis, for which the vessel will be charged the following rates:
1. There will be an electrical usage charge per kilowatt hour as determined by the local public utility:
 2. Vessels will be charged a meter availability fee of \$28.80 per month with a one month minimum charge to be applied for shorter connection periods.
 3. There will be a \$28.80 connect/disconnect fee.
- (3) Towing inside small boat harbor: Skiff with operator ½ hour \$68.00, Skiff with operator 1 man hour \$102.00. Any additional personnel required will be charged at rate of \$99.00 per hour.



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RULE: 34.25 - SERVICE CHARGES

(continued)

- (4) Pumping vessel: \$40.79 per day or portion thereof for electrical pumps.
 \$69.97 per hour or portion thereof for gas pumps. (includes attendant time)

(b) LABOR/PERSONNEL:

- (1) When labor is furnished by the City at the request of a user it is expressly stipulated that the City acts as agent of the user. The City shall charge for labor provided by the City for the following services:
- (i) all services not specifically described in this Tariff.
 - (ii) Services of loading, unloading, or transferring cargo for which no specific commodity rates are provided and which cannot be performed at the rates named N.O.S. and cargo in packages or units of such unusual bulk, size, shape or weight as to preclude performing such services at rates named under individual items of this Tariff.
 - (iii) Services for which no specific commodity rates are provided and any other services for which specific rates are named in this Tariff because of unusual conditions or requirements of shippers not normally incidental to such services preclude the performance; and
 - (iv) Services of cleaning City docks or terminal facilities of dunnage, stevedore gear, and other equipment or material when the shipper, vessel owner or consignee fails to promptly clear the facility as requested by the Harbormaster.
- (2) When a user notifies the Harbormaster for labor for a specific time and labor is on the job ready for work at that time, the use shall be charged from the time the labor is ready for work until the work is concluded even if the work is delayed through no fault of the City.



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RULE: 34.25 - SERVICE CHARGES

(continued)

- (3) All labor provided by City personnel shall be charged at \$102.00 per hour. (½ hour minimum at \$51.00. Work requiring call-outs shall be charged at a minimum of two hours.

(c) EQUIPMENT:

When the City utilizes city equipment to provide services under this Subsection, it will charge users for the cost of that equipment on an hourly basis at the rates charged capital projects within the City of Homer for similar equipment.

(d) REGULATED GARBAGE HANDLING FEE:

\$800.00 per round trip for certified truck pick up plus \$90.00 per one hundred pounds. Regulated garbage, as per the Code of Federal Regulations, is garbage from foreign going vessels that contains, or that is suspected of containing, food scraps or food waste.

(e) SPECIAL SERVICES:

Except where otherwise required by law, the Harbormaster has the authority to refuse or to provide or to arrange for the provision of services in addition to those set out in paragraph (a) above. Special services, including waste, bulk oil, or garbage disposal shall be billed at the City's actual cost (including city labor costs as determined in paragraph 2 above) plus 125% of city costs for services arranged and paid for by the City but provided by others. Waste oil in quantities greater than 5 gallons, shall be charged a \$3.35 per gallon handling and disposal fee.

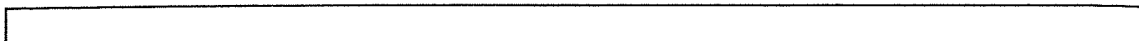
Special services shall not include the taking or handling of sewage of any kind. Sewage disposal must be accomplished by the vessel owner or his agent pursuant to federal, state and municipal laws, codes and ordinances.

RULE: 34.26 - PASSENGER FEES (C)

EFF: 15DEC1999

SUBSECTION 250

Vessels with a capacity in excess of eight passengers shall pay a fee of two dollars for each passenger disembarking either directly by shuttle or lighter at the Small Boat Harbor Float or launch ramp during the period May 01 to September 30 of each year.



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RULE: 34.26 - PASSENGER FEES (C)
(continued)

The Harbormaster shall provide forms to be used by the vessel operators in logging passenger traffic off-loading at the harbor floats or ramp, and such completed forms shall be submitted with the appropriate fee to the Harbormaster.

RULE: 34.27 - SEARCH AND RESCUE FEES (A)

EFF: 01JAN2011

SUBSECTION 255

In addition to other Tariff provisions, when the City utilizes city equipment and personnel to provide search and rescue assistance to vessels outside of the Homer Port and Harbor, such as towing and rescue, the Harbormaster will charge users of those services \$102.00 per hour for skiff and operator for the first hour on any part thereof, and for additional search and rescue assistance beyond one hour. Additional personnel will be charged at the rate of \$99.00 per man hour.

RULE: 34.28 - BOAT LAUNCH RAMP FEES (A)

EFF: 01JAN2011

SUBSECTION 260

(a) USE OF PUBLIC LAUNCH RAMPS:

The City owns and provides access to public launch ramps, Access to those ramps is generally on a first come, first served basis, but the Harbormaster may deviate from that policy or refuse access to a ramp when, in his judgment, the public interest would be served and his consideration in that determination of the following factors:

- (1) The degree of existing or potential congestion in the harbor, including upland storage area, and whether the proposed launch or retrieval will affect that congestion, and
- (2) Whether the launch or retrieval poses a risk of loss of public or private property.



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RULE: 34.28 - BOAT LAUNCH RAMP FEES (A)

(continued)

(b) CHARGES FOR USE OF PUBLIC LAUNCH RAMPS:

Vessels shall be charged \$13.00 per day to launch from the public launch ramps from April 1 through October 15 (Reserved stall lessees exempt for the boat assigned to and registered to the stall only, not for other boats owned by the same individual.) Vessel owners or operators may obtain a seasonal permit for \$130.00 entitling a specific vessel and owner to launch from April 1 through October 15. (Reserved stall lessees exempt for the boat assigned to and registered to the reserved stall only, not for other boats owned by the same individual.)

(c) RAMP USE:

The principal intended use of the launch ramp is the launch and recovery of small/trailable vessels. An authorized subsidiary use is the incidental, noncommercial, loading or unloading of goods, supplies or materials.

The principal intended use of the harbor barge ramp is the commercial loading or unloading of goods, materials, equipment or personnel. An authorized subsidiary use is the loading or unloading of fishing gear and equipment or other use approved by the Harbormaster.

At the Harbormaster's discretion, reasonable restrictions may be placed on the use of any ramp owned or operated by the City.

RULE: 34.29 - BEACHES AND BARGE RAMP (A)

EFF: 01JAN2011

SUBSECTION 270

The use of beaches and barge ramp under the City ownership or control for commercial barge vessel repair, equipment loading or similar purposes, must be approved by the Harbormaster. A beach use agreement will be filled out and signed by the user and Harbormaster prior to use of the beach.

The Harbormaster shall charge a fee per foot based on length overall of the vessel, for vessels landing or parking on the beaches under City ownership or control. This same rate shall apply to vessels using the barge ramp.

Vessels up to 50 ft.	per foot \$1.50
Vessels over 50 ft.	per foot \$1.50



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RULE: 34.29 - BEACHES AND BARGE RAMP
(continued)

Charges for extended beach or barge ramp use may be adjusted by the Harbormaster under appropriate circumstance.

The user of any beach area or barge ramp must repair any damage to the beach or ramp and remove all debris. Failure to make such repairs and removal will result in repairs and cleanup by harbor staff. The costs incurred by the harbor staff will be fully charged to the beach user. Labor rate for the harbor staff will be (\$90.00) per hour per person, plus appropriate equipment rental and material costs.

Sandblasting of vessels is not permitted on City beaches or barge ramps; water blasting using pressures that result in removal of paint is also prohibited. No paint chips or other paint materials are to be put into the water as a result of any maintenance done on the beach or ramp.

RULE: 34.30 - FISH DOCK (A)
EFF: 01JAN2011

SUBSECTION 275

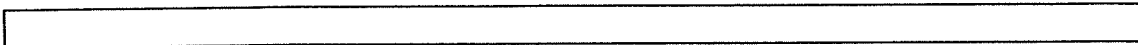
The Fish Dock is to be used primarily for the loading and unloading of fish, fish products and fishing gear. Any other use must be approved in advance by the Harbormaster.

Dock fees shall be those set at Subrule 34.19 Subsection 205;

Cranes located onboard the vessel moored at Fish Dock may be utilized for loading/unloading the vessel only with prior approval granted by the Harbor Officer on duty.

No non-City owner cranes or boom trucks may be brought onto Fish Dock for use in loading/unloading without advance Harbor Officer approval.

Every person using a crane on the Fish Dock shall first obtain a license from the City. A private user shall obtain a private license, which shall be the annual access card, and shall pay the annual access card fee set forth in this subsection. A private license shall entitle only the owner if an individual, and the master and crew of a vessel to load/unload the vessel at the Fish Dock. In addition to the annual license fee, all users of the Homer Fish Dock shall pay the user fees set forth herein.



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RULE: 34.30 - FISH DOCK
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The Harbormaster shall designate one or more cranes on the Fish Dock open to public use (both private and commercial users) on a first-come first-served basis. All private licenses and food services are subject to a two-hour maximum time limit during the times when other private or food service licensees are waiting to use the crane. This time shall be the time that the licensees actually occupy the crane berthing space or otherwise has possession of the public use crane. Every other crane at the Fish Dock and the crane on the Main dock may be designated by the Harbormaster for preferential use. Preferential use of a crane shall entitle the holder to the exclusive right to use of the crane for loading and unloading fish and fish product during fish buying periods and to priority use of crane for all other uses; provided however, that a preferential user shall not be entitled to use of the crane until an actual and legal use of the crane by non-preferential user ends. The Harbormaster shall promulgate such additional rules as may be necessary to implement this section.

For an approved user's vessel blocking access to cranes other than those in use, a fee of one hundred fifty dollars (\$150.00) per hour will be assessed if such vessel is not immediately moved upon request of Harbor staff and if another vessel is thereby forced to wait.

Vessels are not to be left unattended at Fish Dock. Vessels moored at Fish Dock must have sufficient crew on board to move the vessel upon request or direction of Harbor staff. A fee of one hundred fifty dollars (\$150.00) per hour will be assessed against the owner or operator of a vessel per hour left unattended at Fish Dock that obstructs access by other vessels.

Failure to obtain prior approval for a use other than loading and unloading fish, fish products or fishing gear will result in the imposition of a surcharge of thirty dollars (\$30.00) per hour in addition to the regular fee.

No person shall use the Fish Dock in violation of this section.

Schedule of rates shall be set by City Council Resolution
See also Subrule 34.20 Subsection 210 e.



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RULE: 34.30 - FISH DOCK
(continued)

ITEM	FEE
Annual access	\$52.00 per year
Card (private license)	(annual renewal fee)
Card replacement fee	\$15.00 per occurrence
Cold Storage	\$334.75/month
(Cold storage rate structure is for storage area of eight feet by ten feet)	\$309/per month for two consecutive months
	\$283.25 per month for three consecutive months minimum one month rental
	inspection \$50/hour
	\$257.50 per month nine month season
Ice Plant Bin Storage (roofed-over, open-sided Storage bins at west end of ice plant building Sixteen feet by twelve feet)	\$200/month Minimum two months
Bait Storage Fee per bin (4x4x4)	
Per Day	\$5.15
Per Week	\$25.75
Per Month	\$77.25
Fish Dock Crane	\$90.64/hour
Minimum charge per hour for crane	Fifteen minutes
Ice	\$119.00 per ton

Seafood wharfage/Fish product:

Setting a tariff of \$4.76 per ton of seafood/fish product across the docks regardless of species. Bait in quantities greater than one (1) ton that is loaded onto a vessel at Fish Dock, shall be charged seafood wharfage.

Freight NOS, Non-fish Cargo:

\$14.50/T for cargo going over the Fish Dock. Fishing gear is free from wharfage. Except as otherwise provided under a lease agreement contract or operating agreement with the City of Homer, ice brought onto Fish Dock to be loaded into totes or transferred to boats at the dock, shall be charged wharfage at the Freight NOS rate, unless this is ice that was purchased from the City Ice Plant.



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RULE: 34.31 - CONDITIONS OF BERTHING (C)

EFF: 15DEC1999

SUBSECTION 310

All applications for Bessel berthing shall be made in the form specified by the Harbormaster and may require the timely filing of the financial responsibility information called for by Supplement to Vessel Berthing Application, completed in accordance with, and otherwise governed by, the terms and conditions set forth below:

(1) Unless waived pursuant to paragraph 2 below, the terms of payment for all applicable terminal or dockage charges shall be cash in advance. A cash deposit or acceptable security in an amount equal to 125% of the estimated applicable charges will be required to be posted with the Harbormaster six days prior to the vessel's scheduled arrival, or at such time as may be authorized or directed by the Harbormaster, but in all cases in advance of actual services rendered.

When a cash deposit has been posted, any excess there of after satisfaction of all applicable port charges, shall be promptly refunded by the Port of Homer to the party posting same.

(2) The Harbormaster may waive the requirement of cash in advance as to all or any category or categories of its anticipated port charges when the party responsible for such charges has been identified by berthing agent to the satisfaction of the Harbormaster, and:

- (i) That the party responsible has established credit worthiness acceptable to the Harbormaster; or
- (ii) Adequate security, acceptable to the Harbormaster in an amount equal to 125% of the applicable estimated port charges, has been posted; or
- (iii) The agent requesting the berth, or another entity, in each case applicable to the Harbormaster as credit worthy, has personally accepted financial responsibility for the applicable charges.

(3) The vessel agent or other person requesting a berth ("berthing agent") shall provide, as a part of the berthing process and to the extent of his knowledge, all information called for by any Supplement to Vessel Berthing Application respecting the vessel, its estimated arrival and departure, amount(s) and type(s) of cargo to be loaded or discharged.

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RULE: 34.31 - CONDITIONS OF BERTHING

(continued)

The vessel agent or other person requesting a berth shall provide an estimate of the amount of each category of port charges, as enumerated, and the party responsible there for.

The submission of this form, signed by the berthing agent, shall constitute the berthing agent's information supplied, based upon and to the extent of information made available to the berthing agent shall be held personally liable to the City of Homer as a result of the agent's failure to accurately report the above information.

Should the berthing agent, subsequent to submission of this form, receive information which materially differs from the information the agent reasonably believes is not equally know to the Harbormaster, it shall immediately notify the Harbormaster and if requested by the Harbormaster, promptly file an amended Supplement to Vessel Berthing Application with the Harbormaster.

All estimates of terminal and dockage charges are subject to approval and/or adjustment by the Harbormaster.

(4) The Harbormaster shall, promptly after receipt of this form, advise the berthing agent as to (i) its approval or adjusted estimate of terminal charge and (ii) whether posting of cash or security is required for any one or more categories of such charges and the amount thereof.

(5) In addition to the terms for berth reservation and establishment of financial responsibility as set forth herein, request for berth reservation and assignment of berths shall otherwise be in accordance with all local rules and regulations established by the City of Homer.

(6) The City of Homer retains the right in its sole discretion to determine whether a responsible party or agent is credit worthy and waive the cash-in-advance requirement. The City may establish guidelines for determining whether a responsible party or an agent is credit worthy. Compliance with these guidelines does not create a right to waiver of the cash-in-advance requirement.

(7) For safety or other reasons, the City of Homer in some circumstances may grant a vessel a temporary berth before the owner or agent has paid all applicable charges or otherwise complied with all applicable Tariff provisions of conditions of berthing.

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(continued)

In such circumstances, the vessel may unload its cargo only if (i) the Harbormaster determines that a regular berth is available, and (ii) the owner pays all applicable charges and complies with all other applicable Tariff provisions and conditions of berthing. If no regular berth is available, or the vessel owner or agent does not pay all applicable charges and comply with other applicable provisions, the vessel may not unload its cargo and shall sail on the next tide. The vessel shall be assessed appropriate fees as set forth in this Tariff.

RULE: 34.32 – PARKING FEES
EFF: 25APR2011

Parking fees to be collected at Ramp 1, Ramp 2, Ramp 3 and Ramp 4 seasonally (Memorial Day through Labor Day).

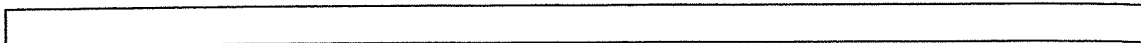
(a) DAY USE PARKING

- (1) Two (2) to four (4) spaces at each Ramp are reserved as a “No Fee Loading Zone”.
- (2) Parking fee is \$5 per calendar day, with a time limit of one (1) day maximum stay.

(b) LONG TERM PARKING

Vehicles over 20’ and trailers are not eligible for long term parking.

- (1) Seasonal permits for day use parking (Ramps 1-4): \$250.00.
- (2) Long term parking annual permit fee available for legal vehicles 20’ or less/trailers still subject to the seven (7) day rule: \$200.00.
- (3) Long term parking annual permit fee available for legal vehicles 20’ or less parked in excess of seven (7) 24-hour days: \$200.00.
- (4) Long Term Parking annual permit fee for vessel owners paying annual moorage: \$100.00.
- (5) Long term parking enforcement year around. Parking lot restrictions for long term parking, May 1 through October 1.



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RULE: 34.32 – PARKING FEES
(continued)

- (6) Existing code definitions for vehicles, junk vehicles, and fines for violations apply. Fines, \$25.00 per day.

- (7) Existing code definitions for restricted parking, vehicles, junk vehicles, and fines for violations apply. Fines, \$25.00 per calendar day, provided that the fine for overtime parking in long term area will be limited to \$250.00 fine per calendar year, with \$200.00 of the fine credited towards the long term parking annual permit.

