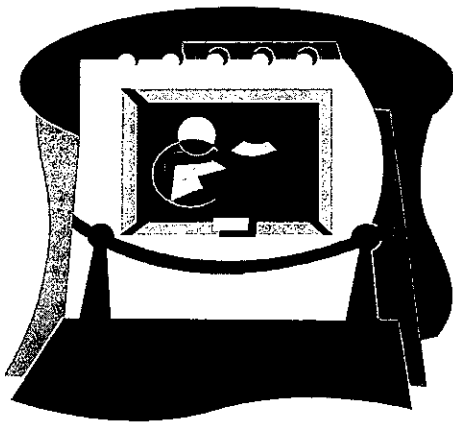
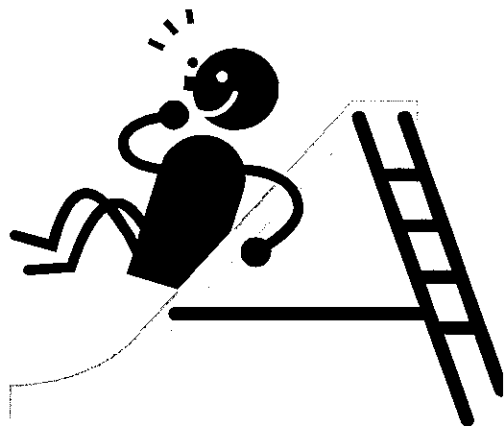


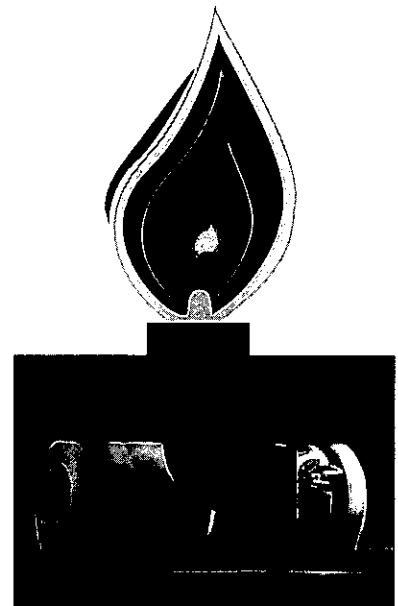
City Council
February 27, 2012
Monday



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

Produced and
Distributed by the City Clerk's Office -2/22/2012-rk



2012

FEBRUARY/MARCH

- Monday 27th** **CITY COUNCIL** Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.
- Tuesday 18th** **SPIT PARKS AND RECREATION COMMITTEE** 3:30 p.m.
- KACHEMAK DRIVE PHASE III WATER & SEWER NEIGHBORHOOD MEETING** 5:00 – 6:00 p.m.
- Thursday 1st** **KAREN HORNADAY PARK COMMITTEE** 5:30 p.m.
- Tuesday 6th** **LIBRARY ADVISORY BOARD** Regular Meeting 5:00 p.m.
- Wednesday 7th** **PLANNING COMMISSION** Worksession 5:30 p.m. and Regular Meeting 6:30 p.m.
- Thursday 8th** **PORT AND HARBOR IMPROVEMENT COMMITTEE** 5:30 p.m.
- Monday 12th** **CITY COUNCIL** 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.

For the months of September through April and

6:00 p.m. for the months of May, June, July, and August

Transportation Advisory Committee Quarterly 3rd Tuesday 5:30 p.m.

Public Arts Committee months of February, May, August, and November 2nd Thursday 5:00 p.m.

Lease Committee Quarterly 2nd Thursday 3:00 p.m.

Permanent Fund Committee months of February, May, August, and November 2nd Thursday 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.

COWLES COUNCIL CHAMBERS
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



SPECIAL MEETING
4:00 P.M. MONDAY
FEBRUARY 27, 2012

MAYOR JAMES C. HORNADAY
COUNCIL MEMBER BETH WYTHE
COUNCIL MEMBER FRANCIE ROBERTS
COUNCIL MEMBER BARBARA HOWARD
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER BRYAN ZAK
COUNCIL MEMBER KEVIN HOGAN
CITY ATTORNEY THOMAS KLINKNER
CITY MANAGER WALT WREDE
CITY CLERK JO JOHNSON

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. NEW BUSINESS**
 - A. Memorandum 12-025**, From City Clerk Re: Request for Executive Session Pursuant to AS 44.62.310 (C)(1), Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit. (Kazan Property Purchase). Page 7
- 4. COMMENTS OF THE AUDIENCE**
- 5. ADJOURNMENT NO LATER THAN 4:50 P.M.**
Next Regular Meeting is Monday, March 12, 2012 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Office of the City Clerk

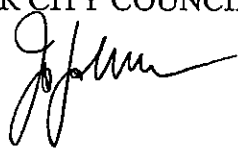
Jo Johnson, CMC, City Clerk
Melissa Jacobsen, CMC, Deputy City Clerk II
Renee Krause, CMC, Deputy City Clerk I



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

MEMORANDUM 12-025

TO: MAYOR HORNADAY AND HOMER CITY COUNCIL

FROM: JO JOHNSON, CMC, CITY CLERK 

DATE: FEBRUARY 21, 2012

SUBJECT: REQUEST FOR EXECUTIVE SESSION PURSUANT TO AS §44.62.310(C)(1), MATTERS, THE IMMEDIATE KNOWLEDGE OF WHICH WOULD CLEARLY HAVE AN ADVERSE EFFECT UPON THE FINANCES OF THE GOVERNMENT UNIT. (KAZAN PROPERTY PURCHASE.)

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 Purchase" for the Special Meeting of February 27, 2012. This has been publicly and internally noticed since that time.

Attorney Klinkner will be present by telephone.

RECOMMENDATION:

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

COWLES COUNCIL CHAMBERS
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



COMMITTEE OF THE WHOLE
5:00 P.M. MONDAY
FEBRUARY 27, 2012

MAYOR JAMES C. HORNADAY
COUNCIL MEMBER BETH WYTHE
COUNCIL MEMBER FRANCIE ROBERTS
COUNCIL MEMBER BARBARA HOWARD
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER BRYAN ZAK
COUNCIL MEMBER KEVIN HOGAN
CITY ATTORNEY THOMAS KLINKNER
CITY MANAGER WALT WREDE
CITY CLERK JO JOHNSON

MEETING NOTICE
COMMITTEE OF THE WHOLE AGENDA

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

Councilmember Wythe 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. Anderson Group, Lobbyists Report (telephonic)

4. REGULAR MEETING AGENDA

5. COMMENTS OF THE AUDIENCE

6. ADJOURNMENT NO LATER THAN 5:50 P.M.

Next Regular Meeting is Monday, March 12, 2012 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

CALL TO ORDER
PLEDGE OF ALLEGIANCE
AGENDA APPROVAL

COWLES COUNCIL CHAMBERS
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



REGULAR MEETING
6:00 P.M. MONDAY
FEBRUARY 27, 2012

MAYOR JAMES C. HORNADAY
COUNCIL MEMBER BETH WYTHE
COUNCIL MEMBER FRANCIE ROBERTS
COUNCIL MEMBER BARBARA HOWARD
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER BRYAN ZAK
COUNCIL MEMBER KEVIN HOGAN
CITY ATTORNEY THOMAS KLINKNER
CITY MANAGER WALT WREDE
CITY CLERK JO JOHNSON

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 Wythe 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 February 13, 2012. City Clerk. Recommend adoption.

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- B. **Memorandum 12-026**, from Mayor, Re: Reappointment of Glen Carroll to the Port and Harbor Advisory Commission. Page 31

6. **VISITORS**

- A. **John Hendrix**, Apache Corporation, 10 minutes.
- B. **Representative Seaton**, Legislative Session update, 10 minutes.
- C. **Kachemak Bay Research Reserve**, Kachemak Bay Science Conference, 5 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

8. **PUBLIC HEARING(S)**

- A. **Ordinance 12-06**, An Ordinance of the City Council of Homer, Alaska, Amending the Karen Hornaday Park Project Budget Established via Ordinance 11-22 by Appropriating an Additional \$50,000 for Playground Equipment and Materials and Providing that Future Budget Amendments be Made by Resolution. City Manager/Parks and Recreation Advisory Commission. Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012. Page 37

Memorandum 12-019 from Parks and Recreation Advisory Commission as backup
Page 41

B. **Ordinance 12-07**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget by Appropriating and Transferring \$81,000 from the General Fund Reserve (Fund Balance) to the City Hall Complex Budget for the Purpose of Acquiring New Furniture at City Hall. City Manager. Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012. Page 89

Memorandum 12-023 from City Manager as backup. Page 93

C. **Ordinance 12-08**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Commercial Vessel Passenger Tax Program Pass Through Grant from the Kenai Peninsula Borough for FY 2009 and FY 2010 in the Amount of \$35,512.50, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012. Page 95

D. **Ordinance 12-09**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget by Appropriating \$27,275.01 (in Equal Amounts from the Public Works, Water and Sewer Reserve Accounts) for the Purchase of a Used Skid-Mounted Steamer Equipment Unit. City Manager/Public Works Director. Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012.

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Memorandum 12-024 from Public Works Director as backup.

Page 117

E. **Ordinance 12-10**, An Ordinance of the City Council of Homer, Alaska, Enacting Homer City Code Chapter 21.27, East End Mixed Use District, Amending Homer City Code 21.10.010, Zoning Districts, and Amending the Homer Zoning Map to Rezone Portions of the Rural Residential, General Commercial One and General Commercial Two Zoning Districts to East End Mixed Use. Planning. Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012. Page 119

Memorandum 12-028 from City Attorney as backup.

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Memorandum 12-021 from City Planner as backup.

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9. **ORDINANCE(S)**

10. **CITY MANAGER'S REPORT**

A. City Manager's Report

Page 147

B. Bid Report

Page 163

11. **CITY ATTORNEY REPORT**

12. **COMMITTEE REPORT**

- A. Public Arts Committee
- B. Transportation Advisory Committee
- C. Permanent Fund Committee
- D. Lease Committee
- E. Port and Harbor Improvement Committee
- F. Employee Committee Report

13. PENDING BUSINESS

14. NEW BUSINESS

- A. **Memorandum 12-027**, From Public Arts Committee, Re: Recommendation on Placement of Existing City Owned Artwork Within City Hall Public Areas.

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15. RESOLUTIONS

- A. **Resolution 12-017**, A Resolution of the City Council of Homer, Alaska, Expressing Support for a One Dollar Per Mcf Tariff Increase on the Price of Natural Gas in the Area Served by the Proposed South Peninsula Natural Gas Pipeline as a Local Contribution to the Cost of Constructing the Line. City Manager.

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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 Monday, March 12, 2012 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the 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 12-05 a Regular Meeting of the Homer City Council was called to order on February 13, 2012 at 6:00 p.m. by Mayor James C. Hornaday at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

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

ABSENT: COUNCILMEMBERS: WYTHE (excused)

STAFF:
CITY MANAGER WREDE
CITY CLERK JOHNSON
CITY ATTORNEY KLINKNER
CITY PLANNER ABBOUD
COMMUNITY AND ECONOMIC
DEVELOPMENT COORDINATOR KOESTER
PORT AND HARBOR DIRECTOR HAWKINS
PUBLIC WORKS DIRECTOR MEYER

Councilmember Wythe has requested excusal.

Mayor Hornaday declared Councilmember Wythe as excused and there was no objection from the Council.

Council met as a Committee of the Whole from 5:00 p.m. to 5:35 p.m. to discuss Regular Meeting Agenda items.

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

AGENDA APPROVAL

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

The agenda was approved by consensus of the Council with the following changes:
ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION
REPORTS – Mayor’s Summary of Juneau Trip, February 7 – 9, 2012.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Eric Niebuhr, city resident, advocated for Ordinance 12-06 for the motivated group of community members. The \$50,000 contribution will bring HoPP (Homer Playground Project) to half of its goal.

Luke Epperson, city resident, supports Ordinance 12-06 as the playground project directly benefits a large number of members. Creative play as a child develops creativity as an adult, and will bring families together.

Todd Steiner, city resident, supports Ordinance 12-06 as the playground will take care of our kids. HoPP has a reputable architect and the plan has been tried and tested in other communities. HoPP can achieve grants with the City's contribution.

Leonard Wells, city resident, favors Ordinance 12-06, with the exception of allowing future expenditures by resolution. He asked that portion of the ordinance be amended to require an ordinance to expend funds.

RECONSIDERATION

CONSENT AGENDA

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

- A. Homer City Council unapproved Special and Regular Meeting minutes of January 23, 2012. City Clerk. Recommend adoption.
- B. **Memorandum 12-018**, from Deputy City Clerk, Re: Liquor License Renewal for Kharacters, AJ's Oldtown Steakhouse & Tavern, Grog Shop East End, Happy Face, Homer Brewing Company. Inc., and Frosty Bear Ice Cream Parlor & Crabbies Seafood.

Mayor Hornaday called for a motion for the adoption of the recommendations of the consent agenda as read.

LEWIS/HOWARD – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

A. **Miranda Weiss**, HoPP, Update on the Karen Hornaday Park Playground Project

Miranda Weiss provided an update on the playground project and acknowledged the people contributing to the project's success. The request for funding is for \$50,000 for the new playground. The City secured \$250,000 in state capital funds nearly two years ago for improvements to Karen Hornaday Park. Additionally, the City allocated \$55,000 for improvements at the park. Hopp requests \$50,000 of those funds.

The playground project includes: tree fort, twisty slide, hill slide, a float plane, climbing structures and mats, multiple boats and sandboxes, a train, a water feature, trails, balancing and bouncing structures, boulders, benches, landscaping and swings. There will be a fenced area for the community's youngest members, a tot lot up to age 5, and structures and equipment for everyone else. There will be handicap accessible equipment and trails, and chairs for sitting. Provided funding is met, the playground will be built in a barn raising manner from Sunday, May 20 through Sunday, May 27. There will be hundreds of volunteers working under professional direction from 7:00 a.m. to 9:00 p.m. with borrowed and donated tools. The goal is to raise \$220,000 to make it happen.

Karen Hornaday Park is about 38 acres that came into public ownership in the 1960's. It was originally a homestead, then the fairgrounds before becoming public land. The acres are restricted by deed so that they are forever dedicated for recreational purposes for the community. Many improvements have been made to the park including the ballfields, campground, and playground. The park has been well used and loved over the years. The Karen Hornaday Park Master Plan was approved June 2009, with an ambitious and inspiring vision for the park. Playground improvements were identified as a priority engaging the community and adopting the playground as a project. HoPP has done just that.

HoPP first got together in April with representatives of the City, the Parks and Recreation Advisory Commission, Friends of Woodard Creek, and parents. At the second meeting they had a name, two co-chairs, and a mission. HoPP has developed into a highly organized group with different committees for different things.

Members include: Rebecca Clark – Fundraising Committee
Cheryl Illg – Children's Outreach
Todd Steiner – Consultant and Counselor on Construction
Deb Cox – Inspired the Project

Angie Newby – Co-chair of Fundraising Committee
Kara Clemmons - Childcare Operations
Tolya Stonorov – Professional Architect
Jarred Cook – Designer and Builder

HoPP is organized, has a number of people doing different things, and over 300 people on their contact list. There is incredible momentum building and \$50,000 from the City would mean a great deal. There is a pending grant with Rasmuson Foundation for \$25,000. HoPP announced a fundraising challenge that before February 27th the group will raise \$22,000 to bring their amount up to \$100,000.

Soldotna Mayor Peter Micciche advocated for the project and provided an overview of a similar playground improvement in Soldotna.

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORTS **REPORT/COMMISSION**

A. Mayor’s Proclamation - Brother Asaiah Bates Day – February 14, 2012

Mayor Hornaday read the proclamation.

B. Mayor’s Summary of Juneau Trip, February 7 – 9, 2012

C. Borough Report

Kenai Peninsula Borough Assemblyman Bill Smith reported the Homer delegation did a fine job in Juneau and was well received. The main topic was the gas line with the message from administration that if not too much money was spent it would not be vetoed. The more the City can get its core area development together the stronger the case will be. There should be significant assistance for the project in Juneau.

Assemblyman Smith stated the Assembly has not taken a position on HB184.

D. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
3. Economic Development Advisory Commission

4. Parks and Recreation Advisory Commission

Parks and Recreation Advisory Commissioner Robert Archibald reported the commission has just revised their strategic plan and has three committees: Karen Hornaday Park, Kachemak Drive Path Committee, and the Spit Campground Committee. The most active is the Karen Hornaday Park Committee. They have been struggling for some time with the Friends of Woodard Creek to see the things they want to happen at the park. The commission is happy to see HoPP come along and recommended to fund the group. HoPP is a dynamic group and it will be another step in keeping the park up. The commission has discussed the park host volunteer program due to vandalism and the investment at Karen Hornaday Park. The commission hopes to make more recommendations for funding at the park as other big entities require repairs.

5. Port and Harbor Advisory Commission

Councilmember Hogan reported he attended the International Pacific Halibut Commission (IPHC) meeting in Anchorage on his own will. Although we lobbied for the meeting in Homer from the large turnout he doesn't think Homer could handle it. The IPHC has been overestimating the biomass for a long time. There are intended harvest restrictions for the next year. The commercial sector will have nearly a 20% cut from last year, a big impact to our halibut landings. At an industry section meeting he was cornered by advocacy groups of the fishermen's organizations. They asked him to bring a message to the Council. This year Homer was made the #2 port and unless they see a demonstration that Homer supports the commercial industry they will make us #4. He invited them to speak to Council directly. The perception is that Homer is anti-commercial. We need to pay attention to the message and address it in a positive manner.

PUBLIC HEARING(S)

A. Crittenden Drive Reconstruction and Paving Improvement District

Mayor Hornaday opened the public hearing. In the absence of public testimony, Mayor Hornaday closed the public hearing.

B. Ordinance 12-05, An Ordinance of the City Council of Homer, Alaska, Authorizing the Purchase of Kenai Peninsula Borough Parcel No. 17714019 (Lot 2, Glacier View

Subdivision No. 18), in the Amount of \$260,000 from the General Fund Balance for the Purpose of Providing Land for Future Expansion of the City Public Works Complex. City Manager. Introduction January 23, 2012, Public Hearing and Second Reading February 13, 2012.

Memorandum 12-012 from City Manager as backup.

Mayor Hornaday opened the public hearing. In the absence of public testimony, Mayor Hornaday closed the public hearing.

Mayor Hornaday called for a motion for the adoption of Ordinance 12-05 by reading of title only for second and final reading.

HOWARD/ROBERTS - SO MOVED.

City Manager Wrede reported there are no restrictions on the use of the property related to the transfer title. The title report has been done and one objection will be rectified at closing.

City Attorney Klinkner agreed there are no encumbrances or restrictions on the property through the title.

ZAK/HOWARD – MOVED TO ADJOURN TO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE PRICE.

There was no discussion.

VOTE: YES. ROBERTS, ZAK, HOWARD, HOGAN, LEWIS

Motion carried.

Council adjourned to Executive Session at 6:47 p.m. and reconvened at 6:58 p.m.

Acting Mayor Pro Tempore Roberts reported Council spoke with the City Attorney and City Manager and gave them direction as to how to proceed on this matter.

VOTE: (main motion) NO. LEWIS, ROBERTS, ZAK, HOWARD, HOGAN

Motion failed.

ORDINANCE(S)

- A. **Ordinance 12-06**, An Ordinance of the City Council of Homer, Alaska, Amending the Karen Hornaday Park Project Budget Established via Ordinance 11-22 by Appropriating an Additional \$50,000 for Playground Equipment and Materials and Providing that Future Budget Amendments be Made by Resolution. City Manager/Parks and Recreation Advisory Commission. Recommended dates: Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012.

Memorandum 12-019 from Parks and Recreation Advisory Commission as backup

Mayor Hornaday called for a motion for the adoption of Ordinance 12-06 for introduction and first reading by reading of title only.

LEWIS/HOWARD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Ordinance 12-07**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget by Appropriating and Transferring \$81,000 from the General Fund Reserve (Fund Balance) to the City Hall Complex Budget for the Purpose of Acquiring New Furniture at City Hall. City Manager. Recommended dates: Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012.

Memorandum 12-023 from City Manager as backup.

ROBERTS/LEWIS - MOVED FOR THE ADOPTION OF ORDINANCE 12-07.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- C. **Ordinance 12-08**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Commercial Vessel Passenger Tax Program Pass Through Grant from the Kenai Peninsula Borough for FY 2009 and FY 2010 in the Amount of \$35,512.50,

and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommended dates: Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012.

Mayor Hornaday called for a motion for the adoption of Ordinance 12-08 for introduction and first reading by reading of title only.

HOWARD/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

D. **Ordinance 12-09**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget by Appropriating \$27,275.01 (in Equal Amounts from the Public Works, Water and Sewer Reserve Accounts) for the Purchase of a Used Skid-Mounted Steamer Equipment Unit. City Manager/Public Works Director. Recommended dates: Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012.

Memorandum 12-024 from Public Works Director as backup.

Mayor Hornaday called for a motion for the adoption of Ordinance 12-09 for introduction and first reading by reading of title only.

LEWIS/HOWARD - SO MOVED.

Councilmember Roberts expressed her thanks to Public Works for an innovative solution to the problem. A lot of people have missed having the equipment.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

E. **Ordinance 12-10**, An Ordinance of the City Council of Homer, Alaska, Enacting Homer City Code Chapter 21.27, East End Mixed Use District, Amending Homer City Code 21.10.010, Zoning Districts, and Amending the Homer Zoning Map to Rezone Portions of the Rural Residential, General Commercial One and General Commercial Two Zoning

Districts to East End Mixed Use. Planning. Recommended dates: Introduction February 13, 2012, Public Hearing and Second Reading February 27, 2012.

Memorandum 12-021 from City Planner as backup.

Mayor Hornaday called for a motion for the adoption of Ordinance 12-10 for introduction and first reading by reading of title only.

LEWIS/ZAK - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

CITY MANAGER'S REPORT

A. City Manager's Report

1. Memorandum from Port and Harbor Director, Re: End of 2011 Year Update & Upcoming 2012 Projects

At the last meeting, the Council requested a presentation from the Port and Harbor Director which contained the elements of the year-end report he prepared for his staff and the Port and Harbor Commission. Bryan has prepared a written report and a power point presentation for you. His presentation will be the City Manager's report for this meeting. I may have several items that I will report on verbally and of course, the Council can ask questions about items of interest.

Port and Harbor Director Bryan Hawkins provided a report on the 2011 and proposed 2012 projects for the port. A PowerPoint presentation on the different projects accompanied his report.

2011 accomplishments include: Spit Parking; Derelict Boats; Deep Water Dock Security Gate System; Barge Ramp; Uplands Leases; Ordinance for Managing Dredge Materials on the Homer Spit; Pioneer Dock Sediment Basin Project; Spring and Fall Expanded Dredging Effort at the Harbor; Harbor Condition Survey; Alaska Clean Harbors; Fish Dock Projects; Port Maintenance Returns; Alaska Association of Harbormasters and Port Administrators 32nd Annual Conference; Homer Spit Sign Post Project; Hickory Parking Lot Improvement Project; Petro Marine Pipeline Project; Alaska Marine Highway System Lot 48 Warehouse Project; Marketing; Harbor Improvement Committee; Harbor Tug Projects; Deep Water Dock Cruise Ship Head Tax Grant Monies; Load and Launch Ramp; Tsunami Warning System.

Port and Harbor Director Hawkins indicated their goals for 2012:

Pioneer Dock:

- Complete the pipeline from Petro Marine terminal to the face of the dock.
- Begin the planning stages of demolishing the old Main Dock. It's time for us to take it down before it falls down.
- Complete repairs to the mooring dolphin.

Deep Water Dock:

- Develop a time line for head tax money projects.
- See attached list of projects.

Beach Moorage Facility:

In terms of projects that will bring new revenue sources to the Enterprise, it has been suggested that we create a barge mooring facility just off the beach between the fishing lagoon entrance and the northern end of the harbor. Staff will bring the results of an industry survey and a request for permitting to the Port Commission and City Council by April. I hope to have a decision by June and if it is decided to build, that we contract and begin construction in October 2012. See attached diagram for project overview.

Fishing Lagoon:

How do we maintain this important community asset? I believe that 2012 will be the year that we tackle this challenge. From my perspective, we need accurate numbers to work with. So far we've all been guessing about the quantities of material needed to be removed from the lagoon. We need a hydrographic survey to be done so that accurate volumes can be calculated for cost purposes. Costs for a survey will be in the range of \$3,000 to \$5,000.

Once we have that information, a small committee can be organized whose mission will be to research options for a response to the sedimentation issue. I would highly recommend the coastal engineers at DOT be on this team as well as Fish and Game and the City. Further, by benefit of hindsight, I can see the reason we ended up facing this issue is because once the Fishing Lagoon was built, no thought was given to maintaining it. One of the goals of the committee should be to create a maintenance schedule for preventative care and to identify a source of funding for that purpose. The coastal engineers and hydrologists will be able to help us with this need as well.

Load and Launch Ramp:

- Complete the engineering and design for the Load and launch Ramp refurbishment.

Fish Dock/Ice Plant:

- Rebuild Ice Chute.
- Refurbishment of two more dock cranes.
- Complete corrosion protection which will require replacing zincs. Was recommended in the 2011 dock condition survey under the dock.

- Continue replacing fish dock gratings.

Harbor Basin:

- In addition to the normal day to day maintenance of the harbor facility, Port Maintenance plans to step up efforts this spring and summer and address concrete spalding on the floats.
- The Harbor Improvement Committee will continue working on the harbor project list with a goal of securing funding for the approved projects.

B. Games Report

C. Records Inventory Report

CITY ATTORNEY REPORT

There were no questions asked of the attorney.

COMMITTEE REPORT

A. Public Arts Committee

B. Transportation Advisory Committee

C. Permanent Fund Committee

Permanent Fund Committee Chair Howard reported the committee will present their recommendation to readopt the Permanent Fund investment policies at the March 27th council meeting.

D. Lease Committee

E. Port and Harbor Improvement Committee

Port and Harbor Improvement Committee Chair Howard reported the committee will make their presentation to the Port and Harbor Advisory Commission on February 22nd. It will bring the commission up to speed as there are good numbers for the projects and good information.

F. Employee Committee Report

13. PENDING BUSINESS

- A. **Resolution 12-008**, A Resolution of the City Council of Homer, Alaska, Approving a Cooperative Agreement Between the Alaska Department of Fish and Game, Division of Sport Fish, and the City of Homer, Regarding Repair, Replacement, and Rehabilitation of Infrastructure and Facilities at the Homer Load and Launch Ramp. City Manager/Port and Harbor Director. *(Postponed from January 23, 2012)*

MOTION ON THE FLOOR FROM JANUARY 23RD: Motion for the adoption of Resolution 12-008 by reading of title only.

City Manager Wrede reported Fish and Game will have the boat launch facility completed by December 31st.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

RESOLUTIONS

- A. **Resolution 12-012**, A Resolution of the City Council of Homer, Alaska, Amending the Port and Harbor Advisory Commission Bylaws Regular Meeting Time to be 5:00 p.m. in the Months of September through April and 6:00 p.m. in the Months of May, June, July, and August. City Clerk.

Memorandum 12-022 from Port and Harbor Advisory Commission as backup.

Mayor Hornaday called for a motion for the adoption of Resolution 12-012 by reading of title only.

LEWIS/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Resolution 12-013**, A Resolution of the Homer City Council Expressing Support for the Homer Playground Project Proposal to Construct a New Playground at Karen Hornaday

Park During a "Build Week" Scheduled for May 21-27, 2012, and Encouraging Community Participation. City Manager/Parks and Recreation Advisory Commission.

Memorandum 12-020 from Parks and Recreation Advisory Commission as backup.

Mayor Hornaday called for a motion for the adoption of Resolution 12-012 by reading of title only.

LEWIS/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

C. **Resolution 12-014**, A Resolution of the Homer City Council Approving a Mutual Aid Agreement Between the City of Homer Fire Department and Anchor Point Fire and Emergency Medical Service Area. City Manager/Fire Chief.

Mayor Hornaday called for a motion for the adoption of Resolution 12-014 by reading of title only.

ZAK/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

D. **Resolution 12-015**, A Resolution of the City Council of Homer, Alaska, Expressing Support for the Kenai Peninsula Economic Development District 2013 Economic Outlook Forum to Meet in Homer. Mayor/Zak.

Mayor Hornaday called for a motion for the adoption of Resolution 12-015 by reading of title only.

ZAK/HOWARD - SO MOVED.

The forum is held late January or early February each year.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- E. **Resolution 12-016**, A Resolution of the City Council of Homer, Alaska, Expressing Support for House Bill 184 Relating to the Sharing of Tax Revenue from the Fisheries Business Tax and Fishery Resource Landing Tax with Municipalities; and Providing for an Effective Date. City Manager.

Mayor Hornaday called for a motion for the adoption of Resolution 12-016 by reading of title only.

HOGAN/ZAK - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

COMMENTS OF THE AUDIENCE

Barbara Smith, city resident, recently purchased the Dolphin Villa apartments. Water bills will be nearly doubled by an additional \$45 water/sewer charge (\$5,400 per year) that is to be assessed this month.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner had no comment.

COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comment.

COMMENTS OF THE CITY MANAGER

City Manager Wrede reported Council accepted \$450,000 in grant money for the Kachemak Drive Water and Sewer project. Public Works Director Meyer found out that project might not be eligible for grant monies, but other water and sewer projects on the Water and Sewer Master

Plan will be eligible. At a future meeting he will provide a recommendation of the projects that may be used for the matching grant.

COMMENTS OF THE MAYOR

Mayor Hornaday had no comment.

COMMENTS OF THE CITY COUNCIL

Councilmember Zak wished everyone a Happy Valentines Day. He referenced things to do in your neighborhood that were listed in the employee newsletter like shoveling around fire hydrants.

Councilmember Hogan referenced Resolution 11-094(S) and apologized to apartment owners that it was adopted without comments. He is concerned that Council didn't notice significant changes in the substitute resolution and would like Council to revisit it. It is unfair to the public, especially since Council has refused to consider charging for free water on the floats. It really affects the apartment owners that have leases and can't pass the extra cost on to their tenants. It is bad faith on the part of the Council to issue such an onerous change.

Councilmember Lewis commented that this weekend Homer Hockey sent two teams to Anchorage to participate in the presidential tournament. The Pee Wee's took first place and the Bantams took second.

Councilmembers Roberts and Howard had no comment.

ADJOURNMENT

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 7:24 p.m. The next Regular Meeting is Monday, February 27, 2012 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

JO JOHNSON, CMC, CITY CLERK

Approved: _____



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MEMORANDUM 12-026

TO: HOMER CITY COUNCIL

FROM: JAMES C. HORNADAY, MAYOR

DATE: FEBRUARY 21, 2012

SUBJECT: REAPPOINTMENT OF GLEN CARROLL TO THE PORT AND HARBOR ADVISORY COMMISSION.

Glen Carroll is reappointed to the Port and Harbor Advisory Commission. His appointment will expire February 1, 2015.

RECOMMENDATION:

Confirm the reappointment of Glen Carroll to the Port and Harbor Advisory Commission.

Fiscal Note: N/A

MR MAYOR

I would like to serve another

Term on the Port & Harbor Comm.

Glen Carroll

VISITORS

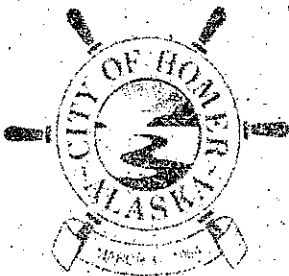
**ANNOUNCEMENTS
PRESENTATIONS
BOROUGH REPORT
COMMISSION REPORTS**

PUBLIC HEARING(S)

CLERK'S AFFIDAVIT OF POSTING

I, Renee Krause, CMC, Deputy City Clerk I for the City of Homer, Alaska, do hereby certify that a copy of the Public Hearing Notice for Ordinance 12-06, Amending the Karen Hornaday Park Project Budget Established via Ordinance 11-22 by Appropriating an Additional \$50,000 for Playground Equipment and Materials and Providing that Future Budget Amendments be Made by Resolution; Ordinance 12-07, Amending the FY 2012 Operating Budget by Appropriating and Transferring \$81,000 from the General Fund Reserve (Fund Balance) to the City Hall Complex Budget for the Purpose of Acquiring New Furniture at City Hall; Ordinance 12-08, Accepting and Appropriating a Commercial Vessel Passenger Tax Program Pass Through Grant from the Kenai Peninsula Borough for FY 2009 and FY 2010 in the Amount of \$35,512.50; Ordinance 12-09, Amending the FY 2012 Operating Budget by Appropriating \$27,275.01 (in Equal Amounts from the Public Works, Water and Sewer Reserve Accounts) for the Purchase of a Used Skid Mounted Steamer Equipment Unit; and Ordinance 12-10, Enacting Homer City Code Chapter 21.27, East End Mixed Use District, Amending Homer City Code 21.10.010, Zoning Districts and Amending the Homer Zoning Map to Rezone Portions of the Rural Residential, General Commercial One and general Commercial Two Zoning Districts to East End Mixed Use at the City of Homer kiosks located at City Clerk's Office, Captain's Coffee Roasting Co., Harbormaster's Office, and Redden Marine Supply of Homer, on February 17, 2012 and that the City Clerk posted same on City of Homer Homepage on February 16, 2012.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 16th day of February, 2012.



Renee Krause
Renee Krause, CMC, Deputy City Clerk I

ORDINANCE REFERENCE SHEET
2012 ORDINANCE
ORDINANCE 12-06

An Ordinance of the City Council of Homer, Alaska, Amending the Karen Hornaday Park Project Budget Established via Ordinance 11-22 by Appropriating an Additional \$50,000 for Playground Equipment and Materials and Providing that Future Budget Amendments be Made by Resolution.

Sponsor: City Manager/Parks and Recreation Advisory Commission

1. City Council Regular Meeting February 13, 2012 Introduction
 - a. Ordinance 11-22
 - b. Memorandum 12-019 from Parks and Recreation Advisory Commission as backup
 - c. Letter from HoPP dated January 15, 2012 re: investment in playground project
 - d. HoPP Fundraising Plan 2012
 - e. Map of playground project
 - f. Public comments

2. City Council Regular Meeting February 27, 2012 Public Hearing and Second Reading
 - a. Memorandum 12-019 from Parks and Recreation Advisory Commission as backup
 - b. Ordinance 11-22
 - c. Letter from HoPP dated January 15, 2012 re: investment in playground project
 - d. HoPP Fundraising Plan 2012
 - e. Map of playground project
 - f. Public comments

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/Parks and Recreation
4 Advisory Commission

5 ORDINANCE 12-06
6

7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE KAREN HORNADAY PARK PROJECT BUDGET
9 ESTABLISHED VIA ORDINANCE 11-22 BY APPROPRIATING AN
10 ADDITIONAL \$50,000 FOR PLAYGROUND EQUIPMENT AND
11 MATERIALS AND PROVIDING THAT FUTURE BUDGET
12 AMENDMENTS BE MADE BY RESOLUTION.
13

14 WHEREAS, The Homer City Council established a preliminary project budget for Phase I of the
15 Karen Hornaday Park Project through adoption of Ordinance 11-22; and
16

17 WHEREAS, HoPP, the volunteer organization working to improve the playground, has requested
18 that an additional \$50,000 be appropriated for playground equipment and materials in order to assist with
19 its fund raising and grant writing efforts and to insure that construction can begin this spring; and
20

21 WHEREAS, The Parks and Recreation Advisory Commission has considered this request and
22 recommends that an additional \$50,000 be allocated for playground equipment and materials and that this
23 amount be deducted from the \$240,000 previously budgeted as reserved and unallocated; and
24

25 WHEREAS, The Commission will be working on a final and comprehensive project budget for
26 the Council to consider and recommends that all future budget amendments be approved by resolution.
27

28 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
29

30 Section 1. The Homer City Council hereby amends the preliminary Karen Hornaday Park project
31 budget for Phase I by appropriating an additional \$50,000 for playground equipment and materials as
32 follows:
33

<u>Account</u>	<u>Description</u>	<u>Amount</u>
151-776	Engineering and Survey	\$50,000
	Ball Field Improvements	\$10,000
	Playground Improvements	\$55,000
	Reserved / Unallocated	<u>\$190,000</u>
	TOTAL	\$305,000

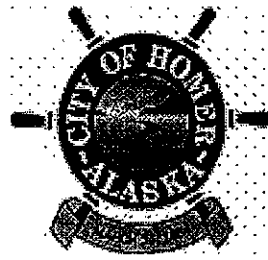
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41 Section 2. Since the Council has appropriated local funds and accepted and appropriated a
42 legislative grant for this project, both actions by ordinance, all future amendments to the project budget
43 may be made by made by resolution.
44

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 12-019

TO: MAYOR HORNADAY AND CITY COUNCIL
THRU: WALT WREDE, CITY MANAGER
FROM: PARKS AND RECREATION ADVISORY COMMISSION
DATE: JANUARY 25, 2012
RE: RECOMMENDATION TO APPROVE A REQUEST FROM THE HOMER
PLAYGROUND PROJECT FOR ADDITIONAL FUNDING

BACKGROUND

The Homer Playground Project requested an additional \$50,000 to fund material and equipment purchases for a proposed new playground at Karen Hornaday Park. A special meeting was conducted on January 5, 2012 to consider that request. The Commission postponed a decision until the January 19, 2012 regular meeting. This would allow the commission time to properly review the engineering estimate by Carey Meyer, Public Works Director and a proposed spending plan by Katie Koester, Community and Economic Development Coordinator, provided as laydowns at the special meeting. A joint worksession was scheduled prior to the meeting to allow open discussion with all interested groups. The minutes reflecting that meeting is attached.

At the regular meeting on January 19, 2012 the commission considered public testimony from several persons regarding the proposed playground project. The commission disseminated information provided and with the assistance of city staff made the following recommendation. An excerpt from the minutes reflecting the dialogue is attached.

RECOMMENDATION

Approve the request for allocating an additional \$50,000.00 to the Homer Playground Project (HoPP) and that future amendments to the preliminary budget established by Ordinance 11-22 for the Phase I Improvements to Karen Hornaday Park are permitted by Resolution.

Session 12-01, a Special Meeting of the Parks and Recreation Advisory Commission was called to order by Chair Bumpo Bremicker at 5:38 p.m. on January 5, 2012 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BRANN, BREMICKER, LOWNEY

TELEPHONIC: COMMISSIONER ARCHIBALD

ABSENT: COMMISSIONER LILLIBRIDGE (EXCUSED)

STAFF: CITY MANAGER WALTER WREDE
PUBLIC WORKS DIRECTOR CAREY MEYER
COMMUNITY AND ECONOMIC DEVELOPMENT COORDINATOR KATIE KOESTER
DEPUTY CITY CLERK I RENEE KRAUSE

APPROVAL OF THE AGENDA

The agenda was approved by consensus of the Commission.

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

There were no minutes for approval.

PUBLIC COMMENTS REGARDING ITEMS ON THE AGENDA

Ralph Broshes, city resident and member of Friends of Woodard Creek and Karen Hornaday Park. Mr. Broshes read his letter of April 7, 2011 for the record. He explained his reason for joining the friends was to get a trail built along Woodard Creek. He also stated that he worked with Jack Wiles on creating the master plan for the park. He strongly advocates for parking and road improvements and would like the Commission to consider the overall safety and best use of all when developing the park. He acknowledged that implementing the master plan will take a lot of money.

Jim Preston, city resident, read a letter from Jack Wiles into the record regarding use of the remaining funding. Jack Wiles in his letter strongly recommends a preferred alternative to fund for the road and parking improvements.

Roberta Highland, city resident, thanked the commissioners for their service. She stated that Karen Hornaday Park is a jewel and Woodard Creek is a gem. She advocated for parking and road improvements to be considered before anything else for safety issues. Ms. Highland recommended that a joint effort from all interested parties with the initial focus of the parking and road improvements should be considered.

Phil Needham, representing the Little League, wanted to express appreciation to commission for the seed money they received to perform improvements to the fields at Karen Hornaday Park. He stated that Little League is the biggest user group at this park and they did not want to be left out of any future plans. They have already lost some parking to the planned playground improvements without any consultation and they have concerns regarding spending all the money that is currently available on design leaving no funds to perform the actual work. He stated that the Little League would like to see more money and consideration given to maintenance and upkeep to existing facilities such as restroom roof requires replacement.

Janice Preston, city resident, read a letter that she wrote in response to how to spending the legislative grant received. She advocated and supported spending monies on road and parking improvements that will benefits the residents and visitors alike who use the park.

Jim Preston, city resident, commented that the Friends of Woodard Creek and Karen Hornaday Park were instrumental in stopping the dirt from being dumped in the area along the creek; he provided details on the effects of the creek bed and the safety benefits relocating the road and parking improvements.

Janice Preston, read a letter into the record from Marty McCleary who advocated support for use of the remaining funds to finish the engineering report to provide a shovel ready project and fully supported the parking and road improvements and beautification efforts at the entrance to the park.

Beth Cumming, city resident, and member of Friends of Woodard Creek and Karen Hornaday Park. Ms. Cumming advocated not spending any additional funds until the commission could fully review the costs estimates recently

provided by Mr. Meyer and consideration given to holding additional meetings that can have interested parties from all groups attend to discuss the priorities and distribution of funds. She offered a few observations since the playground project have started and the goals set by the group and that there are several important decisions made negating the effectiveness of the commission. She commented on the instrumental efforts of the Friends of Woodard Creek and Karen Hornaday Park that initiated all of the interest in the Park. Ms. Cumming additionally commended and recognized individuals of the community and city staff.

There were no further comments.

VISITORS

Miranda Weiss, Homer Playground Project (HoPP), Update on Playground Project/Equipment

Deb Cox, city resident and co-chair of the group distributed an informational handout that included a summary of how the funding was obtained for Karen Hornaday Park, and the actual and estimated costs for the proposed playground improvements.

Ms. Cox stated that the group is using a format that has been proven with other parks in the state and were accomplished in the one year plan with the exception of one which had land issues. Ms. Cox noted that in the packet of information the HoPP group is requesting the commission send City Council a recommendation of support for the project and allocation of an additional \$50,000 from the current funds that the City has designated for the Phase I Karen Hornaday Park Master Plan. She expounded that approving the request for \$50,000 will generate the recognition and the remaining funds required to complete the project. She further noted that speaking for herself she would love to work with the other interest groups on the improvements to the park. She acknowledged the concerns expressed by the representatives of the Friends.

Ms. Cox quickly summarized the funds they have been able to raise to date, citing the methods the group has employed so far; why it would be in the best interest of the park to approve the request for \$50,000 and submitting a recommendation to City Council in support of the group's efforts.

Ms. Cox responded that HoPP has not approached Rasmussen yet for a grant she believed it was planned to apply this month.

Commissioner Brann recommended a team approach from all the interested groups in applying to Rasmussen for a grant. Ms. Cox was very agreeable on that approach and felt that pooling efforts was a great idea and fully supports that idea but strongly recommends moving forward and not losing the momentum to accomplish HoPP's stated goals.

Ms. Cox was unable to answer Commissioner Archibald inquiry on what the group would do with additional funds from the City if they were unable to raise the remaining \$200,000.. She reiterated the intent of HoPP and in her opinion would maybe scale back the plan but continue working on raising all the funds needed to implement the overall plan.

Commissioner Lowney expressed agreement in pooling resources, concern if the user groups cannot work together as a whole they revert back to their individual projects; she does not know how; she did not know if the playground would be the impetus to affect this; she would like to see a consensus on prioritizing the pieces of the overall project. She is not sure what would or should be the first piece.

Ms. Cox opined again that with the current energy mobilized with the playground portion and the hundreds of people coming forward to help with this project. She again acknowledged that the project may not be high on everyone's list.

Chair Bremicker stated that they have a Master Plan that has been approved by City Council and the question is how we implement it now.

Ms. Cox responded to further requests for clarification on the support being requested from the Commission to endorse the project, and setting build week for May 19, 2012.

There were no further questions or comments.

RECONSIDERATION

There were no items scheduled for reconsideration.

STAFF AND COUNCIL REPORTS/COMMITTEE REPORTS/BOROUGH REPORTS

Mr. Walt Wrede, City Manager agreed with more concerted and coordinated efforts within all the interest groups. He stated that he has heard from a number of persons regarding the use of the available funds. He introduced Katie Koester, Community and Economic Development Coordinator. As her first task she has been asked to work with the Commission and all user groups to develop an agreeable coordinated plan on how this money should be spent. Mr. Wrede further agreed that the City will not get any additional monies from the Legislature until this current funding is spent. She has come up with a draft budget to start the conversation on how to expend the available funding.

"WHERE THE LAND ENDS AND THE SEA BEGINS"

To access City Clerk's Home Page on the Internet: <http://clerk.ci.homer.ak.us>

He also informed the commission that the grant received was designated for Phase I of the Master Plan. A brief discussion on the road and parking improvements not being included in Phase I of the Master Plan.

Commissioner Archibald stated that the Committee has been waiting to hear those figures from Mr. Meyer and recommended a camp host program and removal of the red shed to comply with a request from the HoPP group.

PUBLIC HEARINGS

No public hearings were scheduled.

PENDING BUSINESS

There were no items on the agenda.

NEW BUSINESS

*A. Cost Estimate for Road and Parking Concepts for Karen Hornaday Park, by Public Works Director Meyer
Mr. Meyer, Public Works Director summarized the information contained in the packet and promised to not go into a long dissertation on cost estimating. Mr. Meyer provided costs estimates for Concept A to Concept B2. He noted the following:*

- offered the same amount of parking spaces*
- \$250,000 in Access and Parking Improvements*
- Earthwork between concept A & B is approximately \$100,000*
- The trail and pedestrian bridge are included but as a separate line item as other improvements*
- The road length is approximately the same in each concept*

Mr. Meyer responded to questions from the commissioners regarding the road re-alignment and what could be done with existing funds towards parking and road improvements and what could or would volunteers be allowed to provide or do. He further commented that the numbers provided do not take into account volunteer services. They are based on if these services were contracted out. He added that contractors will be less willing to volunteer services during the height of the construction season.

*Commissioner Brann commented that they really need to prioritize the needs in the Master Plan and that there are other avenues for funding and all stakeholders need to be involved in searching out those funds
Commissioner Archibald thanked Mr. Meyer for providing these cost estimates.*

Chair Bremicker called for a brief recess at 6:57 p.m. The meeting was reconvened at 7:04 p.m.

Katie Koester, Community and Economic Development Coordinator provided a handout that provides a draft outline to initiate dialog and produce tangible results between all the user groups. Ms. Koester stated she included funding sources and amounts; work in progress, allocated or completed; suggestions for allocating the remaining funds; application for 2012 LWCF and future steps. Ms. Koester emphasized that the grant received was for Phase I Improvements and the scope of the grant agreement included playground equipment and revitalization of a playground; expanding day use area; survey, engineering, construction and drainage improvements; removal of the old storage shed; a pedestrian bridge; and resurfacing and other parking improvements. She tried to keep her recommendations in line with the grant agreement and Land and Water Conservation Foundation grant application.

Ms. Koester reviewed the handout provided to the commission. She expounded on the need to spend these funds before getting additional funding from the Legislature. Discussion ensued on the work that has been completed and allocated for this park including preliminary engineering on the road realignment, pedestrian bridge and drainage improvements. Her recommendations also include elements that were included in the LWCF grant application which is what the State grant was based on. For the recommendation entitled "Northern parking improvements" clarification was provided by Mr. Meyer on the location as below the red shed in the area of the restrooms. Ms. Koester stated that the City will reapply for a LWCF grant in the spring and if that is received it could possibly construct the trail along Woodard creek and complete the pedestrian bridge.

The commissioners expressed appreciation for the recommendations as outlined by Ms. Koester and agreed with producing something tangible, visible and draw more attention to the overall project. The political component was acknowledged also. It was opined that as long as all parties could be convinced to buy in to this plan it would be great but would also like that conversation. Discussion included extending the term of the grant; the grant agreement was dated February 2011 and must be used five years from the date on the agreement.

Commissioner Brann offered a recommendation to address safety issues regarding speeders on the road within the park.

There was no further discussion.

B. Use of a Portion of Legislative Grant Funds for Phase I Karen Hornaday Park for Playground Equipment.

Chair Bremicker read the item into the record. He noted that just focusing on one portion maybe was not the best process. He acknowledged that there was urgency on the part of the HoPP group but any recommendation would still have to be approved by City Council. He further commented that he would like to hear comments from the Friends of Karen Hornaday, Woodard Creek and Little League regarding the overall project and get additional viewpoints before

making a recommendation.

Jim Preston, a soils expert by trade provided personal observation on the effects of dumping and opinions on relocating the road into the park and how it affected Woodard Creek. He offered some recommendations on what they should have as a goal to put Woodard Creek back on the right path.

Chair Bremicker called for a brief recess at 7:38 p.m. to allow members of user groups present to confer for a moment to respond to the Chair request. He called the meeting back at 7:41 p.m.

Roberta Highland speaking for the Friends of Woodard Creek and Karen Hornaday Park, related the groups experience in relation to the grant application and funding received. She stated that the main concerns of safety, establishing a trail and creek restoration were the major concerns of the group. Ms. Highland stated that the group recommends that any additional expenditures of money be postponed until further review of all the numbers and facts submitted at this meeting before anything else is done. They would further recommend re-writing the Phase I projects since it does not address any of the initial concerns that started this whole endeavor.

A brief discussion on if fill removed from one area could be used in other areas of the project. Two contractors involved stated that the quality of materials removed from that area would not be suitable for the parking and road improvements recommended. The materials could be used to fill some areas though that it was needed.

Ms. Krause stated that the discussion is off topic and that the commission was supposed to be discussing "Use of a Portion of Legislative Grant Funds for Phase I Karen Hornaday Park for Playground Equipment"

Chair Bremicker acknowledged that fact but opined that discussion was needed and that the commission was not ready to address just that issue and that they need to look at the big picture. The commissioners present agreed with the statement to postpone a decision. He also stated that the Committee should address this request, but acknowledged the circumstances not allowing that to happen at this time.

Todd Steiner, city resident and local contractor, having kept silent until now acknowledged the time and previous efforts of the other user groups but stated that the Commission should put consideration on the fact that HoPP purposes to bring \$150,000.00 to the table for \$50,000.00 to help improve the area.

The commissioners discussed and agreed to have a joint worksession with the user groups prior to the regular meeting to discuss Karen Hornaday Park. A discussion on how the meeting would be conducted ensued and what would be on the agenda.

Chair Bremicker requested all the groups to bring to the worksession their ideas and what they would like to see done.

There was no further discussion.

INFORMATIONAL MATERIALS

There were no informational materials.

COMMENTS OF THE AUDIENCE

Todd Steiner, city resident, commented that there were two items before the commission tonight and he could understand if they needed more time to make a decision on the request for more money but if they could resolve to support HoPP tonight it would assist the group in obtaining donations from other grant organizations and seeing the city supporting the organization would also help in private donations.

Deb Cox, HoPP, appreciated everyone's comments; together everyone achieves more, Go Team! Ms. Cox commented that the HoPP project is on a timeline and they have already published the build week and she expressed concern that not everyone is not in favor of building a new playground. She is genuinely interested in the whole master plan not just HoPP. HoPP has a MOU with the City; time is of the essence with their project. She wanted to plug one last time for something tangible; something to make that park stand out; remember that they have the masses that are coming together to build this playground.

Ms. Cox stated that the footprint of the playground has been enlarged to include some of the area in the lower portion nearer the existing shelter in response to Commissioner Lowney's inquiry.

Beth Cumming, city resident, commented that Parks and Rec voted to accept the Master Plan and the B2 site plan and she felt that the B2 plan needed to be altered severely. She has spent numerous hours at the park during the height of the little league season and the most cars she counted was 85, so the parking lots can be made smaller. She also mentioned that the City has some sort of ecological plan where they are trying to be more ecologically sensitive and areas should be designated for compact vehicles.

Excerpt of the January 19, 2012 Meeting Minutes:

B. Review and Recommendation on a Request for Additional Monies Submitted by Homer Playground Project (HoPP)

Chair Bremicker introduced the item by title and opened the floor for discussion.

LILLIBRIDGE/LOWNEY – MOVED TO RECOMMEND THAT THE PARKS AND RECREATION ADVISORY COMMISSION APPROVE THE FULL REQUEST FOR \$50,000 FROM HOPP SO THE KAREN HORNADAY PARK PLAYGROUND CAN BE BUILT THIS YEAR AS PROPOSED.

Discussion ensued on submitting recommendations piece-meal to Council and then getting it remanded back because Council did not understand; withholding a recommendation to support the HoPP request would possibly delay the start of the project this year; approving the request will not impede further recommendations to Council on how to spend the remaining funds; the implication that the Commission recommended \$50,000 to be used in preliminary engineering and this money was not spent as it was accomplished in house by Mr. Meyer so those funds could be used to fund the playground request; completing this playground would encourage possible funding in the future from other sources.

After consultation and deliberation on the best possible path staff recommended submitting a recommendation to council to amend the project budget approving the request for an additional \$50,000 to be allocated to HoPP for the project. An ordinance could be introduced and on the agenda for first reading at the February 13, 2012 Council meeting and then on the February 27, 2012 Council meeting the second and final reading and approval. It was noted that even if it was delayed to the first meeting in March it would be timely for HoPP to receive the funding for material purchase requirements.

Staff stated that in the memorandum to Council the Commission can include the concerns they have with future recommendations on disbursement of the remaining funds for the project.

Chair Bremicker wanted to amend the motion to include that the commission is working on amendments to allocate funding to other groups or similar wording.

Staff stated that a straight forward ordinance will be submitted if the Commission approves the request for the \$50,000 and they will add to the ordinance that future amendments to the project budget will be able to be done by resolution. Staff was asked to read the amended motion with the new information.

Chair Bremicker called for a break at 7:05 p.m. The meeting was reconvened at 7:10 p.m.

Ms. Krause read the new amended motion into the record.

LILLIBRIDGE/LOWNEY-MOVED THAT THE PARKS AND RECREATION ADVISORY COMMISSION SUPPORTS THE REQUEST FROM THE HOMER PLAYGROUND PROJECT (HoPP) FOR AN ADDITIONAL \$50,000.00 AND FURTHER RECOMMENDS THAT ADDITIONAL BUDGETARY AMENDMENTS FOR PHASE I IMPROVEMENTS TO KAREN HORNADAY PARK BE ALLOWED BY RESOLUTION.

There was no discussion.

VOTE. YES. LILLIBRIDGE, BRANN, LOWNEY, ARCHIBALD, BREMICKER.

Motion carried.

Commissioner Archibald and Chair Bremicker commented on looking forward to working with the interested groups and that this will result in a forward motion on implementing the Master Plan that many individuals worked on.

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/Parks & Recreation
4 Advisory Commission

5 ORDINANCE 11-22

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER,
8 ALASKA, ESTABLISHING A PRELIMINARY PROJECT
9 BUDGET AND AUTHORIZING EXPENDITURES FOR PHASE I
10 IMPROVEMENTS TO KAREN HORNADAY PARK.
11

12 WHEREAS, The City of Homer received an FY 2010 state legislative grant in the
13 amount of \$250,000 to be used for Phase I improvements to Karen Hornaday Park (Ordinance
14 11-06); and
15

16 WHEREAS, The City Council also appropriated \$55,000 in Stimulus funding toward
17 improvements at the park (Ordinance 10-23A), bringing the total amount available for the project
18 to \$305,000; and
19

20 WHEREAS, The Parks and Recreation Advisory Commission has deliberated on the best
21 use of the funding and forwarded a recommendation to the City Council to allocate an
22 appropriate amount of funding for preliminary engineering to include road realignment, a bridge
23 over Woodard Creek, and drainage improvements; as well as \$10,000 for ballfield improvements
24 and \$5,000 for playground improvements; and
25

26 WHEREAS, The Commission also wanted to keep some of the funding in reserve as a
27 possible match for future grants and/or to fund additional Phase I improvements.
28

29 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
30

31 Section 1. The Homer City Council hereby establishes a preliminary budget and
32 authorizes the expenditure of funds for improvements to Karen Hornaday Park as follows:
33

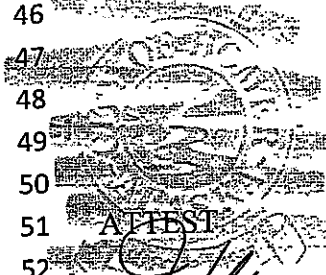
34 Expenditure:
35

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

36
37
38
39
40
41

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

44
45 ENACTED BY THE HOMER CITY COUNCIL this 13th day of June, 2011.



CITY OF HOMER

James C. Hornaday
JAMES C. HORNADAY, MAYOR

51 ATTEST

52
53 Jo Johnson
54 JO JOHNSON, CMC, CITY CLERK

55
56
57 YES: 6
58 NO: 0
59 ABSENT: 0
60 ABSTAIN: 0

61
62
63 First Reading: 05/24/11
64 Public Hearing: 06/13/11
65 Second Reading: 06/13/11
66 Effective Date: 06/14/11

67
68
69 Reviewed and approved as to form:

70
71
72 Walt Wrede
73 Walt Wrede, City Manager

74
75 Date: 6/16/11

Thomas F. Klinkner
Thomas F. Klinkner, City Attorney

Date: 6-22-11



P.O. Box 1498, Homer, AK 99603 • HomerPlayground@gmail.com
www.HomerPlaygroundProject.org

January 15, 2012

Dear Parks and Recreation Advisory Commissioners,

We are writing to urge you to support HoPP's request for \$50,000 of Karen Hornaday Park funds. Here are a few reasons why:

- **This \$50,000 investment in the new playground will yield a return of 750%.** That is, HoPP will bring to the park—in cash, volunteer labor (both professional level and unskilled) and donated materials—an additional \$375,000. City of Homer support will tangibly illustrate local investment for the new playground, and help us leverage additional funds, including a grant from the Rasmuson Foundation.
- **This support will ensure we can maintain project momentum and Build Week dates of May 21 – 27, 2012.** We can put this support to work immediately ordering materials that will take a long time to get here. Without this support, we might have to delay Build Week and possibly miss the 2012 spring/summer building season altogether.
- **Hundreds of volunteers and partners are counting on this project.** We have recruited hundreds of volunteers and partner businesses/organizations to participate in this project.
- **The new playground will get hundreds of individuals, families, businesses, and organizations invested in Karen Hornaday Park for the long term.** Imagine Wells Fargo employees—in company t-shirts—working the same Build Week shift to assemble a slide. Picture a dozen Girl Scouts moving wood chips. Imagine a corps of skilled Build Week “captains” who have given a week of their time to supervise other volunteers in building the playground. And plaques on most pieces of play equipment that recognize specific businesses, organizations, and individual sponsors. These are some of the individuals and entities that will have a stake in the long-term up-keep of the playground and in the fate of the park as a whole.

continued

- **This highly visible, fun, and successful project will be a chance for the Parks and Recreation Advisory Commission—and park and recreation issues in general—to get the attention they deserve in our community.**

HoPP's Fundraising Plan

Attached please find a brief version of HoPP's fundraising plan. HoPP's \$50,000 request represents 23% of our total budget—but only 12% of the total value of the project. HoPP's Fundraising Committee (chaired by Angie Newby and Erica Marley) is firing on all cylinders right now. We are submitting multiple corporate and business requests each week, planning fundraising events in February and March, actively seeking sponsors of individual play equipment, and preparing a \$25,000 request to the Rasmuson Foundation. If we do not raise the full budget amount, we will likely scale back the project—reducing the number of play components, etc.

HoPP's Commitment to the Master Plan and Long-Term Park Involvement

Most of us got involved in the playground project because we spend time in Karen Hornaday Park with our kids. We want to help make the park a better place to be and play. HoPP sees the new playground as a catalyst for other park improvements in the Master Plan. What better way to gain community support and political traction for additional improvements in Karen Hornaday Park than to carry out a very visible, tangible, and successful project that brings our community together? In addition, HoPP has a contact list of about 300 individuals and families (this list will likely double—or nearly so—before the project is over) that can be used to leverage additional support from the State of Alaska and other sources.

HoPP is also very supportive of the following initiatives being pursued by the Karen Hornaday Park Committee and/or City: Campground Host, Adopt-A-Park, and Annual Park Maintenance Day(s). We will look to leadership from the Committee on how HoPP can assist with these programs. And again, we will have hundreds of contacts of people invested in the park who may also want to get involved.

Conclusion

Thank you for considering HoPP's request and for the support you've already shown the Homer Playground Project. Do not hesitate to contact us at (Miranda: 299-5550; mirandaweiss@gmail.com) or (Deb: 299-1516; debdcox@mac.com).

Sincerely,

Miranda Weiss & Deb Cox, HoPP Co-Chairs & the whole HoPP crew

HoPP Fundraising Plan January 2012

Expense	Spent to Date	Notes
Materials & Shipping	159,500	
Contract	33,000	3,050 Play By Design (includes 3 site visits, Build Week, etc.)
Events	2,500	800
Cost of Goods Sold	2,500	Cost of purchasing t-shirts, etc.
Advertising	1,000	400
Supplies	1,500	750
Contingency	20,000	10% of project budget
Total Expense	220,000	7,500

Income	Raised to Date	Left to Raise	Notes
Individual donations	34,500	11,000	23,500 Component sales, direct asks
Business & Corporate	45,000	19,000	26,000 BP, Petro Marine, ConocoPhillips, Wells Fargo, FNBA, etc.
City of Homer	55,000	5,000	50,000
Foundation grants	38,500	7,500	31,000 including Rasmuson, Homer Fdn
Events	16,000	6,570	9,430 donations/sales at events, ticket sales, auction bids, etc.
Picket Sales	20,000	5,520	14,480 400 pickets x \$50 per picket
Organizations/Associations	9,500	5,250	4,250 COTR, Kach Board of Realtors, SPH Fdn Board, Rotary Groups
Other Sales	1,500	768	732 t-shirts, hoodies, coffee, kids cards, other merchandise
Total Income*	220,000	60,608	159,392

*Original project budget increased by 10% contingency cost as advised by HoPP volunteer/contractor Todd Steiner, Steiner's North Star Construction.

Pending Requests: \$81,950

City of Homer--\$50,000

ConocoPhillips--\$10,000

Wells Fargo--\$10,000

Tesoro--\$3,750

HilCorp--\$2,500

Kach Board of Realtors--\$3,200

South Pen Hospital Board--\$2,500

Upcoming \$5,000+ Grant Requests: \$31,000

Rasmuson Foundation--\$25,000/Jan 2012

Homer Foundation--\$6,000/Feb 2012

Other Fundraising Notes

Component Sales & Picket Sales--ongoing

Corporate asks--ongoing

Individual donation asks--ongoing

Events--ask dinner in March at Homestead Restaurant; goal: \$10,000

Renee Krause

From: Christy Newell <christy.j.newell@gmail.com>
Sent: Wednesday, January 11, 2012 9:24 PM
To: Renee Krause
Subject: Karen Hornaday Park improvements

I am writing to encourage you to vote for the \$50,000 to be given to Homer Playground Project to build the new playground at Karen Hornaday Park this spring. We are a family new to the Homer community this past summer, and we have two children ages 6 and 4. We live very close to the park but have only used it once, due to the current state of the playground. Many of the structures there are too large or in such disrepair that my small children are not able to climb them. Coming from a community with several fantastic playgrounds, our family was very disappointed to see the state of the largest playground in Homer.

Playgrounds are a place to meet new friends, learn new skills, conquer childhood fears and stretch the imagination. I would like to see more than the requested \$50,000 given to the rebuilding of the playground. It is at a city-owned park, so why is the city not getting more involved financially? I think it is fabulous that the parents and other community members have put so much of their own time into this project, and the city needs to step up its support.

Thank you,
Christy Newell
<http://www.etsy.com/shop/aamelia>

Renee Krause

From: Will Files <will@wfiles.us>
Sent: Thursday, January 12, 2012 7:20 AM
To: Renee Krause
Cc: mirandweiss@gmail.com
Subject: Karen Hornaday Park rebuild

Hello Renee,

I live in Kachemak City, but do a lot of business in the City of Homer. It is the recreational potential that draws people to Homer, AND keeps them there. The multi-use park is a showcase for what Homer has to offer. As parents are using one part of the park, kids need their own place. This is a prime place to bring visitors, both for the view and for the fun. When people have a positive Homer experience, the economic benefit is measured at the stores, on the Spit, with charters on the Bay, and in the myriad non-profit venues such as the Pratt, the IOVC, Center for Alaskan Coastal Studies, and the Land Trust.

I would heartily support the City of Homer's contribution of \$50,000 from the Parks and Rec budget to the rebuild of the play area at Karen Hornaday Park.

My grandkids loved the park when they were in Homer last summer. An investment in Karen Hornaday Park is banking on the future of our youth.

Regards,

Will

Will Files
59835 Tern Ct
Homer, AK 99603
907 299-2990

Renee Krause

From: Kat Haber <kathaber@aol.com>
Sent: Thursday, January 12, 2012 8:05 AM
To: Renee Krause
Subject: Please invest in HoPP

It is time to recommit \$50,000 to freshening up our community playground for our kids.

Happy kids, make happy families. When McKenzie was an infant, the park enjoyed a focused effort.

That was 15 years ago. It is time! The community which supports play for the childhoods nurtured

there will enjoy retaining those young people with their humanity fully experienced to become tomorrow's Homer leaders.

Let's give families a reason to say yes to play in our park. This is a small investment today in a forever tomorrow.

Once gone, our children will never again get the chance to relive their play days.

Naturally,



Kat Haber

KatHaber@aol.com | 907.299.2363

Kat Haber

Director, WILD Foundation
Affinity Rep, HaberVision.com
Mentor, TEDxYouth@Homer2012:Let'sPlay! 7-26-12
How I use email.

Renee Krause

From: Vikki Deadrick <vdeadrick@spbhs.org>
Sent: Thursday, January 12, 2012 8:18 AM
To: Renee Krause
Subject: HoPP Playground Project

Importance: High

The City of Homer has \$240,000 available to spend on improvements to Karen Hornaday Park. HoPP has requested \$50,000 of these funds. I actually wish it were more. I feel the HoPP project volunteers should be contracted as if they were part of a Public Works / Capital Project where the City was paying for the HoPP Playground. If this can't happen, the City should be gracious & extend their thanks with the funds necessary (=>\$50,000) to make this happen. The thanks would & will be for all the local businesses & individuals in this City of Homer that are helping HoPP, hence the City of Homer, to make this playground revamp a reality.

My grandson used to use Karen Hornaday Park quite often, for soccer, T-Ball, then baseball, but he enjoyed the playground more than anything, such as it is. We stopped allowing him up there, even with friends, due to the trees above and camping area above that was attracting other activities & other people. The HoPP Plan is fantastic in this respect due to the fencing and borders throughout. Of course, anyone can still come through but with other parents there, being Homer, it would be more than obvious, and we all help each others kids. It takes a village..,

To: Bumpo Bremicker, Chair; Dave Brann; Robert Archibald; Deb Lowney; and Tricia Lillibridge, the volunteers who make up the Parks and Rec Commission. You will be making a decision about whether to support HoPP's request at your next meeting (Thursday January 19th). I have bought a picket on this fence I spoke about, for my grandson, who is moving to NJ just 3 days before you make this funding decision. I still plan on being at that playground as much as possible as a Big Sister for BBBS after he leaves. I truly believe the City owes HoPP a minimum of \$50,000 of these funds for Karen Hornaday Park. This playground will be the hallmark of the entire park. I don't believe the fields need \$19,000 in improvements, though the shelter/picnic area could use some of the rest.

Thank you,

Vikki & Don Deadrick

PO Box 3224

Homer, AK 99603

(907) 235-6505

Renee Krause

From: Michael McBride <michael@alaskawildernesslodge.com>
Sent: Thursday, January 12, 2012 9:41 AM
To: Renee Krause
Subject: Playground

Tree-Dave, Ufda-Bumpo, Archi-Bob, Ski-Deb and Tricia,

Thank you for supporting the playground. I'll be there with you, shovel
in hand

Michael

--
Diane and Michael McBride
Kachemak Bay Wilderness Lodge
PO Box 956, China Poot Bay
Homer, Alaska 99603 USA

(907)235-8910

Visit Our Web Site www.alaskawildernesslodge.com



From: Corina Hancock <corinaandazul@gmail.com>
Sent: Thursday, January 12, 2012 10:01 AM
To: Renee Krause
Subject: Please Help!!!!

Thank you Homer Parks and Recreation for taking the time to read all of our emails! My name is Corina Hancock and I am part of the Food Committee for the HoPP (Homer Playground Project). I am also a new mother of a 15 month old boy who keeps me busy ever second of the day!!!! I am writing to explain how important it is to have a safe and enjoyable place for Homer children to play outside. Being a mother for the first time has opened my eyes to such new and amazing things. I am learning life all over again through the eyes of my son, and what an experience that is! An Alaskan child has tons of obstacles, from the terrain when learning to walk to the frigid temperatures, but that doesn't stop them. They LOVE to be outside, we live in an enchanting place and I believe the children appreciate it more than the adults at times. Homer desperately needs an updated and safe park for all ages. Karen Hornaday Playground has been deteriorating and there are a lot of unsafe areas and parents are concerned. Please take into consideration the safety and physical health of our children when making your decision for the HoPP. I also believe that the new park will bring more families to participate what the Homer Parks and Recreation has to offer, even families from out of town. I always stop at the wonderful parks in Soldotna, Girdwood, and Anchorage whenever my family heads up north. Thanks again for all you already do for the wonderful town of Homer. Happy New Year! Sincerely, Corina, Camp and Judson Hancock.

Renee Krause

From: Jenny Martin <jenny.martin@bbbsak.org>
Sent: Thursday, January 12, 2012 10:38 AM
To: Renee Krause
Subject: Parks & Rec Commission - support letter

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Parks & Rec Commissioners,

I am writing in support for the needed improvements at Karen Hornaday Park. The main reason is that the equipment that is currently there is damaged, run down and some is unsafe for use.

In addition, improved parks space is a valuable community asset and helps with the developmental growth of our children. As well, it provides a fun and safe place for children to play with their peers, families to come together, and other relationships to build such as those between our Bigs and Littles in our program. Research has been done to show the positive impact recreational play can have on children's developmental and social growth. With so many people including our children being "plugged in" these days, parks provide a motivator to get outside.

In both of my jobs, Big Brothers Big Sisters and also the coordinator of Families First: A Best Beginnings Partnership, we support the need for safe and developmentally appropriate playgrounds and parks for our children and community. We also support the HoPP program and feel their committees have worked diligently and professionally to organize community participation and support and have developed an exceptional plan for improvements.

Thank you for your volunteering for this commission and for working to improvement the quality of life in our community.

--
Sincerely,
Jenny

Jenny Martin
Program Specialist, Homer office

Families First coordinator
907-435-7101

Big Brothers Big Sisters of Alaska
PO Box 1034 • Homer, AK 99603
Tel: 907-235-8391 Fax: 907-235-8392
www.bbbsak.org

January is National Mentoring Month! Join us for: City Council Presentation Jan 9th; Free Ice Skating Jan 14th; Big Appreciation Dinner Jan. 19th; BBBS Movie Night (TBA); email me for more info!

Start Something.™ Donate. Volunteer. Advocate.

Renee Krause

From: angela agosta <angela_agosta@yahoo.com>
Sent: Thursday, January 12, 2012 10:49 AM
To: Renee Krause
Subject: New Playground at Karen Hornaday

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Hi there,

This note is to express my strong opinion that the Parks and Rec council should SUPPORT the HOPP request for funding from the city.

Our children are worth a stimulating, nurturing, fun, community-based playground. I'm not even a parent (yet!) but find this cause to be near and dear to my heart.

Please support HOPP by requesting the \$50,000 from the City of Homer so that construction can begin as planned.

Thanks!
Angela Agosta
Citizen of Homer

Renee Krause

From: Anne Marie Holen <amholen@me.com>
Sent: Thursday, January 12, 2012 12:42 PM
To: Renee Krause
Subject: Support for new playground at KH Park

Hi Renee,

If you could forward this message to members of the Parks and Recreation Commission, I would appreciate it!

Thanks,

Anne Marie

Dear Parks and Rec Commissioners:

I am writing from the balmy environment of Alpine, Texas, where I have been spending the winter. Although I retired from City of Homer employment in October and left Alaska soon after to help my dad out with some health issues, I am planning to return to Homer in March and I remain interested in various community improvement projects. Parks, recreation, and trails have always been of particular interest.

I am writing to urge your support to complete the proposed new playground at Karen Hornaday Park in late May, as currently planned. I understand that the Homer Playground Project (HoPP) is asking the Parks and Rec Commission to make a recommendation to the City Council to provide \$50,000 from the money currently set aside for improvements to Karen Hornaday Park. My memory is getting a little fuzzy, but I believe there was \$305,000 in that pot of money originally and the City has only approved \$5,000 so far for the playground.

I know there are many needs for improvements at Karen Hornaday Park and \$305,000 isn't enough to accomplish all of them - or even come close. What the playground project has going for it is that it is already designed, "shovel-ready," it has a lot of momentum and a huge amount of volunteer/community support, and with a big boost from the Parks & Rec Commission/City of Homer, it will actually happen and Homer's kids and families will have an incredible new playground to use this coming summer!

An additional \$50,000 from the City represents only a fraction of the KH Park improvement fund but I suspect it would make all the difference in whether the playground actually becomes a reality this summer. Although I don't have kids or grandkids, I really feel that the new playground would benefit the entire community and would help spur further action and involvement to accomplish other parks and recreation improvements in Homer. Wouldn't it be nice to have a really visible, high profile, wildly popular SUCCESS? It is only because of the thousands of volunteer hours coordinated by HoPP that this is possible. It would be a shame not to take advantage of all that energy and volunteer support. A little money will go a long way with the community-build model that HoPP is using.

I know that commissions meet infrequently and it can take a long time to accomplish your work. I hope you will see the need for quick action on this particular issue. Not only does HoPP need to start ordering materials now, it also can use local money (like the \$50,000) to leverage money from other sources (like the Rasmuson Foundation). This is not trivial. As a former grant writer for the City of Homer, I know the challenge of pulling all the pieces together and staying on schedule to take advantage of Homer's short construction season.

Before I close, I want to say how much I appreciate the work of the City's advisory bodies. You are to be commended for the time you volunteer to help make Homer a better place to live.

Best wishes,

Anne Marie Holen
393 Novview Avenue

Renee Krause

From: ciara.cordes@yahoo.com
Sent: Thursday, January 12, 2012 9:44 PM
To: Renee Krause
Subject: What I think

I'm a thirteen year old kid, but I got a Hopp email saying you needed a... Message about why this park is important. I may not be much, but this is what I think.

The reason that the new playground is important to homer is kids, not unlike myself have never had a place like this one, to hang out, or meet with friends. While the current park has provided the essentials, this new one goes above and beyond. Just seeing the looks on the younger children's faces makes you know this is something worth while. While most cities have malls, recreational areas, or playgrounds that children teenagers and parents alike may spend time lounging or doing other thing only capable at an area like Hopp has in mind. Even with the few things in homer we do have, many people, a vast majority of kids, have no place to go while parents or guardians are at work. They have always taught me that a safer environment means people act safer, maybe this is just what homer needs. So to conclude my point, homer needs this park.

Sent from my iPod

From: Kate Crowley <katepcrowley@gmail.com>
Sent: Friday, January 13, 2012 10:05 AM
To: Renee Krause
Subject: Why a new playground is important to me!

Dear members of the Homer Parks and Recs Commission,

My name is Kate Crowley and I am an active member of HoPP, the Homer Playground Project, a mother of two active boys and a resident of the City of Homer for 14 years. Last May (2011) a bunch of community members and parents began gathering momentum toward what has now turned into the project to rebuild Karen Hornaday Park Playground. I found myself swept into the excitement and vision of this group and feel that the revitalization of the Karen Hornaday Park area is very important to the overall health of Homer as a community. I realize that the funds which you have allocated for the entire Karen Hornaday Park area could also help propel the playground project forward and I am hoping you will decide to help us.

This entire process has been a learning experience. It all began with spending a great deal of time running my kids around up at Karen Hornaday Park and meeting up with friends and family there. Overall, this space is amazing. I have stood up at that park marveling at the view many days and it has given me many reminders of how small our problems are in the overall picture. I have climbed the alders....rolled down the hillsides and splashed in the puddles. Homer has a special place up there tucked into the hillside and I wonder how many people really know it is there.

Besides playing in our own home town, the boys and I have traveled to many other towns in our state and have found some pretty impressive playgrounds and public spaces. Soldotna, Girdwood and Seward all have impressive parks and playgrounds which quickly became the topic of discussion whenever we would be playing at our own parks and playgrounds. I do not wish to sound ungrateful. Even as it stands today, the playground up at Karen Hornaday Park has given my boys and I plenty of marvelous play days. I am aware that Angie and the crew at Public Works has done a great deal of work, especially this past summer, to maintain and repair some of the playground equipment. I would like to say that it is a bit disconcerting to show up to the playground with young kids and have yellow caution tape sectioning off certain parts of the playground that are unsafe. I have met people from out of town who were visiting Homer (either from out of state or from within the state) who were up at our playground running their kids around wondering why this playground was in such disrepair. Truthfully, I would try and explain but the reality is that the equipment is 15 years old and as you all know the entire Park need some attention.

I feel I could be "preaching to the converted" because I know that everyone involved in Parks and Rec knows of the task set here before us so I will not waste any more time trying to convince you that the KHP needs revitalizing. What I will say is that if you could somehow allot the \$50,000 which has been proposed to go to the Homer Playground Project, we will take that and run with it! To be more specific, we will apply it towards our playground project (which has a budget of 200,000-250,000) and together we could build a space which promises to draw young families in by the car load. Once they see the changes being made for the entire Karen Hornaday Park area, they will be hooked. An investment in our project is an investment in the entire Plan for the Karen Hornaday Park area and your money will go far!

The two most important parts of this project to me is to first, have a safe place to bring my kids where they can move and be healthy and happy and second, to make sure Homer does not let a gem of a park get swallowed up by time. I want to feel proud of our spaces and our ethics of taking care of these places. Please help our group build a beautiful playground and most likely you will see the entire Karen Hornaday Park flourish with activity... as it should!

Thank You for your service and consideration,
Kate Crowley

Renee Krause

From: Monte Davis <monte@homer.alaska.org>
Sent: Friday, January 13, 2012 12:08 PM
To: Renee Krause
Subject: Karen Hornaday Park

To Whom It May Concern,

The Homer Chamber of Commerce & Visitor Center, representing over 500 member businesses and individuals would like to express support for HoPP and the exciting changes they are working on for Karen Hornaday Park.

We believe this goes far beyond the obvious connection to quality of life here in Homer. Here at the Visitor Center we send people by the thousands to Karen Hornaday Park annually.

The redesign and upgrades they hope to accomplish will be a boon to our community, economically and spiritually!

Please keep our support in mind when you are making your decisions.

Thank you all for your service to our community!

--

Monte Davis
Executive Director
Homer Chamber of Commerce & Visitor Center
201 Sterling Highway
Homer, AK 99603
907-235-7740

Renee Krause

From: Laura Pomeroy <lpom@xyz.net>
Sent: Saturday, January 14, 2012 9:33 PM
To: Renee Krause
Subject: New Playground

Dear Parks and Rec Commisioners,

I have been working with children in Homer for 10 years, and the single most popular place to spend time has been at Karen Hornaday Park. Ten years ago, the park was a fun place to visit, with funky play structures suited to Homer. However in recent years many of the structures have fallen into disrepair and have even been removed for safety. It is not nearly the playground it used to be. And now I'm a mother of a toddler and realizing just how important outdoor play spaces are. I have driven children all the way to Soldotna just for a chance to spend time in an interesting playground. And how embarrassing it is to have out of town guests with children visit Homer ("the jewel of the peninsula") and have to make excuses for our own worn out playground. Homer really **NEEDS** this new playground and the new design will allow for all ages to enjoy the park. The brevity of this note in no way reflects the depth of my feelings about this matter. I have spent my own time and money supporting this project, to the point where it has interfered with my family life: this is how important I think a new playground is. Please support HoPP's request of \$50,000; supporting outdoor play should be a Parks and Rec Commission main objective.

Thank you for your time.

Sincerely,
Laura Pomeroy

Renee Krause

From: Rebekah Theriot <rebekahas@hotmail.com>
Sent: Sunday, January 15, 2012 7:04 AM
To: Renee Krause
Subject: Funding for new playground

To Homer's Parks and Recreation Advisory Commissioners,

I have lived in Homer for 8 years now but grew up in Kenai. We moved here because we wanted to raise our family here, with a toddler and another on the way, we are vested into this community. I have a profound sense of pride for my town and I feel that we need something more to offer to our kids for a safe and fun place to play.

The Karen Hornaday Park is a great park that we all agree needs rehabilitation. I feel that the playground needs even more help and an expansion because it is our kids that is the heartbeat of our community. The majority of people that use parks are families and the ones that aren't certainly enjoy watching kids having fun!

Please consider allocating the available funds for the KH Park Rehab toward the exceptional group HOPP for building an exciting playground that we can all be proud of and enjoy for many years to come. Thank you for investing in play for the kids of our community!

Sincerely,
Rebekah and Justin Theriot

Renee Krause

From: tolya stonorov <tolya@stonorovworkshop.com>
Sent: Sunday, January 15, 2012 11:43 AM
To: Renee Krause
Cc: tolya stonorov
Subject: support for Karen Hornaday Park Playground

Dear Renee Krause, Bumpo Bremicker, Dave Brann, Robert Archibald, Deb Lowney and Tricia Lillibridge,

I am writing to express support for the Homer Playground Project. I believe HOPP is an excellent candidate to receive funds from the state grant. As a local architect, I have been involved with the project from its beginning and have donated approximately \$1,000.00 of my design time. Homer is in great need of a revitalized playground and HOPP has successfully motivated much of the community to contribute both time and money to make this happen. They have a highly organized plan of action and are prepared to begin building the playground with the community in May. All they need now is the remaining funds to begin work. I urge you to consider supporting HOPP in their efforts to raise the remaining funds. Homer's youth will thank you.

Sincerely,
Tolya Stonorov

www.stonorovworkshop.com

tolya syril stonorov
stonorov workshop
415.497.7337

Renee Krause

From: Elinor Bacon <ebacon@erbacondevelopment.com>
Sent: Sunday, January 15, 2012 3:58 PM
To: Renee Krause
Subject: Urge funding of the Playground

Renee Krause
Deputy City Clerk
City of Homer, Alaska

Ms. Krause,

As a grandmother of a Homer resident and DC real estate developer I urge maximum funding of the proposed playground.

I have taken my grandson to the playground on several occasions and have been distressed to see the state of disrepair of, from what I understand, the only playground in Homer.

Young children need safe, challenging and welcoming playgrounds for physical activity and social interaction with their peers. Homer has tremendous public assets that serve children, such as your superb library and Islands and Oceans, and needs a playground of the same high caliber. I have been most impressed with the dedicated work of HoPP, to plan, raise money and engage the Homer business community, parents and the broader public in their planning for the renovation of the playground.

This is a most worthy effort and I urge support by the Commissioners of Parks and Recreation.

Sincerely yours,

Elinor R. Bacon



Elinor R. Bacon | E.R. Bacon Development, LLC | 4725 Wisconsin Avenue, NW, Suite 200 | Washington DC 20016 | p - 202-244-3696 | c - 202-309-1010

 Please consider the environment before printing this e-mail.

Renee Krause

From: Amy Alderfer <amyalderfer@yahoo.com>
Sent: Sunday, January 15, 2012 4:45 PM
To: Renee Krause
Subject: Letter of Support - HoPP request

Dear Parks and Recreation Advisory Commissioners -

This letter is written to support the Homer Playground Project's (HoPP) request of \$50,000 to provide crucial funding for the improvements to Karen Hornaday Park. As a mother, I appreciate the opportunity to provide comments on this wonderful project to the Parks and Recreation Advisory Board.

It has truly been an amazing process to watch the development of the HoPP. This grassroots effort has gained a tremendous amount of momentum from our community right from the start. I believe this is because there is an increasing, unmet need for play opportunities for children and young people. By improving the Park it not only improves our wonderful community, but it meets this need for a convenient outdoor experience that provides social benefits to the young families in Homer. Having this play space improves our children's health and gets them outdoors!

For me personally, the improvements mean my family will have access to a Park with safe, innovative playground equipment. With the wonderful location of the park, we can easily walk to play, get outside, and socialize with other families.

Thank-you again for the opportunity to comment and hope to hear of the board's support of the financial request for the HoPP.

Sincerely,
Amy Alderfer
City of Homer resident

Renee Krause

From: Ginger Moore <ginger@kbaywhales.com>
Sent: Sunday, January 15, 2012 4:45 PM
To: Renee Krause
Subject: HOPPS

I am writing in response to support HOPPS . My child has grown up at the Karen Hornaday Park. I am not sure as a single parent how I would have gotten through his childhood without that park. We need a new playground, the current condition of the park is declining and becoming not safe for children. In addition the park needs to be suitable for all ages. Currently the playground equipment is not safe/friendly for younger children who are there playing with their older siblings. I urge those of you to consider voting for support the HOPPS project. Our children need a safe place to play and parents need a safe place to take them.

Thank you

Ginger Moore

ginger@kbaywhales.com

www.kbaywhales.com

Renee Krause

From: Morgan Sicilia <msicilia33@gmail.com>
Sent: Sunday, January 15, 2012 5:07 PM
To: Renee Krause
Subject: To: Commissioners: Bumpo Bremicker, Chair; Dave Brann; Robert Archibald; Deb Lowney; and Tricia Lillibridge.

Dear Commissioners,

I am writing to request that you please consider funding the Karen Hornaday HoPP project to the fullest extent that your budget allows. I have lived in this community for close to a decade now making this home for me and my growing family. Playing outside with my family is a value that I hold close to my heart, and even on the coldest and darkest of times we make an effort to go outside everyday. Having a quality park in town dedicated to creative outdoor play will greatly enhance our lives here in Homer.

The HoPP crew have spent countless hours pulling together community members of all walks to assist in making their vision a reality. This park will be an invaluable asset to families that live in the area as well as the thousands of visitors that visit our "Little Hamlet by the Sea" each year.

Thank you again for considering this project.

Best,

Morgan Sicilia
Mother of a 2 year old with another little one on the way!

Renee Krause

From: Smallpond Childcare <homermum@gmail.com>
Sent: Sunday, January 15, 2012 6:09 PM
To: Renee Krause
Subject: Hopp playground project

Dear parks and rec. commissioners,
Please support the Homer playground project to reinvent Karen Hornaday playground. Hopp has an excellent plan and widespread community support to create this much needed community asset.

Best,
Susannah Webster
Owner, Smallpond Childcare

Renee Krause

From: Cheryl Illg <cherylllg07@gmail.com>
Sent: Sunday, January 15, 2012 10:05 PM
To: Renee Krause
Subject: Homer Playground Project (HoPP)

Dear Parks and Recreation Commissioners members:

I would first like to thank you all for the time and effort you have given to the Parks and Recreation Commission as it is a very important component to the quality of life in our community. Secondly, I would greatly appreciate your consideration in allocating \$50,000 to HoPP for our new playground from the \$240,000 designated for to Karen Hornaday Park improvements. My family and I have greatly enjoyed playing at the new playground in Soldotna and am always amazed by the great number of people using this playground when ever we visit. I would love to recreate this wonderful community feeling here in Homer where families can meet together to enjoy a safe, intact, engaging and beautiful place to play, have a picnic or just connect for **all ages**.

Our current playground is not safe for all ages and is in a state of disrepair as the 15 year old equipment deteriorates. It is time to build new and for a broader user group. There is great momentum in our community to have a new playground built this year. Time is of the essence to keep the momentum going and finish this project in a timely manner. Please help support this community build effort and in turn make one outstanding improvement to Karen Hornaday Park.

Thanks again for your time and consideration! Our community is amazing!

~Cheryl Illg

Homer resident and parent

Renee Krause

From: Jane and Brian Nollar <jnollar72@alaska.net>
Sent: Sunday, January 15, 2012 11:09 PM
To: Renee Krause
Subject: Why I want a new playground in Homer

I am a mother of 2 active young kids. We spend a lot of time at the Karen Hornaday playground. The playground was great when it was originally built but now it is run down and a safety hazard and not age appropriate to young kids. We spend a lot of time outdoors. I want a playground in our community that I can be proud of and that when tourists come to town they can bring their kids to and remember and want to come back. We have nothing like that in Homer.

I feel if we build up the playground you can increase fees for the campground which in turn can spruce up the whole area and can turn this into a recreational day use area that can be full of activity for the whole community.

I hope you will consider donating more to this project for the good of the community.

Thanks

Jane Nollar

jnollar72@alaska.net

=====

Email scanned by PC Tools - No viruses or spyware found.
(Email Guard: 9.0.0.888, Virus/Spyware Database: 6.19060)
<http://www.pctools.com>

=====

Renee Krause

From: Kristen Wright <kristennicolew@yahoo.com>
Sent: Sunday, January 15, 2012 11:43 PM
To: Renee Krause
Subject: new playground at karen hornaday

Dear Parks and Rec Commisioners,

Just a quick note to put in a vote in strong favor of helping fund the new playground at Karen Hornaday park. The existing playground is in dire need of alot more than repairs and in fact does not have many features at all for the little tots.

Homer seems to be having a wonderful baby boom over the last couple of years. It is so fantastic to see how many young families are excited to be here and raising their kids here. Lets keep this an exciting place for people to settle. It would be so lovely to see the entire park develop around its smaller entities. Each different aspect growing and improving to keep up with another area.

The other playgrounds that have recently been built around alaska draw such admiration and so many people to play and socialize. With the community minded folks who live in Homer i suspect that our playground can top them all. What an exciting investment!

Thanks for your time and consideration. We are all so looking forward to seeing this park come to life!

Kristen Cook

Renee Krause

From: Allen White <whity_2784@yahoo.com>
Sent: Monday, January 16, 2012 3:31 PM
To: Renee Krause
Subject: HOPP!

HoPP,

We feel that a nice playground is one of the most important things for a city to have because it is a place for the family's with young children to go and spend time together and be active. There are not many other places for family's in homer to enjoy other than the parks. A park is major part of the community, every family with children in homer goes to the Karen Horniday park to have a good time together and it is getting hard to go there with our kids because it is so run down that it is not safe anymore for kids to play there. It is so important for children of all ages to have a safe, nice and fun place to come together and learn and play and be a community.... HoPP is going to change the lives of so many family's in homer.



Renee Krause

From: Bob Shavelson <bob@inletkeeper.org>
Sent: Monday, January 16, 2012 1:25 PM
To: Renee Krause
Subject: Parks & Rec Committee Letter
Attachments: Hornaday Park Letter - Shavelson.pdf

Hi Renee –

Would you please forward the attached letter to Bumpo and the others on the Parks & Rec. Committee?

Thanks in advance and let me know if questions –

Bob Shavelson

Bob Shavelson
P.O. Box 1498
Homer, AK 99603
907.299.3277
bobshavelson@gmail.com

VIA EMAIL ONLY
(rkrause@ci.homer.ak.us)

January 16, 2012

Bumppo Bremicker, Chair
Parks & Recreation Committee
City of Homer
491 East Pioneer Avenue
Homer, AK 99603

Dear Mr. Chairman:

I'm writing to support the Homer Playground Project (HoPP), and to urge the Homer Parks and Recreation Committee to support \$50,000 in City of Homer funding for the new playground at Hornaday Park (full disclosure: my wife, Miranda Weiss, is HoPP Co-Chair).

I have spent hundreds of hours at Hornaday Park, and I consider it a jewel among the City of Homer's public land assets. At the professional level, I have worked for many years to protect the park and its adjacent waterbody, Woodard Creek.

It's important to make our public lands usable, safe and accessible, and there's a pressing need to revitalize the playground area at Hornaday Park so Homer kids and families can continue to enjoy this special place.

The HoPP group is energetic and motivated, and they're ready to move forward with exciting improvements for Hornaday Park. Your support will be an important reflection of the Parks & Recreation Committee's commitment to our parks and the families who use them.

Thank you for considering my comments.

Very truly yours,



Bob Shavelson

Cc: Parks & Recreation Committee Members

City of Soldotna

177 North Birch ● Soldotna, Alaska 99669 ● Phone: (907) 262-9107



Office of the Mayor

December 14, 2011

Dear Mayor Hornaday and Supporters of Homer Families and Youth,

In the interest of supporting the efforts of the Homer Playground Project or HoPP, I'd like to take this opportunity to share the positive experience of creating the Soldotna Community Playground last year.

In 2009, a group of four young mothers approached the City of Soldotna with an interest in improving an aging playground at Soldotna Creek Park. The committee raised \$200,000+ over the winter of 2009/2010, and the park was constructed by over 800 volunteers in six days in May 2010. The benefits to Soldotna became apparent long prior to "build week." Experiencing our community coming together for future generations of Soldotna youth was inspiring, especially considering that 100% of the funds were raised during a challenging economic period. In essence, the City was handed a valuable piece of quality recreational infrastructure that was 100% privately funded and constructed.

Soldotna's business community also rallied enthusiastically around this project. Many businesses chose to sponsor individual play components, and these swings, slides, and climbing structures display these sponsors' names. In the months that followed, sponsors have gotten firsthand reports on what "their" piece of equipment means to local kids.

Since the park's construction, we have observed several unforeseen benefits. Vandalism had been common in the past, but the Soldotna Playground has not experienced a single act of vandalism, which likely can be attributed to a feeling of ownership by the scores of teens who participated in park construction. We've also observed a significant increase in families recreating as a unit and a dramatic increase in the participation of fathers taking their little ones to a playground that also offers full-sized fun for the parent.

My family participated in the development of the park from the first meeting. Although the Micciche family is certainly not wealthy, we sponsored the "Eagle's Nest" tree fort at the park due to belief in a responsibility to invest in our community's future. It seemed costly at the time, but our months observing the joy the park has brought to our community has shown the investment to be a very wise and personally fulfilling choice.

However the effort is not simply about the healthy, active entertainment of children and families. As a mayor, father, and community member, I know that investment in all stages of life is imperative to not only serve today's families, but also to draw talented graduates back into the community where they were raised. Through our support for the Soldotna Community Playground, we have defined our City as one that openly strives to keep balanced demographics that include healthy proportions of everyone from infants to seniors.

I encourage you and the community at large to respond quickly in support of your new playground. It is imperative that HoPP's high energy level be supported financially so that the playground can be constructed in the spring of 2012. Without adequate funding and community participation, another year of playground services will be lost and an incredible project may lose valuable momentum. Supporting HoPP will make Homer a stronger community on levels that will involve everyone from infants to teens, parents to great-grandparents...you will witness a strengthening of families due to the convenience of accessible recreation for every family member at your HoPP playground.

Please take a tour of our Soldotna Community Playground. In fact, feel free to call me at 252-6759 to arrange a personal tour. Thank you for considering actively supporting the Homer Playground Project (HoPP).

With Warm Regards for our Sister City to the South,

A handwritten signature in black ink, appearing to read 'A. Micciche', with a horizontal line extending to the right.

Mayor Peter A. Micciche
Cell: 907.252.6759; E-mail: mayor@ci.soldotna.ak.us

ORDINANCE REFERENCE SHEET
2012 ORDINANCE
ORDINANCE 12-07

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget by Appropriating and Transferring \$81,000 from the General Fund Reserve (Fund Balance) to the City Hall Complex Budget for the Purpose of Acquiring New Furniture at City Hall.

Sponsor: City Manager

1. City Council Regular Meeting February 13, 2012 Introduction
 - a. Memorandum 12-023 from City Manager as backup
2. City Council Regular Meeting February 27, 2012 Public Hearing and Second Reading
 - a. Memorandum 12-023 from City Manager as backup

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager

4 ORDINANCE 12-07

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER,
7 ALASKA, AMENDING THE FY 2012 OPERATING BUDGET
8 BY APPROPRIATING AND TRANSFERRING \$81,000 FROM
9 THE GENERAL FUND RESERVE (FUND BALANCE) TO THE
10 CITY HALL COMPLEX BUDGET FOR THE PURPOSE OF
11 ACQUIRING NEW FURNITURE AT CITY HALL.

12
13 WHEREAS, The City Hall expansion and renovation project is essentially complete and
14 the project budget contained funds for furniture in the Council Chambers and other public areas;
15 and

16 WHEREAS, There are two public areas which still need to be furnished and several
17 office spaces where the old furniture should be replaced.

18
19 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

20
21 Section 1. The Homer City Council hereby amends the FY 2012 Operating Budget by
22 appropriating and transferring \$81,000 from the General Fund Reserve (Fund Balance) to the
23 City Hall Complex operating budget as follows:

24
25 Appropriation / Transfer From:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
156-375	General Fund Reserves	\$81,000

26
27
28
29 Transfer to:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
100-140	City Hall Complex / Equipment	\$81,000

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31
32
33 Section 2. This ordinance is a budget amendment ordinance only, is not permanent in
34 nature, and shall not be codified.

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36 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of
37 _____, 2012.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

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ATTEST:

JO JOHNSON, CMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Walt E. Wrede, City Manager

Date: _____

Thomas F. Klinkner, City Attorney

Date: _____

MEMORANDUM 12-023

TO: Mayor Hornaday and Homer City Council

FROM: Walt Wrede

DATE: February 7, 2012

SUBJECT: City Hall Furnishings

The City Hall expansion and renovation project is essentially complete. The project budget contained funds to replace some or all of the furniture in the Council Chambers and other public areas such as the waiting area and conference room on the second floor. There are several other public areas which need to be furnished. Those areas include the lobby on the first floor and the reception and meeting areas in the administration office. There are a number of relatively minor items which are needed also including shelving and cabinets for storage areas, blinds, entry mats to protect new carpets, and internal directional signage. Finally, there are several offices in which the furniture should be replaced.

We are not proposing to replace all of the office furniture in every office. City Hall personnel are using the old furniture for the most part. Most of it is very old but still functional. The staff have done a great job trading furniture and moving it around to better suit the new office layout and configuration. However, some desks should be replaced because they are broken, unsafe, or targeted for replacement by the insurance company ergonomic specialist. One staff person has furniture that does not fit her new space. In all, this budget contains 9 new desks and a new reception area counter in the administration office.

We had originally planned to purchase half of these furnishings (about \$45,000) using unspent year-end money from FY 2011. We informed the Council of our intent. In the end, we were not able to do that because the furniture would not have arrived in time to meet auditing standards. So, that money simply lapsed into the General Fund Reserve / Balance and we are now proposing to spend it this year rather than in 2011.

RECOMMENDATION: Introduce and Adopt Ordinance 12-07.

ORDINANCE REFERENCE SHEET
2012 ORDINANCE
ORDINANCE 12-08

An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Commercial Vessel Passenger Tax Program Pass Through Grant from the Kenai Peninsula Borough for FY 2009 and FY 2010 in the Amount of \$35,512.50, and Authorizing the City Manager to Execute the Appropriate Documents.

Sponsor: City Manager

1. City Council Regular Meeting February 13, 2012 Introduction
 - a. Letter from City Manager Wrede to KPB Mayor Carey re: 2009 and 2010 CVT
 - b. KPB Ordinance 2011-19-25
 - c. KPB Grant Agreement

2. City Council Regular Meeting February 27, 2012 Public Hearing and Second Reading
 - a. Letter from City Manager Wrede to KPB Mayor Carey re: 2009 and 2010 CVT
 - b. KPB Ordinance 2011-19-25
 - c. KPB Grant Agreement

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 12-08

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, ACCEPTING AND APPROPRIATING A COMMERCIAL VESSEL PASSENGER TAX PROGRAM PASS THROUGH GRANT FROM THE KENAI PENINSULA BOROUGH FOR FY 2009 AND FY 2010 IN THE AMOUNT OF \$35,512.50, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The State of Alaska collects revenues under the Commercial Vessel Passenger Tax Program and remits proceeds to boroughs which contain ports where cruise ships land; and

WHEREAS, The Kenai Peninsula Borough has received such funds for FY 2009 and FY 2010 and decided to pass those revenues through to Homer and Seward; the communities where cruise ships land and utilize local infrastructure and services; and

WHEREAS, The Borough Assembly adopted KPB Ordinance 2011-19-25 which appropriated funds and authorized a pass through grant to the City of Homer in the amount of \$35,512.50.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby accepts and appropriates a Commercial Vessel Passenger Tax Program pass through grant from the Kenai Peninsula Borough for FY 2009 and FY 2010 in the amount of \$35,512.50 as follows:

Appropriation:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
460-927	KPB CVPT Pass Through Grant FY 09 and 10	\$35,512.50

Section 2. The City Manager is authorized to execute the appropriate documents.

Section 3. This ordinance is a budget ordinance only, is not permanent, and shall not be codified.

41 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
42 _____, 2012.

43
44 CITY OF HOMER

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46 _____
47 JAMES C. HORNADAY, MAYOR

48 ATTEST:

49
50 _____
51 JO JOHNSON, CMC, CITY CLERK

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53 YES:

54 NO:

55 ABSTAIN:

56 ABSENT:

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58 First Reading:

59 Public Hearing:

60 Second Reading:

61 Effective Date:

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63 Reviewed and approved as to form:

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65
66 _____
67 Walt E. Wrede, City Manager

68
69 _____
70 Thomas F. Klinkner, City Attorney

Date: _____

Date: _____



City of Homer

City Manager

491 East Pioneer Avenue
Homer, Alaska 99603
907-235-8121, X-2222

Fax @907) 235-3148 E-mail: wwrede@ci.homer.ak.us Web Site: www.ci.homer.ak.us

September 29, 2011

Mayor David Carey
Kenai Peninsula Borough

SUBJECT: 2009 AND 2010 CVT

Dear Mayor Carey:

I am writing to confirm that the City of Homer wishes to receive 2009 and 2010 Cruise Vessel Tax receipts from the Borough. The City understands that you are sponsoring an Ordinance that would make the Borough's share of this tax for vessel landings in Homer available to the City. The City appreciates that and understands that the amount for these two calendar years is \$35,512.50.

The City of Homer recognizes that these funds must be used for port and harbor improvements that benefit cruise ship passengers and will comply with the provisions contained in AS 43.52.200-298, SB 256, and HB 310. The funds will be used for port and harbor improvements that include a cruise ship staging area and restroom and a pedestrian trail and amenities around the east side of the harbor which connects with the Spit Trail.

Thanks for your time and consideration. Please do not hesitate to contact us if you have any questions.

Sincerely,

Walt Wrede
City Manager

Introduced by: Mayor
Date: 10/11/11
Hearing: 12/06/11
Action: Postponed Until 01/17/12
Date: 01/17/12
Action: Enacted
Vote: 7 Yes, 0 No, 2 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2011-19-25**

**AN ORDINANCE ACCEPTING AND APPROPRIATING CRUISE SHIP PASSENGER
TAX PROCEEDS RECEIVED FROM THE STATE OF ALASKA IN THE AMOUNT OF
\$797,217.50 AND ALLOCATING \$761,705 TO THE CITY OF SEWARD AND \$35,512.50
TO THE CITY OF HOMER**

WHEREAS, in the August 22, 2006, State of Alaska election, Alaska voters approved the initiative in Ballot Measure 2, enacting AS 43.52.200 – 43.52.295, which imposed a tax on travel aboard certain cruise ships travelling in Alaska waters; and

WHEREAS, the Alaska legislature has authorized sharing of Commercial Passenger Vessel (CPV) excise tax collections with eligible ports of call in the State; and

WHEREAS, CPV excise tax collections are derived from taxes imposed on cruise ship passengers; and

WHEREAS, the City of Seward and the City of Homer are eligible ports of call for receiving CPV funds; and

WHEREAS, when the eligible ports of call are cities located in a borough then the cities and the borough each received \$2.50 for each passenger; and

WHEREAS, the total amount received by the borough from the State of Alaska for the 2009 and 2010 calendar CPV programs was \$797,217.50; and

WHEREAS, the City of Seward and City of Homer have requested that funds received by the borough that are derived from cruise ship passengers in each city be appropriated to each city for port improvement projects; and

WHEREAS, the intended use of these funds by the cities of Seward and Homer will comply with AS 43.52.230(b), federal legislation and court rulings that permit the use of these funds for port facilities, harbor infrastructure, and other services provided to the commercial passenger vessels and the passengers on board those vessels;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the mayor is authorized to execute grant agreements and any other documents deemed necessary to expend the funds and to fulfill the intents and purposes of this ordinance.

SECTION 2. That \$797,217.50 received from the State of Alaska in FY2010 and FY2011 for the commercial passenger vessel excise tax collection program be appropriated from the miscellaneous grant fund fund balance to account 271.94910.11CPV. 43011 contract services, for payment to the City of Seward in the amount of \$761,705.00 and to the City of Homer in the amount of \$35,512.50 to be used for port improvement projects.

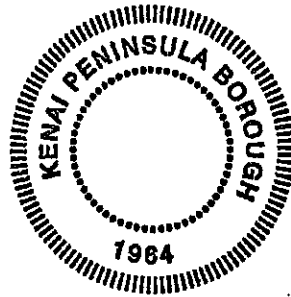
SECTION 3. This ordinance shall become effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 17TH DAY OF FEBURARY, 2012.

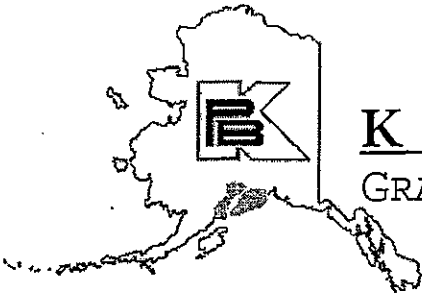

Gary Knopp, Assembly President

ATTEST:


Johni Blankenship, Borough Clerk



Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith
No: None
Absent: Tauriainen, Knopp



KENAI PENINSULA BOROUGH

GRANT AGREEMENT

Total Grant Funds \$35,512.50	Authorizing Ordinance O2011-19-25	KPB Account Number 271.94910.11CPV.43011	Total Grant Award \$35,512.50
Project Title Commercial Vessel Passenger Tax Program	Funding Source State		

Grantee		Borough Contact Person	
Name City of Homer	DUNS# 040171563 EIN# 92-0030963	Name Brenda Ahlberg, Community & Fiscal Projects Manager	
Mailing Address 491 E. Pioneer Avenue		Mailing Address 144 N. Binkley Street	
City/State/Zip Homer AK 99603		City/State/Zip Soldotna, AK 99669	
Contact Person Walt Wrede, City Manager		Email bahlberg@borough.kenai.ak.us	
Phone 235-8121	Fax 235-3148	Phone 714-2153	Fax 714-2377

The Kenai Peninsula Borough (*hereinafter* "Borough") and City of Homer (*hereinafter* "Grantee") agree as set forth herein.

Section I: The Borough shall pay Grantee for the performance of the project work under the terms outlined in this agreement. The amount of the payment is based upon project expenses incurred, which are authorized under this agreement. In no event shall the payment exceed \$35,512.50.

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

Section III: The work to be performed under this agreement begins 01/17/2012 and shall be completed no later than 06/30/2013.

Section IV: the agreement consists of this page and the following attachments:

- A. Scope of Work and Use of Funds
 - Payment Method and Reporting Requirements
 - Standard Provisions
 - B. Financial/Progress Report
 - C. Signature Authorization Form
- Certificate(s) of Insurance – *provided by Grantee*

Section V: The Borough Clerk shall control the original, including any attachments filed.

Grantee	Borough
Signature: _____	Signature: _____
Authorized Signatory Name and Title Walt Wrede, City Manager	Authorized Signatory Name and Title Mike Navarre, Mayor
Date: _____	Date: _____
	Attest: Johni Blankenship, Borough Clerk

Approved as to form and legal sufficiency:

Holly Montague, Deputy Borough Attorney

FY12 KPB Grant Agreement:

City of Homer - Commercial Vessel Passenger Tax Program

Scope of Work and Use of Funds

Project Description: The purpose of this Borough Grant is to provide funding through the State of Alaska Commercial Vessel Passenger Tax Program, *hereinafter* referred to as CVPT, to the City of Homer, *hereinafter* referred to as "grantee." The Grantee will use the funds for port and harbor projects impacted by cruise ship landings as governed by the Alaska Statutes (see "Source of Funds, page 2).

Project Management

1. The project will be managed by the grantee.
2. The City Manager, or such other person(s) as indicated on Attachment C, shall be designated as the representative to receive or make all communications regarding the performance or administration of this agreement. The Borough Community & Fiscal Projects Manager, or such other person(s) as designated by the Borough Mayor, is hereby designated as the representative of the Borough to receive or make all communications, payment requests, and reports regarding the performance or administration of this agreement, and who approves payment under this agreement. The parties may change their representative upon written notification to the other party.

Key Contact Information

Brenda Ahlberg, Community & Fiscal Projects
714-2153 • bahlberg@borough.kenai.ak.us Kenai Peninsula Borough
144 N. Binkley St.
Soldotna AK 99669

Project Approval

The Assembly approved and appropriated CVPT funds from calendar years 2009 and 2010 in the amount of \$35,512.50 to the grantee through KPB Ordinance 2011-19-25. Grantee shall cite KPB account number 271.94910.11CPV.43011 in correspondence and reporting forms.

Grant funds, or any earnings there from, may be spent only for the purposes of the grant project as described above. Any monies used for purposes not authorized by this agreement shall be refunded to the Borough immediately after such expenditures, with or without demand by the Borough. Request to amend the budget shall be submitted to the Community & Fiscal Projects Manager no less than ninety (90) days prior to performance period end date.

Project Performance Period

Period: The performance period shall be effective for the period commencing on January 17, 2012 and ending on June 30, 2013. The grantee must liquidate all obligations not later than June 30, 2013. The Borough shall have no obligation for payment of services rendered by the grantee which are not performed within this specified period.

Request to Extend: Any determination to extend the project performance period is solely at the discretion of the Borough. A request to amend the performance period should be submitted not later than ninety (90) days prior to the established end date.

Funding

1. Source of Funds:
 - a. This project is being funded in full through the State of Alaska Department of Commerce, Community & Economic Development, "Commercial Vessel Passenger Tax Program" (CVPT) as governed by AS 43.52.200 - 43.52.295.
 - b. All unexpended grant funds as of the end of the grant period must be returned to the Borough. Funds will be considered obligated if they have actually been expended or encumbered prior to the end date of the performance period.
2. Condition for Receipt of Funds: The grantee shall comply with AS 43.52.230 (b), federal legislation and court rulings that permit the use of these funds for port facilities, harbor infrastructure, and other services provided to the commercial passenger vessels and the passengers on board those vessels.
3. Funds, or earnings there from, shall not be expended for the purposes of lobbying activities before the Borough Assembly, the Alaska State Legislature or U.S. Congress.

Payment Terms and Reporting Requirements

1. Payments:
 - a. The Grantee will be compensated for up to and not exceeded \$35,512.50 as determined by the State of Alaska for projects identified in the City of Homer's request letter dated September 29, 2011 and approved by Kenai Peninsula Borough Ordinance 2011-19-25.
 - b. Under no circumstances will funds be released to the Grantee unless all required reporting is current.
2. Reporting Requirements:
 - a. The Borough's approval of the proposed expenditures shall not be construed to mean that the Borough is liable in any manner whatsoever if it is determined by an agency or court of competent jurisdiction that the city's project does not satisfy the statutory criteria.
 - b. Upon completion of the projects, but no later than thirty days thereafter the agreement end date, the grantee shall provide a detailed written report to the Borough administration and assembly, explaining the use of these funds and their compliance with statutory requirements.

- c. The Grantee agrees to refund any such amounts, including principal, interest, costs, fees, fines, or other charges, if it is determined by a court of competent jurisdiction that the grantee's expenditure of the funds does not meet the statutory criteria.
- d. This agreement is not to be construed as entitlement to city receiving the future allocation of the borough's CVPT.
- e. Failure to meet the reporting requirements set forth in this agreement may result in the borough withholding future allocations of the borough's grant of CVPT funds.

Mail OR Email Narrative and Fiscal Reports to:

Brenda Ahlberg, Community & Fiscal Projects Manager
 Kenai Peninsula Borough
 144 N. Binkley St., Soldotna AK 99669
 (907) 714-2153 • bahlberg@borough.kenai.ak.us

Standards for Financial Management

Financial Management System:

1. The grantee will maintain an accounting system and a set of accounting records that at a minimum, allows for the identification of individual projects by source of revenue and expenditures related to this project.
2. All costs will be supported by source documentation. Grantee shall retain all contracts, invoices, materials, payrolls, personnel records, conditions of employment, and other data relating to matters covered by this agreement for a period of three years after the completion date of the agreement, or until final resolution of any audit findings, claims, or litigation related to the grant.
3. The grantee's accounting records will be the basis for generating financial reports which must reflect accurate and complete data. In addition, financial records must be properly closed out at the end of the project period and all reports submitted in a timely manner.

Procurement Standards

The Grantee agrees to use a competitive process when making procurements for goods and services. These standards include but are not limited to the following:

1. Grantee may use its own procurement policies provided that they adhere to the applicable standards;
2. Grantee shall maintain a code of conduct which shall govern the performance of its officers, employees or agents in contracting with or expending grant funds; and
3. All procurement transactions shall be conducted in a manner so as to provide for maximum open and free competition.

Audits and Monitoring

Audits:

1. Provisions of 2 AAC 45.010 shall apply to a Borough Grantee receiving a grant of \$100,000 or more from the Borough. An audit in compliance with 2 AAC 45.010 shall be

required on the performance of the grant conditions. Such audit report shall be due to the Borough no later than 30 days after the audit is completed, or 6 months after the expiration of the grant, whichever is sooner. A copy of a federal single audit report may be submitted to fulfill the requirements of this section.

2. An annual audited financial statement, certified by a Certified Public Accountant, shall be submitted by a Borough Grantee receiving a grant less than \$100,000 from the Borough. Such financial statement shall be due no later than 6 months from the termination of this agreement.
3. Grantees receiving less than \$100,000 from the Borough and receiving payments on a reimbursable basis are exempt from the audit requirements.

Monitoring:

1. The grantee may receive an on-site review from the Borough, or its authorized representatives, in addition to reviews from State of Alaska personnel representing the AK Department of Commerce, Community & Economic Development. Monitoring staff may review project and financial activity relating to the terms of this agreement. Upon request, the Borough shall be given full and complete access to all information related to the performance period of this agreement to ensure compliance with the project activities and consistently applied costs.
2. The grantee shall provide the Borough and its authorized representatives all technical staff, assistance and information needed to enable the Borough or the State personnel to perform its monitoring function. This assistance from the grantee includes, but is not limited to, information about the grantee's project operation, accounting and data-base systems.

Program and Financial Deficiencies:

1. Through audits, reviews, monitoring or other means, the Borough may find the grantee to have program or financial deficiencies in the performance of the agreement. Such deficiencies may include, but are not limited to, the areas of accounting, financial controls, budgeting, and/or project compliance issues. If deficiencies are found, the Borough may require the grantee to take corrective action and to submit a written corrective action plan to address identified deficiencies. All corrective action plans must be accepted by the Borough or its authorized representatives. Any corrective action must be satisfactorily completed within thirty days from the date of written notification.
2. The Borough, in its sole discretion, may require the grantee to submit periodic written verification that measures have been taken to implement the corrective action. If the grantee fails to demonstrate its compliance with the approved corrective action plan within the time constraints set by the Borough, the Borough may, at its option, exercise its rights to terminate the agreement. The Borough may exercise any of the other rights and remedies available to it at law or in equity.

Standard Provisions

1. **No Maintenance or Further Funding Responsibility:** By signing this agreement, grantee certifies that it will not ask the Borough to operate or maintain its program, except as may be otherwise agreed to in writing signed by both parties. Grantee understands, acknowledges and agrees that the Borough shall not be responsible for any services, programs, maintenance, operations, or further funding to grantee, or actions related thereto, and has not,

and will not assume any such responsibility, all of such to be the sole and exclusive responsibility of grantee.

2. **Defense and Indemnification:** The Grantee shall indemnify, defend, save and hold the Borough, its elected and appointed officers, agents and employees, harmless from any and all claims, demands, suits, or liability of any nature, kind or character including costs, expenses, and attorneys fees resulting from grantee or grantee's officers, agents, employees, partners, attorneys and suppliers' performance or failure to perform this agreement in any way whatsoever. This defense and indemnification responsibility includes claims alleging acts or omissions by the Borough or its agents, which are said to have contributed to the losses, failure, violations, or damage. However, grantee shall not be responsible for any damages or claim arising from the sole negligence or willful misconduct of the Borough, its agents, or employees. Grantee shall also not be required to defend or indemnify the Borough for damage or loss that has been found to be attributed to an independent party directly responsible to the Borough under separate written contract. If any portion of this clause is voided by law or court of competent jurisdiction, the remainder of the clause shall remain in full force and effect.
3. **Insurance:** Grantee shall purchase at its own expense and maintain in force at all times during the term of this agreement Commercial General Liability and Automobile Insurance. Such policies are to include bodily injury, personal injury, and property damage with respect to the property and the activities conducted by grantee in which coverage shall not be less than \$1,000,000 per occurrence or such higher coverage as specified by the Borough. The policy shall name the Borough as an additional insured. Borough approval shall be required for the amount of any deductible or self-insured retention.

Additionally, grantee shall purchase and maintain at its own expense worker's compensation and employers liability insurance for all employees per Alaska State Statutes who are performing work under this agreement.

Proof of Insurance: *Grantee shall deliver to the Borough certificates of insurance along with grantee's signature on this agreement. The certificates shall indicate the Borough as an additional insured. This insurance shall be primary and exclusive of any other insurance by the Borough. Failure to provide the certificate of insurance required by this section, or a lapse in coverage, is a material breach of the terms of this agreement entitling the Borough to terminate this agreement.*

4. **Relationship of Parties:** Nothing herein contained shall be deemed or construed by the parties hereto, nor by any third party, as creating the relationship of principal and agent, or of partnership, or of joint venture between the parties hereto, it being understood and agreed that neither method of computation of payment nor any other provision contained herein, nor any acts of the parties hereto, shall be deemed to create any relationship between the parties hereto other than the relationship of Borough and independent grantee of funds.
5. **No Exclusive Service; No Property Interest:** The grantee understands, acknowledges and agrees that all supplies, materials and equipment purchased with the grant funds shall be and shall remain the property of the grantee, subject to all applicable State statutes and Federal regulations.

6. **Termination.** The Borough may terminate this agreement, by written notice, when it is in the best interest of the Borough. In the event that grantee does not perform the tasks as required in this agreement, or does not submit any required reports for verification of performance, the Borough may exercise its option to terminate this agreement.
7. **Permits, Taxes and Adherence to Local, State, and Federal Laws:** Signing of this agreement does not, in any manner, excuse grantee from complying with any other law, Alaska state statute or regulation, or Borough ordinance or regulation. Grantee must in all cases adhere to all local, state and federal laws and regulations that pertain to public funds, to the services performed pursuant to this agreement, and related to wages, taxes, social security, workers compensation, nondiscrimination, licenses, permits, and registration requirements. Grantee shall pay all taxes pertaining to its performance under this agreement, and shall acquire and maintain in good standing all permits, licenses and other entitlements necessary to the performance under this agreement.
8. **Jurisdiction; Choice of Law:** Any civil action arising from this agreement shall be brought in the superior court for the Third Judicial District of the State of Alaska at Kenai. The law of the State of Alaska shall govern the rights and obligations of the parties.
9. **Non-Waiver:** The failure of the Borough at any time to enforce a provision of this agreement shall in no way constitute a waiver of the provisions, nor in any way affect the validity of this agreement or any part thereof, or the right of the Borough thereafter to enforce each and every protection hereof. No conditions or provisions of this grant agreement can be waived unless approved by the Borough in writing. Waiver by the Borough of any non-compliance by grantee, or excusing or extending performance, shall not be considered a waiver of any other rights of the Borough or a waiver of the right to terminate in the event of future breaches.
10. **No Third-Party Beneficiary:** This agreement is intended solely for the benefit of each party hereto. Nothing contained herein shall be construed or deemed to confer any benefit or right upon any third party.
11. **Environmental Requirements:** The grantee must comply with all environmental standards, to include those prescribed under State of Alaska and Federal statutes and Executive Orders.
12. **Entire Agreement:** This agreement represents the entire and integrated agreement between the Borough and grantee, and supersedes all prior, inconsistent negotiations, representations or agreements, whether written or oral. This agreement may be amended only by written instrument signed by both the Borough and grantee.



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7599

PHONE: (907) 714-2153 • FAX: (907) 714-2377

EMAIL: bahlberg@borough.kenai.ak.us

FROM: City of Homer
 KPB ACCOUNT: 271.94910.11CPV.43011

Contract Amount: \$35,512.50
 Ending: 06/30/2013

Financial / Progress Report

Submit Report To: Brenda Ahlberg
 Community & Fiscal Projects Manager
 Kenai Peninsula Borough
 144 N. Binkley St., Soldotna, AK 99669

Project Name: Commercial Vessel Passenger Tax Program

Date: _____

Report No.: _____

Quarter From: _____

To: _____

FINANCIAL REPORT:

Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
	\$ -				
Personnel		-	-	-	\$ -
Travel		-	-	-	\$ -
Contractual	35,512.50	-	-	-	\$ 35,512.50
Supplies		-	-	-	\$ -
Other		-	-	-	\$ -
		-	-	-	\$ -
TOTALS	\$ 35,512.50	-	\$ -	\$ -	\$ 35,512.50

Advance funding	\$ -
Expenditures applied to advance	-
Remaining Advance Balance	\$ -

PROGRESS REPORT: Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

Grantee Certification: I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

Signature: _____ Date: _____

Printed Name and Title: _____

Signature Authorization Form

Grant Program: Commercial Vessel Passenger Tax Program - State Pass Thru Funding

Agreement Number: 271.94910.11CPV.43011

Effective Date 01/17/2012

Name of Grantee

City of Homer

DUNS# and Tax ID#

DUNS # 040171563 TAX ID# 92-0030963

Point of Contact Information

Program Manager, Chief Financial Officer, and Signatory Official must be three (3) different individuals.

Primary and Alternate Signatories: Grant Award/Amendments and Grant Reports

Program Manager Name
Individual managing the project

Brian Hawkins,

PM Address

491 E. Pioneer Ave., Homer, AK 99603

PM Telephone

907-235-3160

PM Fax

907-235-3152

PM Email

bhawkins@ci.homer.ak.us

Chief Financial Officer Name
Authorized to certify financial expenditures and records

Regina Mauras

Jo Earls

CFO Address

491 E. Pioneer Ave. Homer, AK 99603

CFO Telephone

907-235-8121

907-435-3110

CFO Fax

907-235-3140

CFO Email

rmauras@ci.homer.ak.us

jearls@ci.homer.ak.us

Signatory Official Name
City Manager

Walt Wrede

Mark Robl

Signatory Official Address

491 E. Pioneer Ave., Homer AK 99603

4060 Heath St., Homer, AK 99603

Signatory Official Telephone

907-235-8121

907-235-3150

Signatory Official Fax

907-235-3140

907-235-3151

Signatory Official Email

wwrede@ci.homer.ak.us

mrobl@ci.homer.ak.us

Signatures required by each of the above-named individuals.

Project Manager

Signature and Date

Chief Financial Officer

Signature and Date

Signatory Official

Signature and Date

ORDINANCE REFERENCE SHEET
2012 ORDINANCE
ORDINANCE 12-09

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget by Appropriating \$27,275.01 (in Equal Amounts from the Public Works, Water and Sewer Reserve Accounts) for the Purchase of a Used Skid-Mounted Steamer Equipment Unit.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting February 13, 2012 Introduction
 - a. Memorandum 12-024 from Public Works Director as backup

1. City Council Regular Meeting February 27, 2012 Public Hearing and Second Reading
 - a. Memorandum 12-024 from Public Works Director as backup

CITY OF HOMER
HOMER, ALASKA

City Manager/
Public Works Director

ORDINANCE 12-09

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING THE FY 2012 OPERATING BUDGET BY APPROPRIATING \$27,275.01 (IN EQUAL AMOUNTS FROM THE PUBLIC WORKS, WATER AND SEWER RESERVE ACCOUNTS) FOR THE PURCHASE OF A USED SKID-MOUNTED STEAMER EQUIPMENT UNIT.

WHEREAS, In January, the equipment inside the steamer truck malfunctioned and melted down; and

WHEREAS, The availability of this equipment is critical to providing thawing service to the community. The equipment is used to steam hydrants (several times a winter to minimize frost heaving and hydrant failure), open frozen sewer lines, thaw blocked culverts and open frozen ditches; and

WHEREAS, Significant damage to public infrastructure and private property could result if thawing capabilities are not available (as discussed in Memorandum #12-024 prepared by the Public Works Director).

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The FY 2011 Operating Budget is hereby amended by appropriating \$27,275.01 from the Public Works, Water and Sewer Reserve Accounts for the replacement of steamer unit equipment, as follows:

Expenditure:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
156-395	Public Works Reserve	1/3 of \$27,275.01 (\$9,091.67)
256-378	Water Reserve	1/3 of \$27,275.01 (\$9,091.67)
256-379	Sewer Reserve	1/3 of \$27,275.01 (\$9,091.67)

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

48 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
49 _____ 2012.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

55 ATTEST:

57 _____
58 JO JOHNSON, CMC, CITY CLERK

61 YES:

62 NO:

63 ABSTAIN:

64 ABSENT:

67 First Reading:

68 Public Hearing:

69 Second Reading:

70 Effective Date:

73 Reviewed and approved as to form:

75 _____
76 Walt E. Wrede, City Manager

Thomas F. Klinkner, City Attorney

77 _____
78 Date: _____

Date: _____



CITY OF HOMER
PUBLIC WORKS
3575 HEATH STREET HOMER, AK 99603

TELEPHONE (907)235-3170
FACSIMILE (907)235-3145

MEMORANDUM 12-024

TO: Walt Wrede, City Manager
FROM: Carey Meyer, Public Works Director
DATE: February 7, 2012
RE: **Steamer Equipment Replacement**

In January, the equipment inside the steamer truck malfunctioned and melted down. The accident occurred on an unusually bitter cold morning; an autopsy concluded that the probable cause of death was a frozen water/fuel regulator that allowed the boiler to continue to be heated even though there was no longer any water in the boiler.

The availability of this equipment is critical to providing thawing service to the community. The equipment is used to steam hydrants (several times a winter to minimize frost heaving and hydrant failure), open frozen sewer lines, thaw blocked culverts and open frozen ditches. It is especially vital during breakup. Although Public Works was able to borrow a steamer from ADOT for one day, our hydrant steaming, ditch opening and culvert thawing operations have come to a standstill. Significant damage to public infrastructure and private property could result if thawing capabilities are not available.

Public Works has contacted vendors that supply new skid mounted steaming equipment. The delivery of new equipment is 8-10 weeks out, and will require significant research to determine which one best meets our needs. The expected cost of a new steamer unit is \$40,000 – \$50,000

A reconditioned steam unit is available in Alberta Canada; the only one Public Works has been able to locate. The cost of this unit is \$24,775.01 (plus \$2,500 shipping).

Public Works mechanics have attempted to repair the steamer utilizing parts from the steamer unit surplused in 2003. This attempt has failed.

At this time, Public Works believes that purchasing the used steamer unit is the only way to acquire the critical equipment necessary to meet our immediate needs. Based on the implications of not having thawing capacities, Public Works will evaluate and make future recommendations regarding the purchase of a new steamer unit, so that the community has redundant thawing capabilities.

Recommendations: The City Council pass an ordinance approving the purchase of a used steamer unit and authorizing the City manager to execute all necessary documents. The cost should be split equally between the PW Reserve, Water Reserve and Sewer Reserve accounts.

ORDINANCE REFERENCE SHEET
2012 ORDINANCE
ORDINANCE 12-10

An Ordinance of the City Council of Homer, Alaska, Enacting Homer City Code Chapter 21.27, East End Mixed Use District, Amending Homer City Code 21.10.010, Zoning Districts, and Amending the Homer Zoning Map to Rezone Portions of the Rural Residential, General Commercial One and General Commercial Two Zoning Districts to East End Mixed Use.

Sponsor: Planning

1. City Council Regular Meeting February 13, 2012 Introduction
 - a. Memorandum 12-021 with supporting documents from City Planner as backup
2. City Council Regular Meeting February 13, 2012 Public Hearing and Second Reading
 - a. Memorandum 12-021 (supporting documents in the February 13, 2012 packet)
 - b. Written public comments
 - c. Memorandum 12-028 from City Attorney

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**CITY OF HOMER
HOMER, ALASKA**

Planning

ORDINANCE 12-10

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, ENACTING HOMER CITY CODE CHAPTER 21.27, EAST END MIXED USE DISTRICT, AMENDING HOMER CITY CODE 21.10.010, ZONING DISTRICTS, AND AMENDING THE HOMER ZONING MAP TO REZONE PORTIONS OF THE RURAL RESIDENTIAL, GENERAL COMMERCIAL ONE AND GENERAL COMMERCIAL TWO ZONING DISTRICTS TO EAST END MIXED USE.

WHEREAS, Chapter 4 Goal 1 Objective C of the Homer Comprehensive Plan states: Develop clear and well-defined land use regulations and update the zoning map in support of the desired pattern of growth; and

WHEREAS, Chapter 4 Goal 1 Objective B of the Homer Comprehensive Plan calls for the establishment of an E-MU zoning district to accommodate a wide variety of commercial and industrial uses with access to the marina and airport; and

WHEREAS, Chapter 4 Goal 4 Objective D of the Homer Comprehensive Plan states, "Introduce new commercial districts to better encourage and accommodate commercial land uses in appropriate locations, and allow new types of commercial activities to take place.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. HCC Chapter 21.27, East End Mixed Use District, is adopted to read as follows:

Chapter 21.27

EAST END MIXED USE DISTRICT

Sections:

- 21.27.010 Purpose.
- 21.27.020 Permitted Uses and Structures.
- 21.27.030 Conditional Uses and Structures.
- 21.27.040 Dimensional requirements.
- 21.27.050 Site and Access Plans.
- 21.27.060 Traffic Requirements.
- 21.27.070 Site Development Requirements.
- 21.27.080 Nuisance standards.
- 21.27.090 Lighting Standards.

47 21.27.010 Purpose. The East End Mixed Use (EEMU) District is primarily intended to
48 provide sites for businesses that require direct motor vehicle access and may require larger land
49 area. The district is meant to accommodate a mixture of existing and accessory residential with
50 non-residential uses. When a conflict exists between residential and nonresidential uses conflicts
51 shall be resolved in favor of non-residential uses.
52

53 21.27.020 Permitted uses and structures. The following uses are permitted outright in the
54 East End Mixed Use District, except when such use requires a conditional use permit by reason
55 of size, traffic volumes, or other reasons set forth in this chapter.

- 56 a. Auto, trailer, truck, recreational vehicle and heavy equipment sales, rentals,
57 service and repair;
- 58 b. Drive-in car washes;
- 59 c. Building supply and equipment sales and rentals;
- 60 d. Garden supplies and greenhouses;
- 61 e. Boat and marine equipment sales, rentals, manufacturing, storage yard, service
62 and repair;
- 63 f. Welding and mechanical repair;
- 64 g. Restaurants, including drive-in restaurants, clubs and drinking establishments;
- 65 h. Religious, cultural, and fraternal assembly;
- 66 i. Studios;
- 67 j. Personal services;
- 68 k. Agricultural activities, including general farming, truck farming, nurseries, tree
69 farms and greenhouses;
- 70 l. Private stables;
- 71 m. Storage of heavy equipment, vehicles or boats;
- 72 n. Plumbing, heating and appliance service shops;
- 73 o. Home occupations on a lot whose principal permitted use is residential, provided
74 they conform to the requirements of HCC § 21.51.010;
- 75 p. Mortuaries and crematoriums;
- 76 q. Open air businesses;
- 77 r. Parking lots and parking garages, in accordance with HCC Chapter 21.55;
- 78 s. Manufacturing, fabrication and assembly;
- 79 t. Retail businesses;
- 80 u. Trade, skilled or industrial schools;
- 81 v. Wholesale businesses, including storage and distribution services incidental to the
82 products to be sold;
- 83 w. Parks and open space;
- 84 x. Warehousing, commercial storage and mini-storage;
- 85 y. Recreational vehicles, subject to the standards in HCC § 21.54.320(a), (b) and (c);
- 86 z. Dry cleaning, laundry, and self-service laundries;
- 87 aa. Mobile food services;
- 88 bb. As an accessory use, one small wind energy system per lot;
- 89 cc. Production, processing, assembly and packaging of fish, shellfish and seafood
90 products;
- 91 dd. Research and development laboratories;

- 92 ee. Storage and distribution services and facilities, including truck terminals,
93 warehouses and storage buildings and yards, contractors' establishments,
94 lumberyards and sales, or similar uses;
95 ff. Cold storage facilities;
96 gg. Mobile commercial structures;
97 hh. Single family and duplex dwellings, only as an accessory use incidental to a
98 permitted principal use, provided that no permit shall be issued for the
99 construction of an accessory dwelling prior to the establishment of the principal
100 use;
101 ii. The repair, replacement, reconstruction or expansion of a single family or duplex
102 dwelling, including a mobile home, that existed lawfully before its inclusion in
103 the GC1, GC2 or EEMU zoning districts, notwithstanding any provision of HCC
104 Chapter 21.61 to the contrary, provided that a mobile home may not be used to
105 replace or expand such a dwelling ;
106 jj. Customary accessory uses to any of the uses permitted in the EEMU district that
107 are clearly subordinate to the main use of the lot or building, including without
108 limitation wharves, docks, storage facilities, restaurant or cafeteria facilities for
109 employees; or caretaker or employee dormitory residence if situated on a portion
110 of the same lot as the principal use, provided that no permit shall be issued for the
111 construction of any type of accessory building prior to the establishment of the
112 principal use;
113 kk. Taxi operation;
114 ll. Itinerant merchants, provided all activities shall be limited to uses permitted
115 outright under this zoning district;
116 mm. More than one building containing a permitted principal use on a lot;
117 nn. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory
118 use to a residential use in a manner consistent with the requirements of all other
119 provisions of the Homer City Code and as long as such animals are pets of the
120 residents of the dwelling and their numbers are such as not to unreasonably annoy
121 or disturb occupants of neighboring property.
122

123 21.27.030 Conditional uses and structures. The following conditional uses may be
124 permitted in the East End Mixed Use District when authorized by conditional use permit issued
125 in accordance with HCC Chapter 21.71:

- 126 a. Construction camps;
127 b. Extractive enterprises, including crushing of gravel, sand and other earth products
128 and batch plants for asphalt or concrete;
129 c. Auto fueling stations;
130 d. Bulk petroleum product storage;
131 e. Planned unit developments;
132 f. Junk yard;
133 g. Kennels;
134 h. Public utility facilities and structures;
135 i. Impound yards;
136 j. Indoor recreational facilities;
137 k. Outdoor recreational facilities;

138 1. Other uses approved pursuant to HCC § 21.04.020.

139
140 21.27.040 Dimensional requirements. The following dimensional requirements shall
141 apply to all structures and uses in the East End Mixed Use District:

142 a. Lot Size.

143 1. The minimum area of a lot that is not served by public sewer or water
144 shall be 40,000 square feet.

145 2. The minimum area of a lot that is served by either a public water supply
146 approved by the State Department of Environmental conservation, or a public or community
147 sewer approved by the State Department of Environmental Conservation, shall be 20,000 square
148 feet.

149 3. The minimum area of a lot that is served by both a public water supply
150 approved by the State Department of Environmental conservation, and a public or community
151 sewer approved by the State Department of Environmental Conservation, shall be 10,000 square
152 feet.

153 b. Building Setbacks.

154 1. All buildings shall be set back 20 feet from all dedicated rights-of-way
155 other than alleys, except that adjacent to rights-of-way that lead to Kachemak Bay and have been
156 determined to be unsuitable for road construction by resolution of the City Council, all buildings
157 shall be set back from the boundary of the right-of-way according to the number of stories as
158 follows:

Number of Stories	Setback (in feet)
1	5
1½	6
2	7
2½	8

159
160
161
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164
165 2. The setback requirements from any lot line abutting an alley will be
166 determined by the dimensional requirements of subparagraphs (b)(3) and (4);

167 3. Buildings shall be set back five feet from all other lot boundary lot lines
168 unless adequate firewalls are provided and adequate access to the rear of the building is
169 otherwise provided (e.g., alleyways) as defined by the State Fire Code and enforced by the State
170 Fire Marshal;

171 4. Any attached or detached accessory building shall maintain the same yards
172 and setbacks as the main building.

173 c. Building Height. The maximum building height shall be 35 feet.

174 d. No lot shall contain more than 8,000 square feet of building area (all buildings
175 combined), nor shall any lot contain building area in excess of 30 percent of the lot area without
176 an approved conditional use permit.

177 e. Building Area and Dimensions - Retail and Wholesale. The total floor area of
178 retail and wholesale business uses within a single building shall not exceed 75,000 square feet.
179 No conditional use permit, Planned Unit Development, or variance may be granted that would
180 allow a building to exceed the limits of this subparagraph, and no nonconforming use or structure
181 may be expanded in any manner that would increase its nonconformity with the limits of this
182 subparagraph.

183

184 f. Screening.

185 1. When one or more side or rear lot lines abut land within an RO, RR, or
186 UR district or when a side or rear yard area is to be used for parking, loading, unloading
187 or servicing, then those side and rear yard areas shall be effectively screened by a wall,
188 fence, or other sight-obscuring screening. Such screening shall be of a height adequate to
189 screen activity on the lot from outside view by a person of average height standing at
190 street level.

191 2. Outside storage of materials, equipment and trash/dumpsters adjacent to
192 East End Road and Kachemak Drive shall be screened. Screening may consist of walls,
193 fences, landscaped berms, evergreen plantings, or any combination thereof.
194

195 21.27.050 Site and Access Plans. a. A zoning permit for any use or structure within the
196 East End Mixed Use District shall not be issued by the City without a level two site plan
197 approved by the City under HCC Chapter 21.73.

198 b. No zoning permit may be granted for any use or structure without a level two
199 right-of-way access plan approved by the City under HCC § 21.73.100.
200

201 21.27.060 Traffic Requirements. A conditional use permit is required for every use that:

202 a. Is estimated to generate more than 100 vehicle trips during any hour of the day
203 based on the proposed land use and density, or calculated utilizing the Trip Generation
204 Handbook, Institute of Transportation Engineers (current edition),

205 b. Is estimated to generate more than 500 vehicle trips per day based on the
206 proposed land use and density, or calculated utilizing the Trip Generation Handbook, Institute of
207 Transportation Engineers (current edition);

208 c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips
209 during any hour of the day due to a change in land use or intensity of use;

210 d. Is expected to generate traffic that will detract from the safety of, or degrade by
211 one level of service, the highway, road, street, alley or intersection.
212

213 21.27.070 Site Development Requirements. All development on lands in this district shall
214 conform to the level two site development standards set forth in HCC § 21.50.030.
215

216 21.27.080 Nuisance standards. The nuisance standards of HCC § 21.59.010(a) through
217 (g)(1) apply to all development, uses, and structures in this zoning district. Open storage of
218 materials and equipment is permitted, subject to the requirement that when a lot abuts a
219 residential zoning district any outdoor storage of materials and equipment on the lot must be
220 screened from the residential district by a wall, fence, or other sight-obscuring material. The
221 screen must be a minimum of eight feet in height.
222

223 21.27.090 Lighting Standards. The level one lighting standards of HCC § 21.59.030
224 apply to all development, uses, and structures in this zoning district.
225

226 Section 2. Homer City Code 21.10.010, Zoning districts, is amended to read as follows:
227

228
229
230
231

21.10.010 Zoning districts. a. The city is divided into zoning districts. Within each zoning district only uses and structures authorized by this title are allowed.
b. The following zoning districts are hereby established:

Zone	Abbreviated Designation
Residential office	RO
Rural residential	RR
Urban residential	UR
Central business district	CBD
Town center district	TCD
Gateway business district	GBD
General commercial 1	GC1
General commercial 2	GC2
<u>East end mixed use</u>	<u>EEMU</u>
Marine commercial	MC
Marine industrial	MI
Open space--Recreational	OSR
Conservation district	CO

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c. The zoning district boundaries shall be as shown on the official Homer Zoning Map.

Section 3. The Homer Zoning Map is amended to transfer from the Rural Residential (RR), General Commercial 1 (GC1) and General Commercial 2 (GC2) zoning districts, to the East End Mixed Use (EEMU) district as shown on the attached Exhibit A, the parcels listed on attached Exhibit B

Section 4. The City Planner is authorized to sign the amended Homer Zoning Map and adhere to the requirements set forth in the Homer City Code, Section 21.10.030(b).

Section 5. Sections 1 and 2 of this Ordinance are of a permanent and general character and shall be included in the City Code. Section 3 is a non Code Ordinance of a permanent Nature and shall be noted in the Ordinance history of HCC 21.10.030.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____ 2012.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

256 ATTEST:
257
258
259
260 JO JOHNSON, CMC, CITY CLERK

261
262
263
264 YES:
265 NO:
266 ABSTAIN:
267 ABSENT:
268

269 First Reading:
270 Public Hearing:
271 Second Reading:
272 Effective Date:
273

274 Reviewed and approved as to form:
275

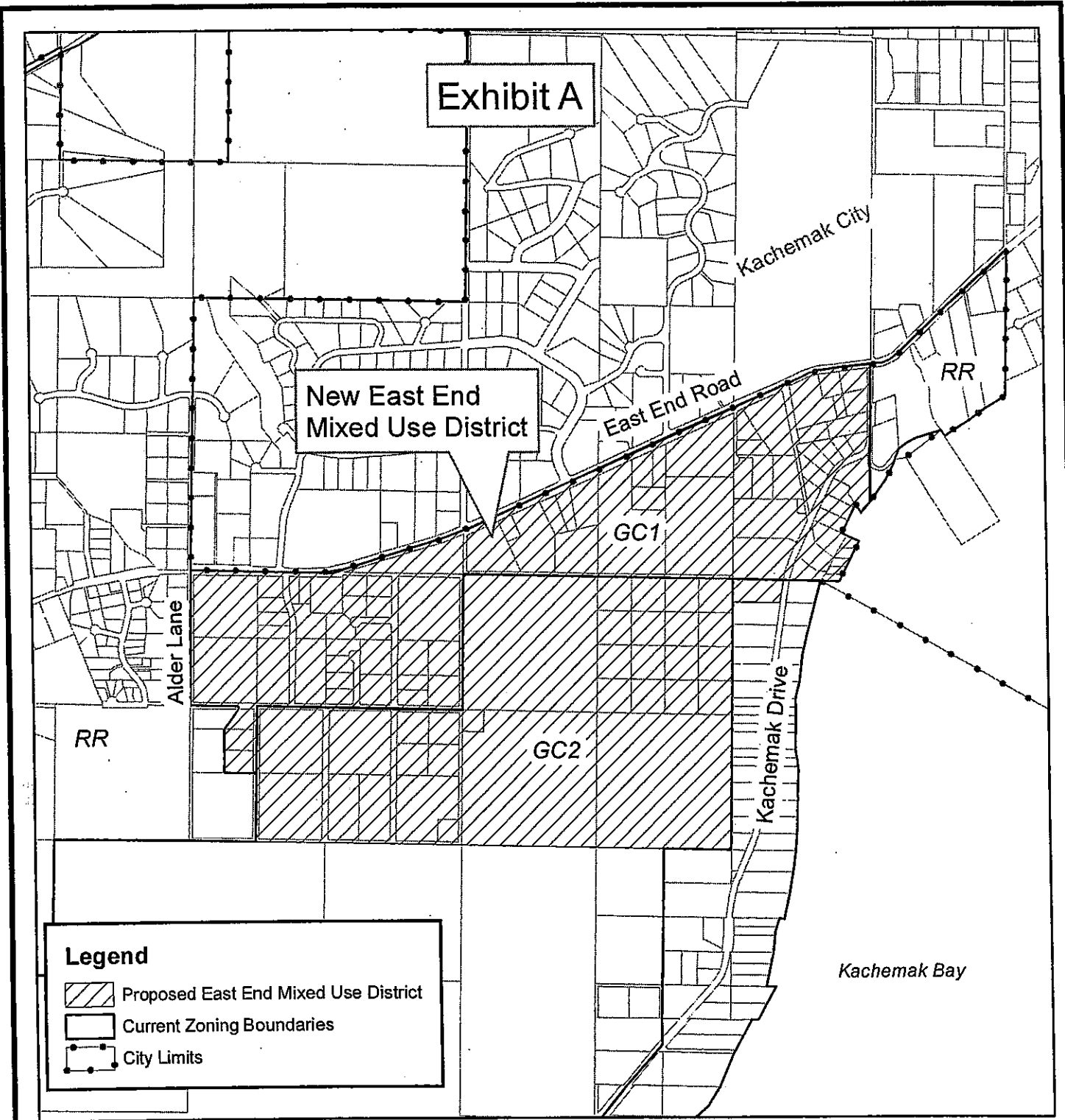
276
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278 Walt E. Wrede, City Manager

279
280 Date: _____
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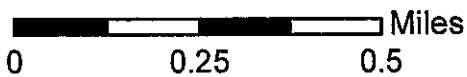
Thomas F. Klinkner, City Attorney

Date: _____



City of Homer
 Planning and Zoning Department
 December 8, 2011

East End Mixed Use Zoning District



*Disclaimer:
 It is expressly understood the City of
 Homer, its council, board,
 departments, employees and agents are
 not responsible for any errors or omissions
 contained herein, or deductions, interpretations
 or conclusions drawn therefrom.*

PARCEL ID	LEGAL DESCRIPTION
17412009	T 6S R 13W SEC 10 SEWARD MERIDIAN HM SE1/4 SE OF FRITZ CREEK DR EXCLUDING DOT ROW
17908005	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 5 WEST OF KACHEMAK DRIVE
17908030	T 6S R 13W SEC 14 SEWARD MERIDIAN HM SW1/4 OF NW1/4 EXC N 208.71 FT OF W 208.71 FT
17419110	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 2005090 COMMERCE PARK 2005 ADDN LOT 2-A-2
17419202	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0850122 PUFFIN ACRES SUB LOT 3 BLK 1
17420205	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0610049 H K DAVIS SUB AMENDED LOT 4
17420103	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0610049 H K DAVIS SUB AMENDED LOT 11
17420212	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0610049 H K DAVIS SUB AMENDED LOT 1J
17419108	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0970022 COMMERCE PARK 1997 ADDN LOT 1-A
17420314	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 2000028 RUMLEY-COLLIE SUB NO 6 TRACT C EXCLUDING DOT ROW
17419107	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0970020 COMMERCE PARK RESUB LOT 3 LOT 3-B
17420119	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 2002067 NORTHERN ENTERPRISES NO 1 LOT 2-A-1
17420112	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0830031 MOORE-HOLT SUB NO 3 LOT 1-A
17419111	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 2005090 COMMERCE PARK 2005 ADDN LOT 2-A-1
17419223	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0950052 PUFFIN ACRES NO 2 LOT 2B BLK 1
17420204	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0610049 H K DAVIS SUB AMENDED LOT 5
17420315	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 2002067 NORTHERN ENTERPRISES NO 1 LOT 5-A-1
17419106	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0970020 COMMERCE PARK RESUB LOT 3 LOT 3-A
17419105	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0850014 COMMERCE PARK SUB LOT 5
17420203	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0003064 H K DAVIS SUB AMENDED LOT 6
17420104	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0610049 H K DAVIS SUB AMENDED LOT 12
17420220	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 2006014 H K DAVIS SUB NO 7 LOT 1B-1
17420120	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 2002067 NORTHERN ENTERPRISES NO 1 LOT 3-A-1
17420207	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0610049 H K DAVIS SUB AMENDED LOT 14
17420306	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0870067 RUMLEY-COLLIE SUB 3 TRACT A-1B
17419104	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0850014 COMMERCE PARK SUB LOT 4
17420309	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0870069 RUMLEY - COLLIE FOUR TRACT A-3B
17419204	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0850122 PUFFIN ACRES SUB LOT 1 BLK 1
17420317	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 2002067 NORTHERN ENTERPRISES NO 1 LOT 4-A-1
17420313	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 2000028 RUMLEY-COLLIE SUB NO 6 TRACT B
17420201	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0610049 H K DAVIS SUB AMENDED LOT 8

PARCEL_ID	LEGAL DESCRIPTION
17420213	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0610049 H K DAVIS SUB AMENDED LOT 1K
17420218	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0610049 H K DAVIS SUB AMENDED LOT 1A EXCLUDING DOT ROW
17420206	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0610049 H K DAVIS SUB AMENDED LOT 3
17908047	T 6S R 13W SEC 14 SEWARD MERIDIAN HM N 208.71 FT OF W 208.71 FT OF SW1/4 NW1/4
17420118	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 200069 H K DAVIS SUB NO 6 LOT 15-D
17420219	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0860021 H K DAVIS SUB NO 5 LOT 1L
17420316	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 2002067 NORTHERN ENTERPRISES NO 1 LOT 5-A-2
17420105	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0610049 H K DAVIS SUB AMENDED LOT 13
17420202	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0610049 H K DAVIS SUB AMENDED LOT 7
17419205	T 6S R 13W SEC 11 SEWARD MERIDIAN HM PTN E1/2 SW1/4 LYING N OF LT 1 BLK 1 & E OF LT 2 BLK 1 PUFFIN ACRES & S OF EAST ROAD EXCLUDING DOT ROW
17419222	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0950052 PUFFIN ACRES NO 2 LOT 2A BLK 1
17928001	T 6S R 13W SEC 15 SEWARD MERIDIAN HM PTN NW1/4 NE1/4 LYING SOUTH OF EAST END ROAD & EAST OF ALDER LANE AKA TRACT A TIETJEN SUB EXCL DOT ROW
17928030	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0750042 TIETJEN RESUB OF TRACTS G & H TRACT G-5
17928045	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0780037 UTTER ACRES SUB LOT 2
17928051	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0780050 TIETJEN RESUB TR C-2 TRACT C2-D
17928049	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0780050 TIETJEN RESUB TRACT C-2 TRACT C-2B
17928040	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0760092 TIETJEN RESUB OF TR C-1 TRACT C-1A
17928031	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0750042 TIETJEN RESUB OF TRACTS G & H TRACT G-6
17928029	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0750042 TIETJEN RESUB OF TRACTS G & H TRACT G-4
17928046	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0780037 UTTER ACRES SUB LOT 3
17928050	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0780050 TIETJEN RESUB TRACT C-2 TRACT C-2C
17928044	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0780037 UTTER ACRES SUB LOT 1 EXCLUDING DOT ROW
17928048	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0780050 TIETJEN RESUB TR C-2 TRACT C2-A
17928004	T 6S R 13W SEC 15 SEWARD MERIDIAN HM E 312 FT OF W 1477 FT OF N 418.8 FT OF NE1/4 EXC ROAD & EXCLUDING DOT ROW
17928020	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0731252 TIETJEN LOT 2-B RESUB LOT B-2B
17928059	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 2005071 TIETJEN SUB NO 9 LOT 1

PARCEL ID	LEGAL DESCRIPTION
17928036	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0760103 TIETJEN RESUB TR L TRACT L-4
17928032	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0750042 TIETJEN RESUB OF TRACTS G & H TRACT H-1
17928047	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0780037 UTTER ACRES SUB LOT 4
17928033	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0750042 TIETJEN RESUB OF TRACTS G & H TRACT H-2
17908011	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 12
17908004	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 6
17419201	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0850122 PUFFIN ACRES SUB LOT 4 BLK 1
17420117	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0960003 ALASKA TIDELANDS SURVEY NO 1234A LOT 5
17420113	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0960003 ALASKA TIDELANDS SURVEY NO 1234A LOT 1
17908016	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 20
17420311	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0890036 RUMLEY-COLLIE FIVE SUB TRACT A-2B
17420208	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0610049 H K DAVIS SUB AMENDED LOT 2
17908009	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 10
17420116	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0960003 ALASKA TIDELANDS SURVEY NO 1234A LOT 4
17420308	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0870069 RUMLEY-COLLIE FOUR SUB TRACT A-3A
17420115	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0960003 ALASKA TIDELANDS SURVEY NO 1234A LOT 3
17908003	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 7
17908012	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 13
17908002	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 8
17908029	T 6S R 13W SEC 14 SEWARD MERIDIAN HM NW1/4 OF NW1/4
17420114	T 6S R 13W SEC 11 SEWARD MERIDIAN HM 0960003 ALASKA TIDELANDS SURVEY NO 1234A LOT 2
17908031	T 6S R 13W SEC 14 SEWARD MERIDIAN HM SE1/4 OF NW1/4
17908018	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 18
17908001	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 9
17908017	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 19
17908023	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 22
17908015	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 21
17908010	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 11
17908024	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 23
17908025	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 24
17908026	T 6S R 13W SEC 14 SEWARD MERIDIAN HM GOVT LOT 25

PARCEL ID	LEGAL DESCRIPTION
17928006	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0700591 TIETJEN SUB TRACT D
17928010	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0700591 TIETJEN SUB TRACT F-1
17928022	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0731385 TIETJEN SUB TR O RESUB TRACT 0-2
17928014	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0700591 TIETJEN SUB TRACT K
17928023	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0731385 TIETJEN SUB TR O RESUB TRACT O-1
17928028	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0750042 TIETJEN RESUB OF TRACTS G & H TRACT G-3
17928039	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0760103 TIETJEN RESUB TR L TRACT L-3
17928013	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0700591 TIETJEN SUB TRACT J
17928055	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0860003 TIETJEN SUB NO 7 TRACT I-3
17928018	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0700591 TIETJEN SUB LOT N
17928027	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0750042 TIETJEN RESUB OF TRACTS G & H TRACT G-2
17928057	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 2004063 TIETJEN SUB NO 8 TRACT H-3A
17928056	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0860003 TIETJEN SUB NO 7 TRACT I-4
17928009	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0700591 TIETJEN SUB LOT F-2
17928011	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0700591 TIETJEN SUB TRACT E
17928042	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0700591 TIETJEN SUB TRACT P EXC THE E 200 FT OF THE S 217.8 FT
17928035	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0750042 TIETJEN RESUB OF TRACTS G & H TRACT H-4
17928043	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0700591 TIETJEN SUB PTN OF TR P BEGINNING @SE CORNER OF TR P TH W 200 FT; TH N 217.8 FT; TH E 200 FT; TH S 217.8 FT TO THE POB
17928054	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0860003 TIETJEN SUB NO 7 TRACT I-2
17928060	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 2005071 TIETJEN SUB NO 9 LOT 2
17928037	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0760103 TIETJEN RESUB TR L TRACT L-1
17928026	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0750042 TIETJEN RESUB OF TRACTS G & H TRACT G-1
17928041	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0760092 TIETJEN RESUB OF TR C-1 TRACT C-1B
17928038	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 0760103 TIETJEN RESUB TR L TRACT L-2
17928058	T 6S R 13W SEC 15 SEWARD MERIDIAN HM 2004063 TIETJEN SUB NO 8 TRACT H-3B

MEMORANDUM 12-028

TO: MAYOR AND COUNCIL MEMBERS

FROM: THOMAS F. KLINKNER

CC: WALT WREDE, CITY MANAGER

RE: ORDINANCE 12-10

FILE NO.: 506,742.500

DATE: FEBRUARY 17, 2012

1. Introduction.

I have been asked to respond to an email message dated February 15, 2012 from Frank Griswold that expresses concerns regarding Ordinance 12-10, which establishes the East End Mixed Use ("EEMU") zoning district. Those concerns focus on proposed HCC 21.27.020(ii), which permits in the EEMU district:

- ii. The repair, replacement, reconstruction or expansion of a single family or duplex dwelling, including a mobile home, that existed lawfully before its inclusion in the GC1, GC2 or EEMU zoning districts, notwithstanding any provision of HCC Chapter 21.61 to the contrary, provided that a mobile home may not be used to replace or expand such a dwelling.

Under AS 29.40.030(b) a municipality must adopt a comprehensive plan, and under AS 29.40.040(a) a municipality must adopt zoning regulations in accordance with a comprehensive plan.¹ These requirements are mandatory.² HCC 21.27.020(ii) is proposed in accordance with the purpose of the EEMU district under the City's 2008 Comprehensive Plan, adopted in 2010 ("Comprehensive Plan"), so my response begins with a discussion of that purpose.

¹ In adopting a comprehensive plan and zoning regulations, the City is exercising powers delegated to it by the Kenai Peninsula Borough.

² *Lazy Mountain Land Club v. Matanuska-Susitna Borough Bd. of Adjustment & Appeals*, 904 P.2d 373, 377-79 (Alaska 1995).

2. *The EEMU District under the Comprehensive Plan.*

The Comprehensive Plan includes a Land Use Recommendations Map that designates the area proposed for rezoning to the EEMU district as "East End Mixed Use."³ The EEMU district is described among the Commercial and Mixed Use Districts as allowing "A wide variety of commercial and industrial uses with access to the marina and airport."⁴ Appendix B to the Comprehensive Plan provides more specifics regarding the EEMU district:

- **Intent** The intent of the E-MU district is to allow a wide variety of commercial, industrial, and heavy industrial uses in a district with access to the boatyard, marine services, and the airport; and **to ensure such uses, which are important to Homer's economy, continue to have a viable location.**
- **Primary Use** Mixed-use development with fewer constraints on uses than existing GC-1 and GC-2. Designed to accommodate the wide range of uses found in the area today, as well as other future uses; examples include industrial, marine-oriented, construction services (including batch plants), storage, and artist workshops. Residential and retail are allowable, but **residential/retail and commercial conflicts with be resolved in favor of commercial/industrial uses.**⁵

Consistent with the purpose of the EEMU district to ensure that commercial and industrial uses, particularly those requiring access to the boatyard, marine services and the airport, continue to have a viable location,⁶ dwellings are not permitted principal uses in the EEMU district. Excluding dwellings as permitted principal uses ensures that they will not encroach on land that should be reserved to support the community's economic growth.

3. *Nonconforming Dwellings in the EEMU District.*

This exclusion of dwellings as permitted principal uses would create a significant number of nonconforming dwelling structures in the area that is proposed for rezoning to EEMU. The Planning Department found that 52 of the total of 216 structures in the proposed EEMU district, or approximately 25%, were dwellings.⁷ According to testimony before the Council by members of the public, the prohibition of principal dwelling uses, combined with the more stringent restrictions on expanding or rebuilding

³ Comprehensive Plan, p. 4-7.

⁴ Comprehensive Plan, p. 4-5.

⁵ Comprehensive Plan, Appendix B, p. B6 (emphasis added).

⁶ Comprehensive Plan, Appendix B, p. B6.

⁷ Staff Report PL 11-35, p. 1.

nonconforming structures that the City adopted in 2008, have made it difficult for prospective purchasers of nonconforming dwellings in this area to secure financing.⁸

All nonconforming uses are not similarly situated. Most uses that are targeted to become nonconforming have nuisance attributes. This justifies zoning regulations that encourage their discontinuance. In contrast, the purpose of restricting dwellings in the EEMU district is not to eliminate them as a nuisance-type use (in fact, dwellings that are accessory to commercial or industrial uses are permitted in the district),⁹ but instead to reserve undeveloped land in the district for future commercial or industrial development. The EEMU district regulations' permission for the expansion or reconstruction of existing nonconforming dwellings is well-tailored to this purpose.

If there are other nonconforming uses that warrant treatment similar to that proposed for dwellings in the EEMU district, the Planning Commission and Council certainly could decide to treat them in the same manner. However, the existence—hypothetical or actual—of such uses does not affect the validity of the treatment of nonconforming dwellings in the EEMU district:

...a statute is not invalid merely because it might have gone further than it did. A legislature need not eliminate all evils at the same time; it may attack a problem step-by-step, starting with the worst abuses.¹⁰

The Planning Commission and Council may proceed to adopt an appropriate treatment of nonconforming dwelling uses in the EEMU district, without at the same time addressing all situations in the City where it might be appropriate to permit the expansion or reconstruction of a nonconforming use.

TFK/CMM

⁸ Principal dwelling uses also are not permitted under the present GC1 and GC2 zoning in this area.

⁹ Proposed HCC 21.27.020(hh).

¹⁰ *Barber v. Municipality of Anchorage*, 776 P.2d 1035, 1039-1040 (Alaska 1989).



City of Homer

Planning & Zoning

491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone (907) 235-3106
Fax (907) 235-3118
E-mail Planning@ci.homer.ak.us
Web Site www.ci.homer.ak.us

MEMORANDUM 12-021

TO: Mayor Hornaday and Homer City Council
THRU: Walt Wrede, City Manager
FROM: Rick Abboud, City Planner
DATE: February 6, 2012
SUBJ: **Ordinance 12-**, An Ordinance of the City Council of Homer, Alaska, Enacting Homer City Code Chapter 21.27, East End Mixed Use District, Amending Homer City Code 21.10.010, Zoning Districts, and Amending the Homer Zoning Map to Rezone Portions of the Rural Residential, General Commercial One and General Commercial Two Zoning Districts to East End Mixed Use.

Introduction

The Planning Commission is forwarding the Draft Ordinances for review. The HAPC has had 13 work sessions, 11 regular meetings, 1 public outreach meeting, and a public hearing regarding this issue.

Why

Amending the map and text to create the East End Mixed Used District (EEMU) directly fulfills objectives of the Homer Comprehensive Plan in many aspects. After reviewing the code and map, you will find that it furthers specific goals and objectives of the adopted Homer Comprehensive Plan. The foremost priority of any zoning text or map amendment is whether it is consistent with the comprehensive plan (HCC 21.95.040 (a) & HCC 21.95.050 (a)).

Goal 1, Objective A, Modifies zoning policies to expand commercial development. Implementation Strategy 4, Commercial districts – encourage residential uses, while recognizing the primacy of commercial and/or industrial uses. Objective B (map components), East End Mixed Use – A wide variety of commercial and industrial uses with access to the marina and airport. Objective C: Develop clear and well-defined land use regulations and update the zoning map in support of the desired pattern of growth. Implementation Strategy 1, Revise the City's existing zoning code, to reflect the general land use designations presented in Objective B and Appendix B.

Appendix B, Land Use Designations E-MU (EAST END MIXED USE)

- **Intent** The intent of the E-MU district is to allow a wide variety of commercial, industrial, and heavy industrial uses in a district with access to the boatyard, marine services, and the airport; and to ensure such uses, which are important to Homer's economy, continue to have a viable location.

- **Primary Use** Mixed-use development with fewer constraints on uses than existing GC-1 and GC-2. Designed to accommodate the wide range of uses found in the area today, as well as other future uses; examples include industrial, marine-oriented, construction services (including batch plants), storage, and artist workshops. Residential and retail are allowable, but residential/retail and commercial conflicts will be resolved in favor of commercial/industrial uses.
- **Other Uses, Allowances and Specifications**
 - Allows for mixed use, live/work, provides larger lots than would be available in CBD.
 - On-site parking required.
 - Guide use to create/maintain an attractive highway environment.
- **Development standards**
 - Minimal – basic guidelines for parking, setbacks.
 - Encourage basic landscaping.
 - Properties adjacent to the Conservation zone should use best management practices when developing near the southern edge of the property. Strategies may include, but are not limited to, 100 foot buffer zones along the southern property lines adjacent to the conservation areas, tree retention (bird habitat, moose cover), habitat and vegetation retention, and storm water and pollution management techniques. Developers are encouraged to use a combination of techniques to minimize impacts within 100 feet of the south property line and to provide for storm water filtration. Development is encouraged to concentrate on the northern portions of these lots. *-Homer Comprehensive Plan*

While I have spent an entire page to demonstrate the district's adherence to the Comprehensive plan, staff reports 11-90 and 11-91 answer the rest of the requirements found in code. The rest of the memo will be a brief of code and map amendment which can be studied in greater detail through the backup material. Again, the Planning Commission created this district to fulfill the objectives of the Homer Comprehensive Plan and it is not a reaction to any one specific item or issue.

What

Uses are a combination of General Commercial 1 & 2

A grand tally of all the permitted and conditional uses found in GC1 & 2 was made and combed through line by line by staff and the Planning Commission. Duplicates were resolved and it was determined that commercial activities would have priority over residential. Existing residential that would be eligible for "lawful nonconforming status" (lawfully constructed when allowed) are to be allowed outright and even allowed to expand or rebuild, but no more additional independent residential will be allowed. Any residential development will have to be made in conjunction with first establishing a commercial use.

Where

The entire area suggested in the comprehensive plan was evaluated

After initial review of GC1, 2 and residential areas, the commission listened to those who commented and excluded the residential area under consideration and added a lot requested by the owner that was contiguous to the district and next to the boat yard.

Result

The Planning Commission created a district that accommodates existing

development and allows additional opportunities for commercial activities

Staff and Planning Commission recommendation:

Adopt Ordinance 12-10

Attachments

1. Draft Ordinance 11-XX
2. Staff Report PL 11-122 and Memorandum dated December 7, 2011 and minutes
3. Staff Report PL 11-113 dated November 2, 2011 and minutes
4. Staff Reports PL 11-90 and 11-91 dated August 17, 2011 and minutes
5. Staff Report PL 11-83 dated August 3, 2011 and minutes
6. Staff Report PL 11-77 dated July 20, 2011 and minutes
7. Staff Report PL 11-59 dated May 18, 2011 and minutes
8. Staff Report PL 11-52 dated May 4, 2011 and minutes
9. Staff Report PL 11-41 dated April 6, 2011 and minutes
10. Staff Report PL 11-35 dated March 16, 2011 and minutes
11. Staff Report PL 11-26 dated March 2, 2011 and minutes
12. Staff Report PL 11-22 dated February 16, 2011 (Work Session-No Minutes)
13. Staff Report PL 11-01 dated January 5, 2011 and minutes
14. Staff Report PL 10-104 dated November 3, 2010 and minutes

Jo Johnson

From: Frank Griswold [fsgriz@alaska.net]
Sent: Wednesday, February 15, 2012 1:47 PM
To: Jo Johnson
Cc: Holly Wells; Thomas Klinkner
Subject: Proposed Ordinance 12-10

Dear Mayor and Council members,

There is no public need or justification for proposed Ordinance 12-10. While "accommodating existing uses" may sound like a laudable goal, it is not a legitimate zoning objective. The existing zoning of this area was enacted to promote the public health, safety, and welfare and has a presumption of validity. The proposed rezone creates conflicts between commercial uses and residential uses thereby endangering the public health, safety and general welfare. Zoning is supposed to separate conflicting uses, not bring them together. Simplistically mandating that conflicts between commercial uses and residential uses shall be resolved in favor of commercial uses does nothing to resolve those conflicts; this ambiguous and meaningless mandate underscores the fact that conflicts are being created instead of being prevented. When a child in the newly created zone strays from his residential yard and gets run over by a gravel truck, is that child going to be cited for hindering the progress of a commercial vehicle? Will the residents of the rezoned area have no recourse when the air they breath is contaminated by an autobody paint shop or other commercial use? After more single family homes are constructed and there is no more space available for commercial uses, will residential zones elsewhere be rezoned to accommodate commercial uses?

The deliberately obfuscated purpose of this rezone is to relax the restrictions on expanding/reconstructing a grandfathered (nonconforming) single family residence in order to facilitate the sale of a property which would otherwise be hindered because most financial institutions are reluctant to finance homes that cannot be reconstructed following a fire etc. Nonconforming structures occur throughout the city and there is a strong public policy favoring their discontinuation. Transforming nonconforming structures into conforming structures through the rezoning process in order to facilitate financing and home sales does not constitute a strong public policy. Furthermore, the equal protection clauses of the US Constitution demand that people similarly situated must be treated the same. Does the city intend to accommodate every grandfathered property owner in the city via rezone every time his nonconforming structure is denied financing due to the city's prohibitions on reconstruction?

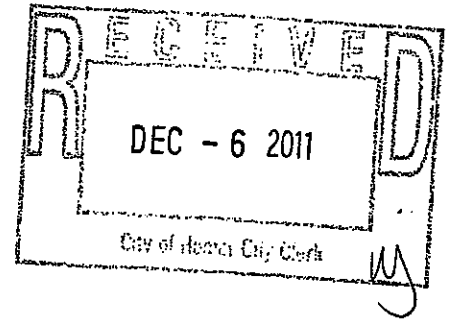
Professor Richard L. Settle stated as follows in Washington Land Use and Environmental Law and Practice § 2.11(c) (1983) :

The vice of "spot zoning" is not the differential regulation of adjacent land but the lack of public interest justification for such discrimination. Where differential zoning merely accommodates some private interest and bears no rational relationship to promoting legitimate public interest, it is "arbitrary and capricious" and hence "spot zoning."

It would be appropriate for the City Council to obtain a legal opinion as to whether accommodating existing uses is a legitimate zoning objective, whether there is a legitimate public need/justification for Ordinance 12-10, whether Ordinance 12-10 discriminates against the owners of nonconforming structures throughout the city, and whether Ordinance 12-10 otherwise constitutes spot zoning.

Frank Griswold

Frank Griswold
519 Klondike Avenue
Homer, Alaska 99603



December 6, 2011

Homer Advisory Planning Commission
FAX: 235-3118

Re: Proposed East End Mixed Zoning

Dear Commissioners:

City Planner Rick Abboud is quoted in this week's Homer News as follows: "We recognized the current zoning of that area doesn't necessarily accommodate all the activities that are there." So what? It is not the purpose of zoning to accommodate all existing activities. If it were, the city would be obligated to accommodate the existing activities of Mike Kennedy instead of taking him to court. One primary purpose of zoning is to protect the health, safety and welfare of the general public by separating conflicting uses. The proposed rezone would endanger the public health, safety and welfare by allowing residential uses adjacent to commercial/industrial uses. It would also reduce the extremely limited space where commercial/industrial uses can legally operate within Homer city limits.

The Homer News states, "Existing homes would be allowed, and homeowners could remodel, expand and rebuild homes." Existing homes in the subject area are either grandfathered or illegal i.e., constructed after zoning laws prohibiting them were implemented. The true purpose of this proposed rezone is to facilitate the financing and sale of one grandfathered residence by allowing it to be remodeled, expanded, and/or rebuilt. Financial institutions are often reluctant to finance a structure that cannot be rebuilt following a fire etc. Prohibiting the rebuilding of a grandfathered use or structure promotes the discontinuation of that use or structure which is generally considered to be a good public policy. Facilitating the financing for the sale and perpetuation of a nonconforming structure is not listed in the Homer City Code as one of the purposes of zoning.

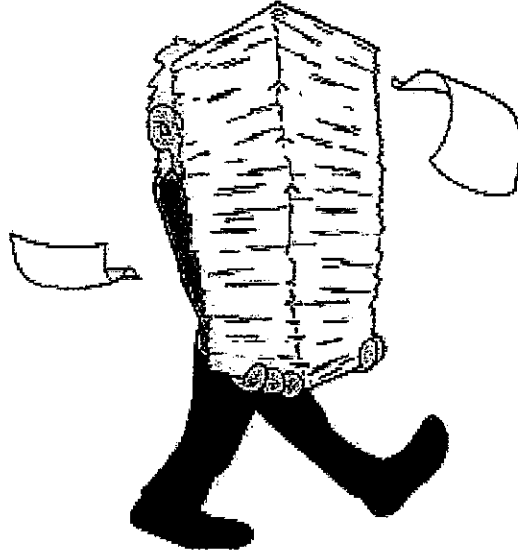
If the proposed rezone is enacted, there would be scores of grandfathered uses and structures within Homer's other zoning districts that would remain subject to restrictions on rebuilding, expanding, and remodeling. Lending institutions would be reluctant to finance those non-rebuildable grandfathered uses and structures. If the city allows grandfathered property owners in one zoning district to rebuild, remodel, expand, and obtain financing, then the equal protection clause of the US Constitution mandates that those privileges be bestowed on *all* similarly situated property owners.

No public purpose is served by the proposed rezone and it should be voted down. If the restrictions on grandfathered property owners are deemed unduly onerous and/or unfair, this issue should be addressed on a city-wide basis.

Sincerely,

A handwritten signature in cursive script that reads "Frank Griswold". The signature is written in dark ink and is positioned above the printed name.

Frank Griswold



In an effort to reduce paper:
Please bring supporting
documents to Ordinance 12-10.
These can be found in the
February 13th packet.

ORDINANCE(S)

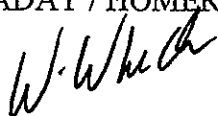
CITY MANAGER'S REPORT

MANAGERS REPORT

February 27, 2012

TO: MAYOR HORNADAY / HOMER CITY COUNCIL

FROM: WALT WREDE



UPDATES / FOLLOW-UP

1. Natural Gas: We met with Enstar representatives this week to go over design and cost estimates for the distribution system. I asked Enstar to provide cost estimates for three LID options for Council consideration. Those options are 1) the "core area" 2) the entire City limits and 3) the core area plus a loop that goes up West Hill, across Skyline, and down East Hill. At the last meeting, Council members had several questions for Enstar. Answers to those questions are attached. This agenda contains a resolution expressing support for the \$1.00 per mcf increase idea. We anticipate that ordinances amending the code to provide for gas main LIDs and for regulation of gas main utilities in the ROW will be ready for introduction at the first meeting in March. A resolution expressing the necessity to create an LID and starting the process to seek landowner approval can be expected in April.
2. Customer Charge / Multi-family Dwellings: The new customer charge for residential units in multi-family dwellings which was approved by the Council last year is about to go into effect. Some of you have been contacted by apartment building owners who have expressed disapproval. It might be a good time to remind ourselves why the Council enacted this change. Customer charges for residential units within multi-family dwellings are very common. The staff have been recommending this for a number of years and Council approved it in June as part of setting the overall fee schedule for the next two years. Recall that the Council changed the commodity fee from commercial to residential and added the customer fee for each unit. Customer charges cover the fixed costs associated with maintaining the infrastructure. In December, the Council dropped the requirement that each unit have a separate meter and went with an administrative charge instead in part, to save money for contractors and dwelling owners. The Council made the change to customer charges for the following reasons:
 - Fairness: it was seen as unfair that single family homes paid a customer charge but apartments did not. Everyone benefits from the distribution system, fire hydrants etc. being maintained properly. This spreads the cost more equitably.
 - Increase Customer Base: One of the goals of the Council has been to increase the customer base to balance the budget and keep the Water and Sewer Fund in the black. This added approximately 400 customers and significant additional revenue.
 - Stable Fees: The Council did not wish to raise the basic fees for water and sewer for the next two years. The Council was able to keep fees at the current level with no increases by reducing its contribution to

depreciation reserves to a minimal amount and spreading costs more equitably among the residential customer base.

3. Health Insurance Broker: During the budget discussions at the end of last year, the Council approved an employee contribution toward the cost of providing health insurance. During this discussion, the Mayor and several Council members expressed an interest in having a workshop with the city insurance broker, Jeff Paxton. That workshop has been scheduled for 4 Pm on March 19th. I would be interested in hearing what topics the Council may wish to discuss and learn more about. Some topics may have to be in executive session depending upon how deep you want to get into the details of things like spending on certain types of coverage (HIPPA and privacy regulations). For now, I have indicated to Jeff that we would like him to discuss broad topics that could be discussed in open setting such as trends in health care costs, city spending on insurance, projected costs in the future, ways to control costs and the role of the broker, and the impacts on Homer that the new Health Care law will have, including the tax implications.
4. Term Contracts: Carey has issued a request for proposals for engineering services for term contracts. The two are for engineers to provide civil (roads, trails, drainage, etc) and water and sewer engineering services. Another RFP is on the way for marine engineering. Term contracts have worked very well for us in the past. They allow us to move quickly and be more efficient because we do not have to issue an RFP every time a new project comes up. This will help us move ahead quickly on some of the capital projects we have and in some cases, provide the project management assistance we need.
5. Airport Doors: In the 2011 Operating Budget, the Council approved \$25,000 to replace the glass sliding doors at the airport terminal. The building maintenance staff has been researching different types of sliding glass doors and companies that would provide and install them. The staff has been spending many hours repairing and nursing these doors along and recently they have become inoperable on occasions. Sometimes the doors are stuck in the open position; something we clearly do not want in the winter. (See attached memo from PW Superintendent.) It was necessary to take action immediately. The Council has already approved the money but we did not have time to bring you a resolution approving the contract. Lakeshore Glass of Homer was the lowest responsible bidder at \$21,850. Work is proceeding.
6. HB 312: This is a bill that we are watching closely which could have big impacts for Homer residents if natural gas arrives in the community. Katie testified in favor at a hearing last week and Linda Anderson is working on it as well. Council has not formally expressed an opinion on this one so we want to bring it to your attention and make sure you knew that we are working on it. HB 312 would provide low interest loans to businesses and residents who wish to make the conversion to natural gas.
7. Building Art: This agenda contains a memorandum with recommendations from the Public Arts Committee regarding how public art should be displayed in the expanded and renovated City Hall. There are other locations within the building that are calling out for art and the Arts Committee has expressed a willingness to help secure it. That raises a number of issues about the donation of art and the

display of art by local residents in public buildings that probably should be discussed. It would be good to have policies in place before we leap into this. We have already addressed this issue to some degree at the library.

8. Community Recreation Program: New schedules for sports activities at the High School and Middle school have been established that put a severe squeeze on Community Recreation Programs. Some of the most popular programs (most participants and most revenue) will be seriously impacted and may even have to be cancelled. The future of the program is uncertain and the current contract with the School District expires at the end of June. This has renewed interest in moving some if not all of the Community Rec. Programs to the HERC Building. It would be good if Council could have a discussion about this sometime soon.

ATTACHMENTS

1. Enstar responses to Council Questions
2. Memorandum from PW Superintendent re: Airport Terminal Sliding Glass Doors



**CITY OF HOMER
PUBLIC WORKS DEPARTMENT**

Jan C. Jonker, Superintendent
3575 Heath St.
Homer, Alaska 99603

Telephone: (907)235-3170
Fax: (907)235-3145

EMAIL : jjonker@ci.homer.ak.us

MEMORANDUM

To: Walt Wrede, City Manager

From: Jan Jonker, Public Works Superintendent 

Thru: Carey Meyer, PW Director *CM*

Date: Tuesday, February 14, 2012

Subject: **Airport Front Entry Door Replacement**

Discussion

Both sliding automatic front entryway doors are in urgent need of replacement. The doors are frequently inoperable and parts for repairs are no longer available due to the manufacturer being out of business for several years. These doors are worked on, on a weekly basis just to keep them operational. They are severely worn out and have been "bandaged" numerous times just to keep them in a semi operational status.

The existing doors were installed in 1999 at a cost of \$21,750.00.

Our Building Maintenance Supervisor has expended substantial time researching the best available direct replacement option, and we sent out a written RFP to two local area vendors for this work. One responded with a proposal and the other wished to provide a substitution and declined to bid according to our specifications.

The two vendors are;

- Lakeshore Glass, Homer, Alaska \$21,850.00
- Doors & Windows, Soldotna, AK declined bid

The work includes all labor and materials associated with the removal and disposal of the existing doors and all labor and materials associated with providing and installation of the new doors.

Recommendation

Approve the Purchase Order to Lakeshore Glass in the amount of \$21,850.00 for this work.

Financial Note

\$25,000.00 was approved from the Airport Reserve Account No. 156.388 in the 2011 Budget.

CITY OF HOMER
2011 OPERATING BUDGET

Airport Reserves
156 - 388

Acct #	2008	2009	2010	2011
	Actual	Actual	Budget	Budget
Beginning Balance	118,168	133,656	66,529	23,652
4992 Annual Transfer	15,088	6,035		
4990 General Fund Reserve trsf				25,000
4610 Bids/Specs Revenue	400			
5xxx Expenditures		(73,162)	(9,377)	(25,000)
Subtotal	133,656	66,529	57,152	23,652
Encumbered			(33,500)	
Ending Balance	<u>133,656</u>	<u>66,529</u>	<u>23,652</u>	<u>23,652</u>

Expenditure Detail

Ord #	2008		2009		2010		2011	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Carpet	25,000							
Airport Flooring Upgrade	45,000			73,162				
Repaint Interior Budget			25,000					
Replace Bathroom Counter/Si Budget			8,500					
Roll up baggage Door						7,725		
Energy Fund Transfer 10-14						1,652		
Airport glass front doors							25,000	
	<u>70,000</u>	-	<u>33,500</u>	<u>73,162</u>	-	<u>9,377</u>	<u>25,000</u>	

Request for Proposal

Public Works Department
City of Homer, Alaska
08 February 2012

Airport Door(s) Replacement

Please provide a "Lump Sum" bid to remove and dispose of existing **two** sliding main entry doors and install **two** Horton Proslide Telescoping series 2003T type 110T SX-X-O at the Homer Alaska Airport.

This bid shall include the costs for the following:

1. Check for correct size and model for operation at the Airport.
2. Ensure the existing power supply is compatible for the new doors.
3. Ordering, procurement and shipping to the Homer Airport.
4. Labor and all parts necessary for removal and disposal of the two existing doors.
5. Labor and all parts for preparation, installation and testing of the new doors.
6. Transportation and per diem costs for all workers.
7. Operation of new doors training for Building Maintenance personnel and possibly some Airport employees.
8. Training of preventative maintenance for Building Maintenance personnel.
9. Warranty information.

Due to one of the doors being inoperative at this time please fax your bid to City of Homer Public Works Dept. (907) 235-3145 by 13 February 2012. If you have any questions please feel free to call Mike Riley at (907) 399-7808.

If you do not desire to bid on this work, please sign this proposal at the bottom, indicate no interest and fax to City of Homer Public Works Dept. @ 235-3145

Thank you for your interest.


Mike Riley

Building Maintenance



February 13, 2012

Attention: Mike Riley

Here is our lump sum bid for two Horton Proslide Telescoping series 2003T type 110T SX-X-0 installed at the Homer Airport. This includes the removal and disposal of the two existing doors at the airport.

Total Cost: \$21,850

Sincerely

Larry Martin, Owner

A handwritten signature in black ink, appearing to read "Larry Martin", is written over the typed name.

907-235-8505

Fax 907-235-8065

1371 Lakeshore Drive

Homer, Alaska 99603

262-9151

**S&H Enterprises Dab
Doors/Windows**

Memo

2/10/12
Called &
advised
NO substitutions.
JS

To: Public Works Department
Attn: Mike Riley
Date: 2/9/2012
Re: Homer Airport Automatics

Good Afternoon Mike,

We received request for quote on the Automatic Doors for the Airport in Homer this afternoon.

The only question I have is. Will the City of Homer accept substitution requests to the specified Horton Automatic Doors.

I have attached the Specified Horton Cut sheet for review to the substitution Tormax Cut sheet. We would provide all required as specified per your request as equal or better than.

I could send submittal Informational, and product data along with pricing and lead time.

~~Please advise otherwise we will pass on quotation request.~~

Thank you again for the opportunity,

John Straume

President

ProSlide®

Series 2003 Belt Drive System



For High Traffic Commercial Entrance Applications

This heavy duty belt drive door system is engineered to provide long life and quiet operation in a high traffic environment.

Exclusive standard system features:

- Heavy duty drive-train with 1/8 HP motor and 3/4" steel reinforced belt drive system
- Durable 6" X 6" header
- High quality steel carriage wheels with ball bearing design
- Fully replaceable nylon covered aluminum carriage track
- Patented panic breakout system featuring a solid bar wheel carriage with continuous interlocking. This ensures dependable emergency breakout without sagging, along with effortless resetting.
- Adjustable astragal with double weatherseal captured in door panel extrusion. This ensures lasting and superior weatherseal.
- Superior high-strength corner block construction for all door panels for years of dependable service



Specify Horton and demand AAADM certified installation

AAADM American Association of Automatic Door Manufacturers



Custom Applications & Options

- Transom with glass division
- Additional horizontal rails & vertical stiles
- Narrow, medium & wide stile construction
- Glass stops for 1/4" to 1" glazing

Additional Features/Benefits

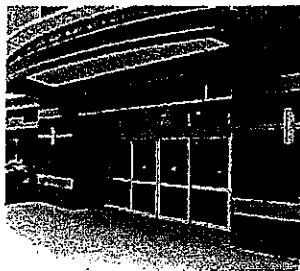
- Available in a variety of anodized, paint or clad finishes
- Accommodates slide panels up to 250 lbs.
- Exclusive dual safety beams for added threshold protection
- Microprocessor control with built-in diagnostics
- Selectable operating modes
- Easily adjustable opening & closing speeds
- Manual operation in case of power failure

Did You Know?



Horton was the first in the industry to gain nationwide building code acceptance for the automatic sliding door.

Sliding Door Systems



ProSlide®

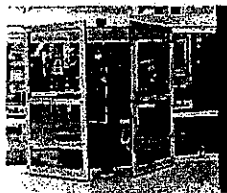
Series 2003 Belt Drive System

Door units are typically actuated with header mounted sensor at interior & exterior for detection of traffic in each direction. Door closes after time delay expires. Remote control or security system actuation are available.)

Installation and Operation

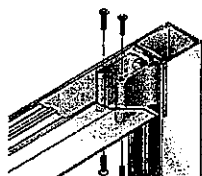
Electrical Requirements:

120, 220 VAC, 50 - 60 Hz,
single phase, 15 amp service.
Current draw - 3.15 amps.



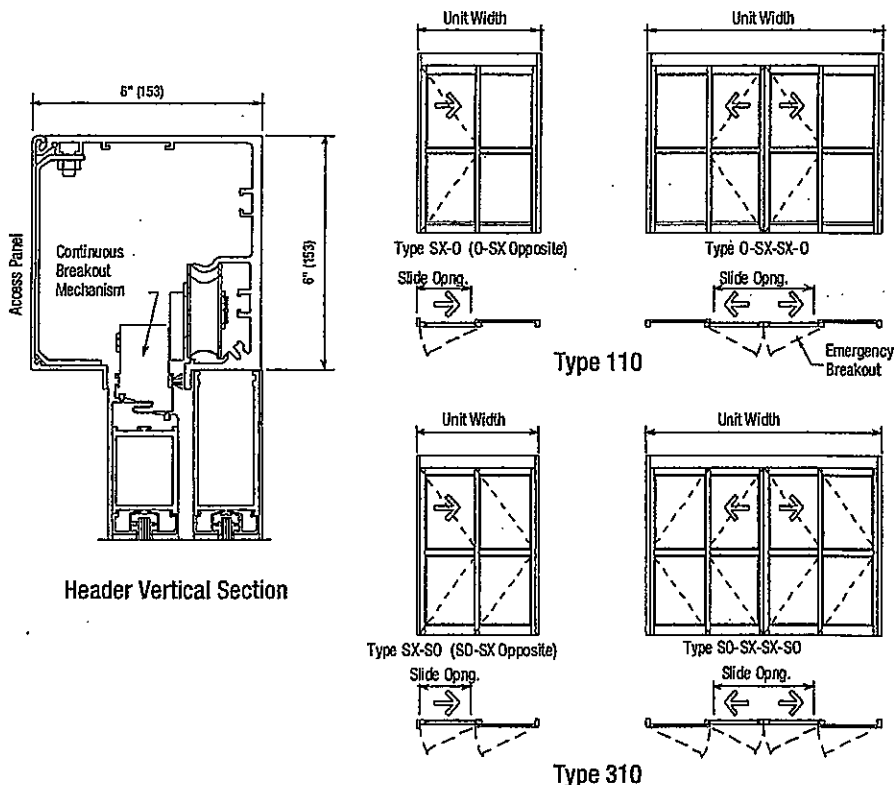
Breakaway Slide Panels

Compliant with NFPA 101
& ANSI A156.10



Corner Block Design

Exclusive mortise-style
corner block construction
is far superior to mass
produced panels with
thru-bolt construction.



Model	Unit Width	Maximum Slide Opening	Breakout Opening	
			Type 110	Type 310
Single Slide	7'-0" (2134)	3'-0" (914)	3'-3 1/2" (1003)	6'-3" (1905)
	8'-0" (2438)	3'-6" (1067)	3'-9 1/2" (1156)	7'-3" (2210)
	8'-6" (2591)	3'-9" (1143)	4'-0 1/2" (1232)	7'-9" (2362)
	9'-0" (2743)	4'-0" (1219)	4'-3 1/2" (1308)	8'-3" (2515)
Bi-part	8'-0" (2438)	3'-0" (914)	3'-7" (1092)	6'-9 1/2" (2070)
	9'-0" (2743)	3'-6" (1067)	4'-1" (1245)	7'-9 1/2" (2375)
	10'-0" (3048)	4'-0" (1219)	4'-7" (1397)	8'-9 1/2" (2680)
	12'-0" (3658)	5'-0" (1524)	5'-7" (1702)	10'-9 1/2" (3289)
	14'-0" (4267)	6'-0" (1829)	6'-7" (2007)	12'-9 1/2" (3899)
	16'-0" (4877)	7'-0" (2134)	7'-7" (2311)	14'-9 1/2" (4509)



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Walt Wrede

From: Walt Wrede
Sent: Wednesday, February 08, 2012 10:12 AM
To: 'Charlie Pierce'; John Sims
Subject: Questions from the City Council

John / Charlie:

Good Morning. Hope all is well.

The Homer City Council conducted a workshop this past Monday night to discuss the proposed gas line and the distribution system within the Homer City limits. The topics included the proposed \$1.00 per mcf tariff and financing options for the local mains and distribution system. The Council asked me to move ahead with drafting the ordinances and resolutions that would be necessary to do things like establish LIDs, regulate gas lines within ROWs, and borrow money or sell bonds. A pretty tight timeframe was discussed in which to get these steps accomplished.

As you know, borrowing \$ 6 Million dollars or more is a big risk for a City of this size regardless of how large the potential benefits might be. Before going too much further, the Council would like Enstar to answer a few fundamental questions that could affect how that risk is weighed in the community. You are welcome to answer these questions in writing and/or to attend the next meeting and discuss these issues with the Council in person. I have attempted to answer some of these questions but I cannot speak for Enstar and it would be best that the answers come directly from you.

The questions are:

1. Enstar was just sold to a Canadian Company. Has anything changed with respect to the corporate view of this project? Are any delays anticipated while this is reviewed by the new parent company?
2. Enstar has the RCA certificate to provide service to the Homer area. How long is this good for? What is the expiration date?
3. The gas supply. You have informed the Council on several occasions that you have contracts with suppliers that secure a gas for your customers for the next few years only. What are the prospects for the future? How can the Council be assured that there will be an adequate supply of gas well into the future if it is going to make this type of investment in infrastructure?
4. Safety questions. The Mayor has brought this up before but the recent event in Soldotna has heightened concern. What can you tell the Council about the safety record and about how the new system will be designed and engineered to be as safe as possible.
5. Since Enstar will end up owning the improvements, why can't it just finance it all itself. Please explain why Enstar cannot finance and construct the distribution system itself. You have addressed this topic before but doing so again would be helpful.
6. Is the pipeline sized and designed such that it could possibly be used to ship or receive gas from the Homer Deep Water Dock?
7. Can the new transmission line be a two way line or is it just being built to bring gas to customers in the Homer area? In other words, if a new gas well were discovered in the Homer area, could this line be used to ship gas north to the rest of the distribution system?
8. The Council has expressed interest in looking at extending mains through-out the entire City, not just the "core area." Can you provide a design, time table for build-out, and cost estimates for extending mains to the City limits?
9. Permitting. The Corps of Engineers has expressed a willingness and desire to begin work on the permitting now, before all of the funding is secured. Enstar would be the applicant. Are you prepared to get started on the permitting so that if funding is secured in July, you will be able to keep the tight construction schedule you have outlined out for the public?

10. Is Enstar committed to "upfronting" the 2.5 Million dollars that would be needed under the proposed \$1.00 per mcf scenario? Is Enstar on board with this plan?

Thanks. We look forward to your response.

Walt

Walt Wrede

From: John Sims [John.Sims@enstarnaturalgas.com]
Sent: Friday, February 10, 2012 4:40 PM
To: Walt Wrede
Cc: Charlie Pierce; Inna Johansen
Subject: Questions from the City Council

Walt,

Please review the answers to my questions below.

1. AltaGas is familiar with the proposed Homer project and the challenges associated with serving the area, there should be no immediate impact on our planning at this point.
2. There is no expiration date to a certificated service area.
3. There are never any guarantees with gas supply. That being said, efforts are underway to secure short-term and long-term supplies of natural gas for customers including forecasted growth.
4. Operating and maintaining a safe and reliable system is ENSTAR's top priority. The recent incident in Soldotna was not related to company facilities.
5. When extending a utilities service area ENSTAR's tariff states, "The Utility may require a Contribution in Aid of Construction when the estimated total load during the life of the Main Extension is insufficient to avoid an undue cost burden on existing Customers." ENSTAR must follow its tariff and cannot discriminate against other customers. In other words, the RCA is not going to approve of ENSTAR's current customers (132,000) subsidizing Homer customers (estimated at 2200).
6. No, the pipeline would not be adequate to handle the volumes or pressure required for that type of project.
7. If new gas supplies were discovered in the Homer Area, the pipelines being considered for this project would not be adequate to handle the volumes or pressures required to send gas to the rest of the system. However, gas discovered in the Homer Area could be used to serve Homer.
8. ENSTAR can work with the City of Homer to provide the requested information.
9. ENSTAR's Right of Way department has a meeting scheduled with the Corps of Engineers the week of February 13 to go over project scope, definition of requirements and other information related to the project. Please define your understanding of the "tight construction schedule." From ENSTAR's perspective, if the dollars are allocated in 2012, the project would commence in 2013.
10. ENSTAR is committed to the proposed \$1.00/Mcf surcharge with the understanding that it will require Regulatory Commission approval and minor changes to the existing tariff sheet.

Please feel to contact me with any further questions.

John Sims

Director, Corporate Communications & Customer Service

Office: (907) 334-7625

Cell: (907) 748-2022

Fax: (907) 334-7671

Office of the City Clerk

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



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

MEMORANDUM - REPORT

TO: MAYOR HORNADAY AND HOMER CITY COUNCIL
FROM: MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK
DATE: FEBRUARY 21, 2012
SUBJECT: BID REPORT

DEEP WATER DOCK FENDER REPAIR Sealed bids for the construction of Deep Water Dock Fender Repair project will be received at the Office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska, until 2:00 pm, Thursday, March 15, 2012, at which time they will be publicly opened and read. The time of receipt will be determined by the City Clerk's time stamp. Bids received after the time fixed for the receipt of the bids shall not be considered. Bidders are required to be on the City's plan holder's list for their bid to be considered. To get on the list and to access bid documents contact: City Clerk, 491 E. Pioneer Avenue, Homer, Alaska 99603, (907) 235-3130.

CITY ATTORNEY REPORT

COMMITTEE REPORT(S)

PENDING BUSINESS

NEW BUSINESS

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 12-027

TO: MAYOR HORNADAY AND CITY COUNCIL
FROM: PUBLIC ARTS COMMITTEE
THROUGH: WALT WREDE, CITY MANAGER
DATE: FEBRUARY 14, 2012
RE: RECOMMENDATION ON PLACEMENT OF EXISTING CITY OWNED
ARTWORK WITHIN CITY HALL PUBLIC AREAS

Introduction :

The Public Arts Committee was given permission by the City Manager to provide their input and submit recommendations on where the city art collection should be displayed within the new and renovated City Hall building.

The Public Arts Committee goal is to bring to the public's attention the many wonderful pieces of art the City of Homer has accumulated over the years. It is noted that many of these pieces were hidden away from the public view tucked away in cluttered cabinets and out of the way nooks and wall spaces as the building expanded over the years and the artwork was collected.

The Public Arts Committee at a Special Meeting on February 8, 2012 appointed by consensus Committee member Gaye Wolfe to work with Staff. The committee acknowledged that due to the immense collection and lack of secure display cabinets to exhibit the smaller pieces in the collection, a rotation schedule should be created and executed on a quarterly or bi-annual time frame.

The attached recommendations are a result of a walk through performed on February 13, 2012 by Ms. Wolfe with staff present. Full consideration was given to preferences expressed by staff within the building. It must be noted that the immense collection prohibits recommendations on displaying individual pieces at one time. The Public Arts Committee recommends a staged approach to accomplish this task.

RECOMMENDATION:

Approve the recommendations of the Public Arts Committee as presented to display the City of Homer Art Collection.

Public Arts Committee Display Recommendations

<u>Artwork Description/From</u>	<u>Recommended Location</u>
Wooden Birds – Russian Sister City	SW Wall (Blue) at bottom of Stairs across from Elevator
Metal Boat/Don Henry	Temporary Loan from Port & Harbor
Airplane Propeller/Don Henry	Temporary – to be relocated to Airport when proper base is purchased or fabricated
Painting of a Volcano/Russian Sister City	TBD
Green Trees/Diana Tillion	City Clerk’s Office East Wall /Left Side
Moonlight/Diana Tillion	Elevator Lobby/North Wall –Across from Elevator
Tree with Crows/Diana Tillion	Elevator Lobby/North Wall – Across from Elevator
Horses in a Snowstorm/Diana Tillion	Elevator Lobby/North Wall – Across from Elevator
Carved Fish – Wooden/Sister City Teshio	East Wall Lobby – Upstairs – Across from Administration Entrance
Warrior Helmet – Sister City Teshio	SE Corner at entrance to Administrative Offices
Matching Small Mirrored Outlines Japan Plaques/Sister City Teshio	Hang on walls above Warrior Helmet at entrance to Administrative Office
Two framed Scarves/Sister City Teshio	West Wall behind Receptionist Desk placed on horizontal
Stitched and Embroidered Japanese Dolls in case/Sister City Teshio	West wall behind Receptionist desk placed between the two scarves
Large Two Warrior Linen Wall Hanging /Sister City Teshio	East Wall Conference Room
Samurai Warrior on Horse Wall Hanging/Sister City Teshio	West Wall Conference Room – Left of Thermostat
Samurai Swords (1 long 1 short)/Sister City Teshio	West Wall Conference Room – Right of Thermostat
Large Painting Homer and Teshio Blend/Sister City Teshio	SW Wall Right Side Council Chambers
Political Drawings (7) Mike O’Meara	NW Wall to the Left of the Clerks Table Council Chambers
Painting of Brother Asaiah/Sherry Greer	NW Wall just to the left of the City Clerk’s position in Council Chambers below speaker
Mural Photograph Citizens of Homer/Alan Parks	Main Hall Right Side Downstairs Clerk’s Office to the Planning Department
Small Wooden Owl/Sister City Teshio	City Clerk’s Office East Wall

Children's Artwork Various mediums/Sister City Teshio	Placement in Public Restrooms, NW Wall to the Right of the Upstairs Public Restroom
Homer Pennock framed Photograph	East Wall, main entrance to the immediate left can be on a rotational basis. Keep items minimal to reduce clutter.
Homer Historical items variety limited to 2 or 3 additional items	
Notice Board Public Meetings/Informational Bulletin Board	Main Entrance Pioneer Avenue
Homer, Alaska Teshio, Japan Sister City Sign	Secondary Entrance Foyer Conference Room
Smaller Display Items – Varied – Russian and Japan Sister City	Main Display Cabinet – Conference Room
Documentation items – Rotary – Awards	TBD
Large Glass Encased Shrine/ Sister City Teshio	TBD
Musical Instrument/Sister City Teshio	TBD – Rotational Schedule Item
Wooden Golf Clubs/Sister City Teshio	TBD – Rotational Schedule Item
Wooden Spoon	TBD – Rotational Schedule Item
Gold & Black Swan Wooden Bowl with Cups	TBD – Rotational Schedule Item
Aqua Colored Vase with Bamboo Arrangement	TBD – Rotational Schedule Item
Carved Burl Vase	TBD
Ceramic vase	TBD
Wooden Shoes	TBD
Cloth Fan/Sister City Teshio	TBD – Rotational Schedule item
Miscellaneous Pictures and Plaques – Achievements, Visits, etc.	TBD

The Public Arts Committee further recommends purchase of additional display cabinetry that can be locked, and framing of current art for protection and preservation.

RESOLUTION(S)

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager

4 RESOLUTION 12-017
5

6 A RESOLUTION OF THE CITY COUNCIL OF HOMER,
7 ALASKA, EXPRESSING SUPPORT FOR A ONE DOLLAR
8 PER MCF TARIFF INCREASE ON THE PRICE OF NATURAL
9 GAS IN THE AREA SERVED BY THE PROPOSED SOUTH
10 PENINSULA NATURAL GAS PIPELINE AS A LOCAL
11 CONTRIBUTION TO THE COST OF CONSTRUCTING THE
12 LINE.
13

14 WHEREAS, Capital funding for a natural gas transmission line from Anchor Point to the
15 Homer area has been approved by the Legislature but vetoed by the Governor in each of the past
16 two years; and
17

18 WHEREAS, The Governor has stated that he wanted to see a local contribution toward
19 construction of the transmission line independent of and separate from the local financing for the
20 distribution system that would also be necessary; and
21

22 WHEREAS, It has been determined that a one dollar per mcf tariff increase that was
23 approved by the Regulatory Commission of Alaska for a different project to bring natural gas to
24 Homer is still active and could be applied to this project; and
25

26 WHEREAS, The proposal on the table for consideration by the Governor is that local gas
27 consumers would pay a one dollar per mcf increase in the price of natural gas until \$2.5 Million
28 dollars is raised; projected by Enstar to be approximately 10 years; and
29

30 WHEREAS, Enstar Natural Gas Company has expressed support for the concept and is
31 willing to "upfront" the \$2.5 Million necessary to match the requested funding from the state.
32

33 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby expresses
34 its support for a one dollar per mcf tariff increase on the price of natural gas in the area served by
35 the proposed South Peninsula Natural Gas Pipeline as a local contribution to the cost of
36 constructing the line.
37

38 PASSED AND ADOPTED BY THE HOMER CITY COUNCIL this 27th day of
39 February, 2012.
40

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

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ATTEST:

JO JOHNSON, CMC, CITY CLERK

Fiscal Note: N/A

COMMENTS OF THE AUDIENCE
COMMENTS OF THE CITY ATTORNEY
COMMENTS OF THE CITY CLERK
COMMENTS OF THE CITY MANAGER
COMMENTS OF THE MAYOR
COMMENTS OF THE CITY COUNCIL
ADJOURNMENT

