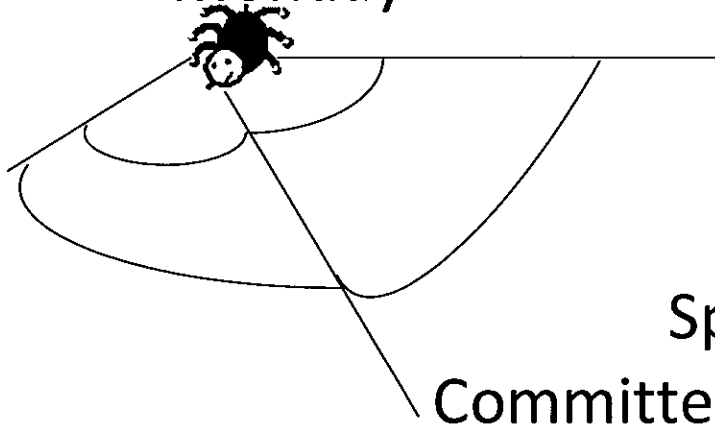
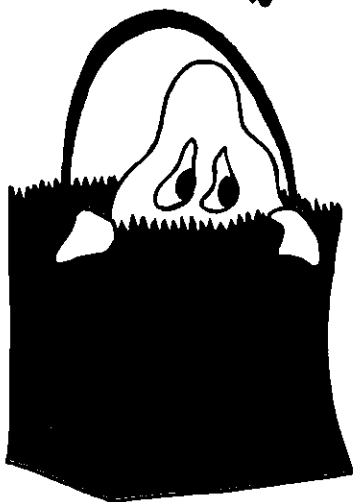
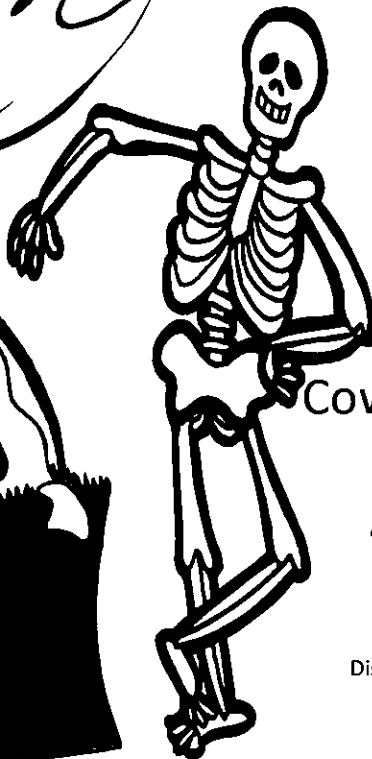
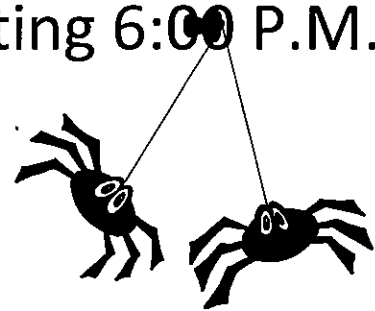


City Council  
October 22, 2012  
Monday



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 -10/17/2012-rk





# OCTOBER/NOVEMBER 2012

- Monday 22<sup>nd</sup>** CITY COUNCIL Special Meeting 4:00 p.m., Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.
- ABSENTEE VOTING for the General Election begins.
- Tuesday 23<sup>rd</sup>** BAYCREST OVERLOOK IMPROVEMENT COMMITTEE Meeting 10:00 a.m.
- WATER & SEWER RATE TASK FORCE Meeting 5:15 p.m.
- Wednesday 24<sup>th</sup>** PORT AND HARBOR ADVISORY COMMISSION Regular Meeting 5:00 p.m.
- Thursday 25<sup>th</sup>** LIBRARY LANDSCAPE COMMITTEE Noon to 1:00 p.m. at Library.
- PARKS AND RECREATION ADVISORY COMMISSION Regular Meeting 5:30 p.m.
- Monday 29<sup>th</sup>** GAS LINE NEIGHBORHOOD MEETING 5:00 – 7:00 p.m. Homer High School Commons.
- Tuesday 20<sup>th</sup>** BAYCREST OVERLOOK IMPROVEMENT COMMITTEE Meeting 10:00 a.m.
- Thursday 1<sup>st</sup>** KAREN HORNADAY PARK COMMITTEE Meeting 5:30 p.m.
- Tuesday 6<sup>th</sup>** GENERAL ELECTION – Polls open at 7:00 a.m. and close at 8:00 p.m.
- BAYCREST OVERLOOK IMPROVEMENT COMMITTEE Meeting 10:00 a.m.
- LIBRARY ADVISORY BOARD Regular Meeting 5:00 p.m.
- Wednesday 7<sup>th</sup>** PLANNING COMMISSION Worksession 5:30 p.m. and Regular Meeting 6:30 p.m.
- Thursday 8<sup>th</sup>** PERMANENT FUND COMMITTEE Meeting 5:15 p.m.
- Monday 12<sup>th</sup>** CITY OFFICES CLOSED IN OBSERVANCE OF VETERANS DAY.
- Tuesday 13<sup>th</sup>** BAYCREST OVERLOOK IMPROVEMENT COMMITTEE Meeting 10:00 a.m.
- WATER AND SEWER RATE TASK FORCE Worksession 5:15 p.m.
- ECONOMIC DEVELOPMENT ADVISORY COMMISSION Regular Meeting 6:00 p.m.
- Wednesday 14<sup>th</sup>** PUBLIC ARTS COMMITTEE Special Meeting 5:00 p.m.

**Thursday 15<sup>th</sup>**                    **PARKS AND RECREATION ADVISORY COMMISSION**  
**Regular Meeting 5:30 p.m.**

**Tuesday 20<sup>th</sup>**                    **TRANSPORTATION ADVISORY COMMITTEE Regular**  
**Meeting 5:30 p.m.**

**Thursday 22<sup>nd</sup> &**                **CITY OFFICES CLOSED IN OBSERVANCE OF**  
**Friday 23<sup>rd</sup>**                    **THANKSGIVING.**

**Monday 26<sup>th</sup>**                    **Committee of the Whole 5:00 p.m. and Regular Meeting**  
**6:00 p.m.**

**Regular Meeting Schedule**  
**City Council 2<sup>nd</sup> and 4<sup>th</sup> Mondays 6:00 p.m.**  
**Library Advisory Board 1<sup>st</sup> Tuesday 5:00 p.m.**  
**Economic Development Advisory Commission 2<sup>nd</sup> Tuesday 6:00 p.m.**  
**Parks and Recreation Advisory Commission 3<sup>rd</sup> Thursday of the month with**  
**exception of December 5:30 p.m.**  
**Planning Commission 1<sup>st</sup> and 3<sup>rd</sup> Wednesday 6:30 p.m.**  
**Port and Harbor Advisory Commission 4<sup>th</sup> Wednesday 5:00 p.m.**  
**Transportation Advisory Committee Quarterly 3<sup>rd</sup> Tuesday 5:30 p.m.**  
**Public Arts Committee Quarterly 3<sup>rd</sup> Thursday 5:00 p.m.**  
**Lease Committee Quarterly 2<sup>nd</sup> Thursday 3:00 p.m.**  
**Permanent Fund Committee Quarterly 2<sup>nd</sup> Thursday 5:15 p.m.**

**MAYOR AND CITY COUNCILMEMBERS AND TERMS**

**BETH WYTHER, MAYOR – 14**  
**FRANCIE ROBERTS, COUNCILMEMBER – 15**  
**BARBARA HOWARD, COUNCILMEMBER – 14**  
**DAVID LEWIS, COUNCILMEMBER – 14**  
**BRYAN ZAK, COUNCILMEMBER – 13**  
**BEAUREGARD BURGESS, COUNCILMEMBER – 15**

**City Manager, Walt Wrede**  
**City Attorney, Thomas Klinkner**

**<http://www.cityofhomer-ak.gov/cityclerk> home page access, Clerk's email address is:**  
**[clerk@ci.homer.ak.us](mailto: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](http://www.cityofhomer-ak.gov)



**SPECIAL MEETING**  
**4:00 P.M. MONDAY**  
**OCTOBER 22, 2012**

MAYOR BETH WYTHE  
COUNCIL MEMBER FRANCIE ROBERTS  
COUNCIL MEMBER BARBARA HOWARD  
COUNCIL MEMBER DAVID LEWIS  
COUNCIL MEMBER BRYAN ZAK  
COUNCIL MEMBER BEAUREGARD BURGESS  
VACANT  
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. **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**
4. **NEW BUSINESS**
  - A. **City Council Applicants – Introduction/Presentation** Page 7  
James Dolma  
Sharon Minsch
  - B. **Memorandum 12-167, from City Clerk, Re: Selection/Appointment of Councilmember to Fill Vacancy** Page 13
5. **COMMENTS OF THE AUDIENCE**
6. **COMMENTS OF THE CITY ATTORNEY**
7. **COMMENTS OF THE CITY CLERK**
8. **COMMENTS OF THE CITY MANAGER**
9. **COMMENTS OF THE MAYOR**
10. **COMMENTS OF THE CITY COUNCIL**
11. **ADJOURNMENT**

Next Regular Meeting is Monday, November 26, 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.





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

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

RECEIVED BY CLERK'S OFFICE

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

Name  Date

Physical Address  City

Mailing Address  Zip Code

Phone  Work #  Cell #

Email Address

**NOTE: The above information will be published in the City Directory and within the City web pages if you are appointed by the Mayor and your appointment is confirmed by the City Council.**

Please indicate the commission(s), committee(s), board or task force you are interested in:

Select	COMMISSION/COMMITTEE/BOARD.TASK FORCE	REGULAR MEETING SCHEDULE
<input type="checkbox"/>	ADVISORY PLANNING COMMISSION	1ST & 3RD WEDNESDAY OF THE MONTH AT 6:30 P.M. WORKSESSIONS AT 5:30 P.M.
<input type="checkbox"/>	ECONOMIC DEVELOPMENT ADVISORY COMMISSION	2ND TUESDAY OF THE MONTH AT 6:00 P.M.
<input type="checkbox"/>	LIBRARY ADVISORY BOARD	1ST TUESDAY OF THE MONTH AT 5:00 P.M.
<input type="checkbox"/>	PARKS & RECREATION ADVISORY COMMISSION	3RD THURSDAY OF THE MONTH AT 5:30 P.M.
<input type="checkbox"/>	PORT & HARBOR ADVISORY COMMISSION	4TH WEDNESDAY - JANUARY TO APRIL & SEPTEMBER TO DECEMBER AT 5:00 P.M. 4TH WEDNESDAY - MAY - AUGUST AT 6:00 P.M.
<input type="checkbox"/>	PUBLIC ARTS COMMITTEE	QUARTERLY - 2ND THURSDAY OF THE MONTH AT 5:00 P.M.
<input type="checkbox"/>	TRANSPORTATION ADVISORY COMMITTEE	3RD TUESDAY OF THE MONTH AT 5:30 P.M.
<input type="checkbox"/>	PERMANENT FUND COMMITTEE	QUARTERLY - 2ND THURSDAY OF THE MONTH AT 5:15 P.M.
<input type="checkbox"/>	LEASE COMMITTEE	QUARTERLY - 2ND THURSDAY OF THE MONTH AT 3:00 P.M.
<input checked="" type="checkbox"/>	OTHER - PLEASE ENTER THE COMMITTEE/TASK FORCE	<i>Homer City Council</i>

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

I am presently employed as:

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

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

If so when and where?

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

I am interested in serving on the above because:

Do you currently belong to any organizations specifically related to the area of your choice(s) you wish to serve on?  
 Yes  No If yes, please list organizations:

Questions regarding the Homer Advisory Planning Commission:

Have you ever developed real property, other than your personal residence?

If yes, briefly describe the development:

Questions regarding the Port & Harbor Advisory Commission:

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

If yes, is you use primarily:  Commercial  Recreational  Both

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

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





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

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

RECEIVED BY CLERK'S OFFICE

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Select	COMMISSION/COMMITTEE/BOARD.TASK FORCE	REGULAR MEETING SCHEDULE
<input type="checkbox"/>	ADVISORY PLANNING COMMISSION	1ST & 3RD WEDNESDAY OF THE MONTH AT 6:30 P.M. WORKSESSIONS AT 5:30 P.M.
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<input type="checkbox"/>	LEASE COMMITTEE	QUARTERLY - 2ND THURSDAY OF THE MONTH AT 3:00 P.M.
<input checked="" type="checkbox"/>	OTHER - PLEASE ENTER THE COMMITTEE/TASK FORCE	City Council vacancy

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

I am presently employed as:

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

Please attach my previous application form to this new application.  
Additional info: I am now serving on the Water/Sewer Task Force.  
I am very familiar with the City Budget Process which has already started and I am up to speed on the Gas line work being done by the Council.  
I have a proven track record of attending meetings, reading and understanding the packets, being prepared to do the work and working well with others.

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

If so when and where?

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

I am interested in serving on the above because:

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

Yes  No If yes, please list organizations:

Questions regarding the Homer Advisory Planning Commission:

Have you ever developed real property, other than your personal residence?

If yes, briefly describe the development:

Questions regarding the Port & Harbor Advisory Commission:

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

If yes, is you use primarily:  Commercial  Recreational  Both

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

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

My name is Sharon Minsch and I was born in the Territory of Alaska. I grew up in Anchorage and I have been hanging out in Homer since I was 5 years old

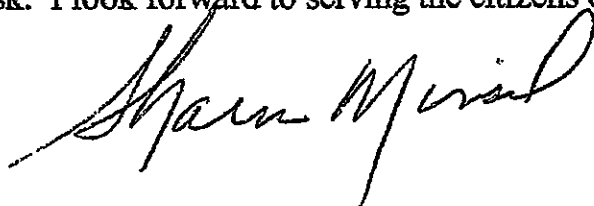
I have been married since 1978 to the same man. We have a 31 year old son, our first grand daughter and a cabin we built in 1989 in Peterson Bay. I am the Owner /Broker of Alaska Real Estate in Homer. I have been listing and selling Alaska real estate since 1984. I am Past President of the Kachemak Board of Realtors and Past President of the Homer Kachemak Bay Rotary Club. Currently I serve as the Coordinator for the Rotary Health Fair and Club Treasurer.

I have a demonstrated commitment to community service. I have many skills that would be transferable and useful on the City Council. I will be able to hit the ground running with little disruption to the Council. I offer the following:

1. Familiarity with the meeting practices and procedures of the City of Homer and the City Council.
2. Familiarity with the Cities projects and future goals as well as basic knowledge of the issues we are currently dealing with as a City.
3. Commitment to competency and fair play in making decisions that are in the best interest of all the residents of Homer.
4. Experience working with City, Borough, State and Federal government departments on issues of community interest.
5. Understanding of utility rates and structures learned while working on water, sewer and natural gas models for WID/ LID process's within the Municipality of Anchorage.
6. I am always prepared with my homework done and ready to work. I am not afraid of hard work or making tough decisions.
7. A demonstrated track record. I take pride in public policy and the benefits for the good of the whole.
8. I have been reading the minutes and agenda's of the Council as well as the various boards and commissions of Homer since before I was appointed to the HAPC. Since E packets became available I read the Council packets on line .

Thank you for your consideration of my appointment to the vacant council seat. If you have any questions, do not hesitate to ask. I look forward to serving the citizens of Homer.

Sharon Minsch 399-4266





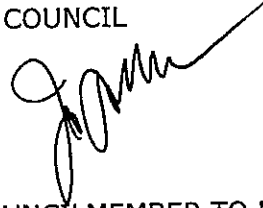
# Office of the City Clerk

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 12-167

TO: MAYOR WYTHE AND HOMER CITY COUNCIL  
FROM: JO JOHNSON, CMC, CITY CLERK   
DATE: OCTOBER 17, 2012  
SUBJECT: SELECTION/APPOINTMENT OF COUNCILMEMBER TO FILL VACANCY

A vacancy exists on the City Council with the October 2<sup>nd</sup> election of Beth Wythe as Mayor. The following persons have applied for the vacant Council seat:

James Dolma  
Sharon Minsch

Nominations are made on the floor and voting can be done by voice vote or secret ballot.

The person appointed will be sworn in immediately and will serve until the next regular election.

A simple majority, not a quorum, vote of the remaining Councilmembers is required to select and appoint persons to fill Council vacancies.

### RECOMMENDATION:

Select one person to fill the vacant Council seat.

Fiscal Note: NA



COWLES COUNCIL CHAMBERS  
491 E. PIONEER AVENUE  
HOMER, ALASKA  
[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)



COMMITTEE OF THE WHOLE  
5:00 P.M. MONDAY  
OCTOBER 22, 2012

MAYOR BETH WYTHE  
COUNCIL MEMBER FRANCIE ROBERTS  
COUNCIL MEMBER BARBARA HOWARD  
COUNCIL MEMBER DAVID LEWIS  
COUNCIL MEMBER BRYAN ZAK  
COUNCIL MEMBER BEAUREGARD BURGESS  
VACANT  
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.**
2. **AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)
3. **2013 BUDGET**
4. **REGULAR MEETING AGENDA**
5. **COMMENTS OF THE AUDIENCE**
6. **ADJOURNMENT NO LATER THAN 5:50 P.M.**  
Next Regular Meeting is Monday, November 26, 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](http://www.cityofhomer-ak.gov)



**REGULAR MEETING**  
**6:00 P.M. MONDAY**  
**OCTOBER 22, 2012**

MAYOR BETH WYTHE  
COUNCIL MEMBER FRANCIE ROBERTS  
COUNCIL MEMBER BARBARA HOWARD  
COUNCIL MEMBER DAVID LEWIS  
COUNCIL MEMBER BRYAN ZAK  
COUNCIL MEMBER BEAUREGARD BURGESS  
VACANT  
CITY ATTORNEY THOMAS KLINKNER  
CITY MANAGER WALT WREDE  
CITY CLERK JO JOHNSON

### **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**

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 October 8, 2012. City Clerk. Recommend adoption. Page 23

- B. **Memorandum 12-161**, From Mayor, Re: Appointment of Councilmember Bryan Zak to the Economic Development Advisory Commission and Port and Harbor Improvement Committee, and Appointment of Councilmember Burgess to the Water and Sewer Rate Task Force. Page 39

6. **VISITORS**

- A. **Homer Playground Project (HoPP) for Karen Hornaday Park**, Deb Cox, 10 minutes.

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

- A. **Mayor's Proclamation** – Extra Mile Day, November 1, 2012 Page 45

- B. Borough Report

- C. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission
5. Port and Harbor Advisory Commission

8. **PUBLIC HEARING(S)**

- A. **Ordinance 12-46**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount of \$50,165 from the General Fund Balance to Carry Out the Requirements of Homer City Code Title 17 Entitled Improvement Districts and to Implement a Public Information Strategy Related to the Proposed Natural Gas Special Assessment District. City Manager. Page 49

- Memorandum 12-159 from City Manager as backup. Page 53

9. **ORDINANCE(S)**

- A. **Ordinance 12-47**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2013 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures). City Manager. Recommended dates: Introduction October 22, 2012, Public Hearings November 26 and December 10, 2012, Second Reading December 10, 2012.

Page 61

**Resolution 12-088**, A Resolution of the City Council of Homer, Alaska, Maintaining the City of Homer Fee Schedule at the Current Rates. City Clerk. Recommended to follow Budget Ordinance 12-47 schedule.

Page 65

**Resolution 12-089**, A Resolution of the City Council of Homer, Alaska, Maintaining the Port of Homer Terminal Tariff No. 600. City Clerk. Recommended to follow Budget Ordinance 12-47 schedule.

Page 91

- B. **Ordinance 12-48**, An Ordinance of the City Council of Homer, Alaska, Amending the Official Road Maintenance Map of the City of Homer by Adding Kestrel Circle and a Portion of Golden Plover Avenue as Urban Road. City Manager/Public Works Director. Recommended dates: Introduction October 22, 2012, Public Hearing and Second Reading November 26, 2012.

Page 157

Memorandum 12-162 from Public Works Inspector as backup.

Page 161

- C. **Ordinance 12-49**, An Ordinance of the City Council of Homer, Alaska Appropriating \$20,000 from the Homer Accelerated Roads and Trails Fund (HART) for the Purpose of Conducting Survey Work and Engineering / Cost Estimating to Determine the Cost of Constructing the Initial One Half Mile of the Proposed Kachemak Drive Non-Motorized Pathway in Accordance with Resolution 12-079(S). Mayor/City Council. Recommended dates: Introduction October 22, 2012, Public Hearing and Second Reading November 26, 2012.

Page 165

Memorandums 12-163, 12-164, and 165 from Kachemak Drive Path Committee as backup.

Page 169

- D. **Ordinance 12-50**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Grant Award from the Rasmuson Foundation in the Amount of \$18,852 for Collection Enhancement and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Library Director. Recommended dates: Introduction October 22, 2012, Public Hearing and Second Reading November 26, 2012.

Page 181

Memorandum 12-166 from Library Director as backup.

Page 185

- E. **Ordinance 12-51**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Capital Budget by Appropriating \$212,270 from the Homer Accelerated Roads and Trails Fund (HART) to Re-Pave Fish Dock Road and Construct Improvements to Outer Dock Road and Appropriating \$100,000 from the General Fund Reserves / Fund Balance for a Reimbursable Economic Development Grant to Fund the Homer Tidal Power Incubator Project. Mayor. Recommended dates: Introduction October 22, 2012, Public Hearing and Second Reading November 26, 2012. City Manager/Public Works Director.

Page 187

## 10. CITY MANAGER'S REPORT

- A. City Manager's Report

Page 193

- B. Bid Report

Page 197

## 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

G. Water and Sewer Rate Task Force

**13. PENDING BUSINESS**

**14. NEW BUSINESS**

**15. RESOLUTIONS**

A. **Resolution 12-090**, A Resolution of the City Council of Homer, Alaska, Noting the Insufficiency of the Petition for the Sterling Highway/Saltwater Drive Water and Sewer Special Assessment District. City Clerk. Page 199

B. **Resolution 12-091**, A Resolution of the City Council of Homer, Alaska, Expressing Its Support for a Kachemak Nordic Ski Club Application to the Recreational Trail Grant Program of the State of Alaska Division of Parks and Outdoor Recreation for a Maintenance Building at the Lookout Mountain Ski Area in the Amount of \$50,000. City Manager. Page 227

C. **Resolution 12-092**, A Resolution of the City Council of Homer, Alaska, Designating Signatories of City Accounts and Superseding Any Previous Resolution So Designating. City Clerk. Page 229

D. **Resolution 12-093**, A Resolution of the City Council of Homer, Alaska, in Support of Full Funding for the State of Alaska Municipal Harbor Facility Grant Program in the FY2014 Capital Budget. City Manager. Page 231

E. **Resolution 12-094**, A Resolution of the City Council of Homer, Alaska, Amending Resolution 12-027(A), the Composition of the Water and Sewer Rate Task Force, to Allow Mayor Wythe to Continue to Serve as a Task Force Member Until the Completion of Their Findings and Recommendations to the City Council. City Manager. Page 233

Memorandum 12-168 from Water and Sewer Task Force as backup. Page 235

**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**

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**PUBLIC COMMENTS UPON MATTERS  
ALREADY ON THE AGENDA**



# RECONSIDERATION



# CONSENT AGENDA



Session 12-29 a Regular Meeting of the Homer City Council was called to order on October 8, 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: BURGESS, HOWARD, LEWIS, ROBERTS,  
WYTHE, ZAK

STAFF: CITY MANAGER WREDE  
CITY CLERK JOHNSON  
CITY ATTORNEY KLINKNER  
COMMUNITY & ECONOMIC DEVELOPMENT  
COORDINATOR KOESTER  
FINANCE DIRECTOR MAURAS  
LIBRARY DIRECTOR DIXON  
PORT & HARBOR DIRECTOR HAWKINS  
PUBLIC WORKS DIRECTOR MEYER

Council met as a Committee of the Whole from 5:00 p.m. to 5:58 p.m. to discuss 2013 Budget and 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 unanimous consent of the Council with the following changes: **VISITORS - Buccaneer Energy**, Written public comment; **RESOLUTIONS - Resolution 12-083(S)**, A Resolution of the City Council Certifying the Results of the City of Homer Regular Election Held October 2, 2012 to Elect the Mayor and Two Councilmembers. City Clerk/Canvass Board.

### **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

Roberta Highland, city resident, supports Resolutions 12-079(S) and 12-85. She commented on the Endeavour jackup rig and Buccaneer's failed public relations with the community.

Frank Mullen, Homer resident, commented on Buccaneer's presence and the need to have access to information on their drilling plan.

Kevin Walker, Kachemak City resident, supports Resolution 12-079. He hopes Buccaneer explains their business plans for land and water.

Bumppo Bremicker, city resident, supports Resolutions 12-079 and 12-079(S). He commented on the last jackup rig that put its legs down in Kachemak Bay and got stuck in the mud.

Nina Faust, Homer resident, commented on allowing the jack-up rig to be stored in accordance with the critical habitat plan. Buccaneer is lacking in transparency and is here to cash in on the State's multimillion dollar subsidiary.

Amy Christensen loathes looking at the jack-up rig in Kachemak Bay and is upset it was allowed. It is the City's job to question it and the Council's job to stand up.

Megan Murphy, city resident, thanked Mayor Hornaday for starting the Climate Action Plan. She asked Council to support Resolution 12-085.

Robert Archibald, city resident, supports Resolutions 12-079 and 12-079(S). He commented on Buccaneer's West Eagle project and where it will lead and expressed doubt of the jackup rig and its repairs.

Deb Lowney, city resident, supports Resolutions 12-079 and 12-079(S) for the trail and Resolution 12-085 for MAPP.

Beth Cumming, city resident, thanked Councilmember Wythe for help on Resolutions 12-079(S). She supports the first work on the trail and hopes Council will too.

## **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 September 24, 2012. City Clerk. Recommend adoption.



- B. **Memorandum 12-151**, from Mayor, Re: Reappointment of Robert Archibald to the Parks and Recreation Advisory Commission and Terry Yager to the Lease Committee.

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

WYTHE/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## VISITORS

- A. Marc Landt, **Buccaneer Energy**

Marc Landt of Buccaneer Alaska Operations, LLC told Council their company works hard to integrate with the community, including sourcing services for the Endeavour-Spirit of Independence jackup rig anchored in Kachemak Bay. The Endeavour is a world class jackup rig operating in Alaska waters and generating income. It has been at the Homer dock for longer than anticipated due to a few unforeseen issues. They are working to get the rig fit for its purpose. That includes replacing the fast rescue craft, the old general alarm system, and repairs to the firefighting system. Once the repairs are completed the Endeavour will depart for the Cosmopolitan. Buccaneer places a premium on safety as paramount importance; the safety of the crew comes before profits.

Mr. Landt introduced Christina Anderson, the local point of contact, and Donna Aderhold, Homer resident, who is working for Buccaneer.

In Cook Inlet Buccaneer acquired the initial acreage in March 2010. They drilled their first well at Kenai Loop in April 2011. Buccaneer established gas sales to Enstar in January 2012. In August 2012 the Endeavour-Spirit of Independence jackup rig arrived in Cook Inlet.

Buccaneer is currently drilling Kenai Loop No. 4 Well, the West Eagle project. The West Eagle Exploration project includes one well planned for spring 2013. West Eagle No. 1 Well is 21 miles to Homer; 6.7 miles to McNeil Canyon School; or 3 to 4 miles to the Russian Villages. The well is at 1,900 ft. elevation, above the tree line. It is an exploration well primarily gas with a

possibility for oil. If successful, it will provide a gas pipeline to either Armstrong's North Fork field or Hilcorp's RED well and 3D seismic to delineate future locations.

Buccaneer's Glacier drilling rig is currently drilling at the Kenai Loop project. The rig is lightweight and transportable in up to 40 truckloads. There is a possible need to improve East End Road for its transportation. Buccaneer plans outreach meetings for the McNeil Canyon School and Homer areas.

Council commented and asked questions of Mr. Landt on the following subjects:

- The need to hold public meetings as soon as possible due to public interest.
- Local hire – Buccaneer has 81 hires, 47 Alaska, 9 welders, 5 electricians, 3 plumbers, longshore and guards from Homer. 17% of the crew is from Homer.
- For the West Eagle drilling operation next year they will look to Homer residents first.
- A contractor from Kenai is responsible for truckers to safely drive the Basargin Road for the West Eagle operation. All large loads will have escorts; there will be smaller truck traffic. Buccaneer will work with DOT as to how to best manage the traffic.
- Homer Steel Fabricators is currently working on the Endeavour jackup rig in the Homer harbor.
- The West Eagle is a 55,000 acre exploration project; there have only been two wells drilled there in the past. There could be multiple pads, but Buccaneer will try to limit the number.
- Buccaneer will improve East End Road at their responsibility and costs.
- Buccaneer does not have a mutual aid agreement with another rig if they run into a difficult drilling situation. They would look for the first available equipment in the inlet, likely another jackup rig.
- Buccaneer's contingency plan is available for public review.
- There will be no fracking at the West Eagle project; a well depth of 10,000 ft. is projected.
- The need to get the information out to the community as people here like to know what is going on. Open an office in Homer and hold a job fair.

## **ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORTS**

## **REPORT/COMMISSION**

### **A. Borough Report**

Bill Smith, Kenai Peninsula Borough Assemblyman, reported the results of the recent election. Kelly Wolfe will be the new Assembly member from the K-Beach area. Liz Downing was re-elected to the School Board. The Assembly met to extend the Mayor's disaster declaration for the Borough and to put forward \$500,000 to help with recovery efforts of the recent flooding. Most of those funds will be returned by the State and Federal government. There are concerns about the habitat protection district ordinance prohibiting people from rebuilding along

anadromous streams. Prior existing uses are allowed to continue or be rebuilt. Those regulations have been in place for the last 10-14 years along the Kenai River and in 24 other areas. People needing disaster assistance can contact offices set up in Anchor Point, Seward, and Soldotna. On the State of Alaska website, contact the Division of Homeland Security and Emergency Management.

The Borough will be having local meetings to ask unincorporated communities for Legislative priorities. For the communities of Fox River, Diamond Ridge, and Fritz Creek, the meeting will be October 20<sup>th</sup> at 10:00 a.m. at McNeil Canyon Elementary School.

Assemblyman Smith thanked Mayor Hornaday for his service to the community.

**B. Commissions/Board Reports:**

1. Library Advisory Board
2. Homer Advisory Planning Commission
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission

Deb Lowney, Parks and Recreation Advisory Commissioner, is appreciative that Robert Archibald has been reappointed to the commission for another term. She hopes Council supports Resolutions 12-079 and 12-079(S). The commission held a cleanup day at Karen Hornaday Park, clearing 10 ft. beyond the baseball field and removing two old fences. She praised Parks Maintenance Coordinator Angie Otteson for her work effort in accomplishing the task.

5. Port and Harbor Advisory Commission

**PUBLIC HEARING(S)**

**A. 2013 Budget**

Memorandum 12-155 from Public Arts Committee as backup.  
(See 2013 Budget, Page 198 Included by the City Manager.)

Mayor Hornaday opened the public hearing.

Angie Newby, Public Arts Committee Chair, requested \$2,000 funding for uniform signage to designate all city trails and parks. It is a collaborative process with the Parks and Recreation Advisory Commission. A major Capital Improvement Plan project for 2013 is the Baycrest Hill Gateway, a joint effort with State and Federal agencies that will include signage, landscape, and new facilities. Gaye Wolfe, icon of the Public Arts Committee, is critically ill and currently at Alaska Regional in Anchorage. A caring bridge website is available for people to send Gaye a message: [www.caringbridge.org/visit/gayewolfe/mystory](http://www.caringbridge.org/visit/gayewolfe/mystory) She hopes Mayor Hornaday will consider a seat on the PAC upon his retirement.

Mayor Hornaday closed the public hearing.

- B. **Ordinance 12-43**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Legislative Grant in the Amount of \$100,000 for Dredging at the Nick Dudiak Fishing Lagoon. City Manager. Introduction September 24, 2012, Public Hearing and Second Reading October 8, 2012.

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 12-43 by reading of title only for second and final reading.

LEWIS/BURGESS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- C. **Ordinance 12-44(A)**, An Ordinance of the City Council of Homer, Alaska, Amending the 2012 Operating Budget by Appropriating \$100,000 from the Fishing Hole Maintenance Fund and \$55,000 from the General Fund for the Nick Dudiak Fishing Lagoon Dredging Project. City Manager/Public Works Director. Introduction September 24, 2012, Public Hearing and Second Reading October 8, 2012.

**Ordinance 12-44(A)(S)**, An Ordinance of the City Council of Homer, Alaska, Amending the 2012 Operating Budget by Appropriating \$100,000 from the Fishing Hole Maintenance Fund and ~~\$55,000~~ **\$167,500** from the General Fund for the Nick Dudiak Fishing Lagoon Dredging Project. City Manager/Public Works Director.

Memorandums 12-147 and 12-156 from Public Works Director 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 to substitute Ordinance 12-44(A)(S) for Ordinance 12-44(A).

WYTHE/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

City Manager Wrede reported the numbers have changed quite a bit (Memorandum 12-156). It is a lot more money than we talked about, but the most efficient way to get the dredging done this fall and meet environmental windows without incurring mobilization costs. This has been researched thoroughly by Port and Harbor Director Bryan Hawkins and Public Works Director Carey Meyer. Dredge spoils will be sold at \$5 per yard and there is no shortage of buyers. We are confident we will get \$100,000 back.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- D. **Ordinance 12-45**, An Ordinance of the City Council of Homer, Alaska, Appropriating \$15,000 from the Leased Property Reserve Account for an Engineering Review and Report Regarding Code Compliance Related Improvements that Might be Required at the Homer Education and Recreation Complex (HERC Building) if There is a Change in Occupancy. City Manager. Introduction September 24, 2012, Public Hearing and Second Reading October 8, 2012.

Mayor Hornaday opened the public hearing.

Robert Archibald, city resident, commented it is money well spent and a step in the right direction.

Bumppo Bremicker, city resident, voiced support for the ordinance. Mike Illg has been working hard on uses for the HERC building. The building has good bones and can provide a good place for our youth and recreation. If the natural gasline goes through it was make it more affordable.

Deb Lowney, city resident, strongly supports Ordinance 12-45. The HERC building will provide more opportunities for youth and all age ranges. Housing groups that fit under the same hat in one location is a good idea.

Mayor Hornaday closed the public hearing.

Mayor Hornaday called for a motion for the adoption of Ordinance 12-45 by reading of title only for second and final reading.

WYTHE/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **ORDINANCE(S)**

### **CITY MANAGER'S REPORT**

#### **A. City Manager's Report.**

City Manager Wrede reported the Library Advisory Board is concerned about the four upcoming vacancies on the board. He encouraged people to consider serving on the LAB. He apologized for the poor quality of pictures showing the Public Works projects. They were to be in color. The projects include removal of the red shed at Karen Hornaday Park, the new Beluga Slough Trail, and new road to Mariner Park.

Council commented on the serious situation of no signage for the new entrance to Mariner Park. Public Works Director Meyer said signage will be posted at the new entrance this week.

Councilmember Burgess thanked the City Manager and staff for the budget. It is a conservative approach that leaves wiggle room. As we move forward, staff already has a lot on their plate. He would like to see a certain amount of staffing built in to what we ask to spend money for, including the gasline. A full time person to assist the public on gasline questions could be

recovered by the project. Large vessel moorage fees currently are determined on the length and he would like the fees based on tonnage.

City Manager Wrede answered a budget ordinance will come before Council at the October 15<sup>th</sup> meeting. A temporary part time position is included for Finance and the Clerk. Administrative and direct costs have been added to the cost of the LID (Special Assessment District). We will be reimbursed for those things, but they won't be reimbursed for two years through assessments if the LID goes forward. During that two years we may have to make a bond payment and pay staff and will need the money to cover those expenses. Discussion will follow at a subsequent meeting.

- B. Bid Report
- C. Games Report
- D. Records Inventory Report
- E. Other

#### **CITY ATTORNEY REPORT**

City Attorney Klinkner reported his written report will be available for the October 22<sup>nd</sup> meeting. He commented on two pending court cases. The Auction Block complaint is before the Federal Maritime Commission on a fast track. The commission enforces a schedule for preparation and presentation of the complaint. The firm has been investing a lot of time on the complaint and pending motions may dispose of the case. By November he will report on a possible disposition. The Tony Neal case has a motion for summary judgment. It too has required a lot of time. He hopes to have a resolution of that case by November or December.

#### **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
- G. Water and Sewer Rate Task Force

**PENDING BUSINESS**

- A. **Resolution 12-079**, A Resolution of the City Council of Homer, Alaska, Accepting and Approving the Recommendations of the Kachemak Drive Path Committee, Parks and Recreation Advisory Commission, and the Transportation Advisory Committee Approving the Pursuit of a Non-Motorized Trail Along Kachemak Drive from the Base of the Homer Spit to East End Road as a City Construction Project, and Using Hart Trail Funds as a Potential Funding Source. City Clerk/Parks and Recreation Advisory Commission. (Postponed from September 10, 2012)

**Resolution 12-079(S)**, A Resolution of the City Council of Homer, Alaska, Authorizing the Allocation of Up to \$20,000 from the Hart Fund for the Purposes of Survey Work and an Engineering Estimate to Determine the Cost of Constructing the Initial One-Half Mile of the Proposed Kachemak Drive Non-Motorized Pathway. Wythe/Parks and Recreation Advisory Commission.

Memorandum 12-142 from Kachemak Drive Pathway Committee, Parks and Recreation Advisory Commission, Transportation Advisory Committee as backup.

Memorandum 12-152 from Parks and Recreation Advisory Commission as backup.

Referred to Parks and Recreation Advisory Commission on September 10<sup>th</sup>. Motion on the floor from September 10<sup>th</sup>: MOTION FOR THE ADOPTION OF RESOLUTION 12-079 BY READING OF TITLE ONLY.

Mayor Hornaday called for a motion to substitute Resolution 12-079(S) for Resolution 12-079.

WYTHE/ROBERTS - SO MOVED.

Councilmember Roberts commented on the testimony referring to both resolutions. Council is only considering Resolution 12-079(S).

Councilmember Wythe clarified it will provide funding for the initial survey of the pathway and is not binding for construction. It is to see what can potentially be done and see what costs would be involved.

Councilmember Howard thanked Councilmember Wythe for her work with the Parks and Recreation Advisory Commission on the substitute resolution.



City Manager Wrede reported it will not require much staff time. Public Works Director Meyer will have to oversee the surveyor, but we will need to contract out the work.

Mayor Hornaday hopes we are not raising expectations. The Kachemak Drive Pathway looks like a State project on the CIP list. It is a multi-million dollar project that has merit, but he doesn't think the City can afford the staff time or the money.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## NEW BUSINESS

- A. **Memorandum 12-153**, From City Clerk, Re: Travel Authorization for Mayor-Elect Wythe and Councilmembers Burgess and Zak to Attend the Alaska Municipal League 62<sup>nd</sup> Annual Local Government Conference in Anchorage, Alaska, November 12 - 16, 2012.

Mayor Hornaday called for a motion for the approval of the recommendations of Memorandum 12-153 to allow Mayor-Elect and Councilmembers to attend the Alaska Municipal League Conference.

LEWIS/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Memorandum 12-154**, from City Clerk, Re: Correction of Account Code on Ordinance 12-33(A)(S).

Mayor Hornaday called for a motion for the approval of the recommendations of Memorandum 12-154 to amend account code on Ordinance 12-33(A)(S).

BURGESS/WYTHE - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## RESOLUTIONS

- A. **Resolution 12-083**, A Resolution of the City Council Certifying the Results of the City of Homer Regular Election Held October 2, 2012 to Elect the Mayor and Two Councilmembers. City Clerk/Canvass Board.

**Resolution 12-083(S)**, A Resolution of the City Council Certifying the Results of the City of Homer Regular Election Held October 2, 2012 to Elect the Mayor and Two Councilmembers. City Clerk/Canvass Board.

City Clerk Johnson provided a report of the October 2<sup>nd</sup> election results from the Canvass Board.

Mayor Hornaday called for a motion for the adoption of Resolution 12-083 by reading of title only.

ZAK/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Hornaday called for a motion to substitute Resolution 12-083(S) for Resolution 12-083.

ZAK/LEWIS - SO MOVED.

There was no discussion.

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

Motion carried.

- B. **Resolution 12-084**, A Resolution of the City Council of Homer, Alaska, Awarding a Contract for the Nick Dudiak Fishing Lagoon Dredging Project to the Firm of Alaska Marine Excavation, LLC of Anchor Point, Alaska, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 12-156 from the Public Works Director as backup.

Mayor Hornaday called for a motion for the adoption of Resolution 12-084 by reading of title only.

LEWIS/ROBERTS – SO MOVED.

There was brief discussion on the \$367,500 that will be expended for dredging the Fishing Hole. It is using \$100,000 previously set aside for Fishing Hole maintenance, the \$100,000 Legislative grant, and an additional \$167,500 from the General Fund as approved by Ordinance 12-44(A)(S).

City Manager Wrede commented the estimate was \$255,000 four or five years ago. The quantities Public Works Director Carey Meyer had in mind were right, but the price tag went up. It does not include the amount we expect in return from sales of dredge spoils.

C. **Resolution 12-085**, A Resolution of the City Council of Homer, Alaska, Supporting the Pursuit of a Rural Health Network Development Planning Program Grant from Health Resources and Service Administration for the Mobilizing for Action Through Planning and Partnerships (MAPP) of the Southern Kenai Peninsula Health Network. Roberts.

ROBERTS/LEWIS - MOVED FOR THE ADOPTION OF RESOLUTION 12-085.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

#### **COMMENTS OF THE AUDIENCE**

Bob Shavelson, city resident and Director of Cook Inlet Keeper, thanked Council for the MAPP resolution, dredging the lagoon, and the trail. He commented on Buccaneer's lack of communication. Buccaneer has been invited to a public panel discussion at Islands and Ocean on October 18<sup>th</sup>. He thanked Walt and Bryan for answering questions about the jackup rig and Mayor Hornaday for the Climate Action Plan.

Bumppo Bremicker, city resident, commented on the gasline and asked if the City has looked at the possibility of HEA building an electrical generating plant and heating it with gas. The electrical line will be needed to generate tidal and wind power.

Aaron Selbig, Homer resident and News Director for KBBI, thanked and said goodbye to Mayor Hornaday. It has been an interesting and at times entertaining time with the Mayor at the helm of

the council meetings. Mayor Hornaday is a wise person and terrific leader in the community and he wished him the best of luck as he moves forward.

Linda Anderson, Anderson Group Lobbyists, commented she was late getting here and has a full schedule tomorrow. Mayor Hornaday will be missed in Juneau terribly and Homer is lucky to have him.

#### **COMMENTS OF THE CITY ATTORNEY**

City Attorney Klinkner congratulated the new and re-elected officials and said goodbye to Mayor Hornaday.

#### **COMMENTS OF THE CITY CLERK**

City Clerk Johnson had no comment.

#### **COMMENTS OF THE CITY MANAGER**

City Manager Wrede congratulated the new and re-elected officials. He has had a fun eight years with Mayor Hornaday and will miss him. Although they didn't always agree they had a lot of fun disagreeing. He wished him luck in his future endeavors.

#### **COMMENTS OF THE MAYOR**

Mayor Hornaday congratulated the newly elected officials and thanked them for their courage in running. It is a disappointing election turnout.

#### **COMMENTS OF THE CITY COUNCIL**

Councilmember Wythe congratulated the new and re-elected councilmembers and thanked Councilmember Zak for his participation in the mayoral race. She will save her comments to Mayor Hornaday until October 15<sup>th</sup> when we have a glorious going away party for him.

Councilmember Lewis echoed his remarks on those that ran and those that were elected. It has been interesting, educational, and entertaining serving with Mayor Hornaday and an era passing by with the new coming in. Mayor Hornaday had the stories of before Statehood.

Councilmember Zak thanked the people that ran, those that won, the voters that came out, Clerks, and staff that make elections run smoothly. It is unfortunate a low number turned out; there was not a lot on the ballot. In Australia if you don't vote in a couple elections you get fined.

That may be good for us. We have a wonderful democracy. He hopes everyone gets out and votes in November. Make it your part of your civic duty. He appreciates the people that participate in City Council meetings. He expressed the pleasure of serving with Mayor Hornaday, a part of history to be part of the Mayor's rein.

Councilmember Roberts commented there was a lot of testimony about Buccaneer's presentation to the public. They will be holding two public meetings in the future, at McNeil Canyon School and one in the Homer area. She urged people to pay attention to get their questions answered. She congratulated the people that campaigned, the winners, and those that did not win. It was a wonderful campaign with everyone campaigning honestly and fairly and treating each other well. It was the best campaign she has seen in a long time. She will say goodbye to Mayor Hornaday next Monday. She invited everyone to come to the meeting next Monday to thank Mayor Hornaday for all that he has done for Homer in the past eight years.

Councilmember Howard will save her remarks to Mayor Hornaday until next week. There will be chocolate cake and she is sure the Mayor will show up for that. She echoed comments about the election, those who came out to vote and the candidates that stepped up willing to be of service. She said a special thank you to the Clerk's office for the special work they did for the volunteer appreciation event last Friday night. That event would not have happened without them.

Councilmember Burgess will save his congratulations to the Mayor until Monday. He thanked the candidates for running and all the people who voted. You make the democracy go around. He thanked staff for the volunteer event. It was fun and he thinks we should do it again.

## ADJOURNMENT

There being no further business to come before the Council, for the last time Mayor Hornaday hit the gavel and adjourned the meeting at 7:45 p.m. The next Regular Meeting is Monday, October 22, 2012 at 6:00 p.m., Special Meeting at 4:00 p.m., and Committee of the Whole 5:00 p.m. A Special Meeting is scheduled for Monday, October 15, 2012 at 6:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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JO JOHNSON, CMC, CITY CLERK

Approved: \_\_\_\_\_

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<sup>i</sup> Vote was Council's intent to adopt Ordinance 12-44(A)(S) for second and final reading even though the motion was not formally stated.





Office of the Mayor  
Mary E. Wythe  
Homer City Hall  
491 E. Pioneer Avenue  
Homer, Alaska 99603-7624

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

## MEMORANDUM 12-161

TO: HOMER CITY COUNCIL

FROM: MARY E. WYTHE, MAYOR

DATE: OCTOBER 17, 2012

SUBJECT: APPOINTMENT OF COUNCILMEMBER BRYAN ZAK TO THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION AND PORT AND HARBOR IMPROVEMENT COMMITTEE, AND APPOINTMENT OF COUNCILMEMBER BURGESS TO THE WATER AND SEWER RATE TASK FORCE.

Councilmember Bryan Zak is appointed to the Economic Development Advisory Commission as consulting member to fill the seat vacated by Mayor Wythe. His appointment will expire with office.

Councilmember Bryan Zak is appointed to the Port and Harbor Improvement Committee to fill the seat vacated by Mayor Wythe. His appointment will expire with office or upon completion of the work tasked to the committee.

Councilmember Beauregard Burgess is appointed to the Water and Sewer Rate Task Force to fill the seat vacated by Councilmember Howard. His appointment will expire with office or upon completion of the work before the task force.

### RECOMMENDATION:

Confirm the appointments of Councilmember Bryan Zak to the Economic Development Advisory Commission and the Port and Harbor Improvement Committee, and Councilmember Beauregard Burgess to the Water and Sewer Rate Task Force.

Fiscal Note: N/A





## Jo Johnson

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**From:** bryanzak@aol.com  
**Sent:** Friday, October 12, 2012 4:51 PM  
**To:** Jo Johnson  
**Subject:** Re: Volunteers Needed!!

Hello Jo:

I would like to serve on the Economic Advisory Commission. If you do not get any other volunteers I could also serve on the Port and Harbor Improvement Committee.

Thank you,

**Bryan Zak**  
**Cell 907-223-6681**

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

**From:** Jo Johnson <JJohnson@ci.homer.ak.us>  
**To:** Barbara Howard <bhfish@gci.net>; Beauregard Burgess <tassadar4t@gmail.com>; Bryan Zak <BryanZak@aol.com>; David Lewis <davelyn@gci.net>; Francie Roberts <roberts2@alaska.net>; Mary Wythe <mewjcw@acsalaska.net>  
**Sent:** Fri, Oct 12, 2012 3:29 pm  
**Subject:** Volunteers Needed!!

Hello everyone,

With Beth taking the helm as Mayor, we are in need of filling the various committees/commission she served on as a councilmember. Additionally, Barbara requires medical care and will be submitting her resignation to the Water & Sewer Rate Task Force. Before you at the October 22<sup>nd</sup> meeting will be a resolution amending the original resolution that created the task force. It will alter the makeup of the members to allow Beth to continue serving on the task force.

These are the needs and meeting schedules for the committees/commission:

Economic Development Advisory Commission – serve as consulting member (do not vote). Meetings are 2<sup>nd</sup> Tuesday of each month at 6:00 p.m. Katie Koester is staff to the EDC.

Water & Sewer Rate Task Force – voting committee member. Meetings are Tuesday biweekly at 5:15 p.m.

Permanent Fund Committee – serve as committee member. Meetings are quarterly Thursday at 5:15 p.m.

Port and Harbor Improvement Committee – tasked with resourcing funds from various sources to upgrade the Port and Harbor Building. Currently no meetings are scheduled.

Mayor-Elect Wythe would like to make the appointments to the commission and committees at the October 22<sup>nd</sup> meeting. Please reply (only to me) if you wish to fill the seat on any of these committees or the EDC. I will need your response by Tuesday, October 17<sup>th</sup> to meet the packet deadline.

Thank you and have a nice weekend,

Jo Johnson

City Clerk  
City of Homer  
491 E. Pioneer Ave.  
Homer, AK 99603  
907-235-3130 Fax 907-235-3143

*PUBLIC RECORDS LAW DISCLOSURE: Most e-mails from or to this address will be available for public inspection under Alaska public records law.*

## Jo Johnson

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**From:** Barbara [bhfish@gci.net]  
**Sent:** Sunday, October 14, 2012 1:56 PM  
**To:** Jo Johnson; Mary Wythe  
**Subject:** Water sewer task force

Please accept my immediate resignation as a council member to the sewer water task force.  
Thank you . Barbara Howard

Sent from my iPad



# VISITORS



**ANNOUNCEMENTS  
PRESENTATIONS  
BOROUGH REPORT  
COMMISSION REPORTS**





**CITY OF HOMER  
HOMER, ALASKA**

**MAYOR'S PROCLAMATION**

**"EXTRA DAY MILE"  
November 1, 2012**

WHEREAS, Homer, Alaska, is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively "go the extra mile" in personal effort, volunteerism, and service; and

WHEREAS, Homer, Alaska, is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, Homer, Alaska, is a community which chooses to shine a light on and celebrate individuals and organizations within its community who "go the extra mile" in order to make a difference and lift up fellow members of their community; and

WHEREAS, Homer, Alaska, acknowledges the mission of the Extra Mile America Foundation to create 300 Extra Mile cities in America and is proud to support "Extra Mile Day" on November 1, 2012.

NOW, THEREFORE, I, Beth Wythe, Mayor of Homer, Alaska, do hereby proclaim November 1, 2012 to be Extra Mile Day. I urge each individual in the community to take time on this day to not only "go the extra mile" in his or her own life, but to also acknowledge all those around who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

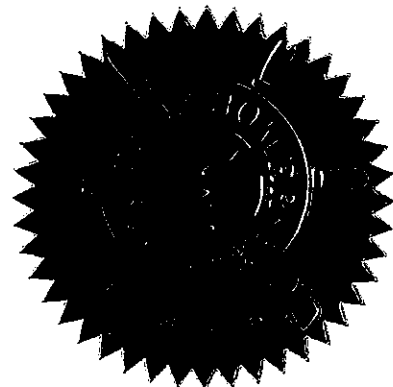
IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Homer, Alaska, to be affixed this 22<sup>nd</sup> day of October, 2012.

CITY OF HOMER

*Beth Wythe*  
BETH WYTHE, MAYOR

ATTEST:

*Jo Johnson*  
JO JOHNSON, CMC, CITY CLERK





# PUBLIC HEARING(S)



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

**Ordinance 12-46**

A **public hearing** is scheduled for **Monday, October 22, 2012** during a Regular City Council Meeting. The meeting begins at 6:00 p.m. in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

**Ordinance 12-46 internet address:**  
**<http://www.cityofhomer-ak.gov/ordinances>**

**Ordinance 12-46**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount of \$50,165 from the General Fund Balance to Carry Out the Requirements of Homer City Code Title 17 Entitled Improvement Districts and to Implement a Public Information Strategy Related to the Proposed Natural Gas Special Assessment District. City Manager.



All interested persons are welcomed to attend and give testimony. Written testimony received by the Clerk's Office prior to the meeting will be provided to Council.

\*\* Copies of proposed Ordinances, in entirety, are available for review at Homer City Clerk's Office. Copies of the proposed Ordinances are available for review at City Hall, the Homer Public Library, the City of Homer Kiosks at City Clerk's Office, Captain's Coffee, Harbormaster's Office, and Redden Marine Supply of Homer and the City's homepage - <http://clerk.ci.homer.ak.us>. Contact the Clerk's Office at City Hall if you have any questions. 235-3130, Email: [clerk@ci.homer.ak.us](mailto:clerk@ci.homer.ak.us) or fax 235-3143.

Jo Johnson, CMC, City Clerk

Publish: Homer News – October 18, 2012

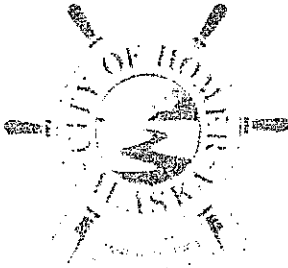
A handwritten signature in black ink, appearing to read "Jo Johnson".

## 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 12-46, An Ordinance Appropriating Funds in the Amount of \$50,165 from the General Fund Balance to Carry Out the Requirements of Homer City Code Title 17 Entitled Improvement Districts and to Implement a Public Information Strategy Related to the Proposed Natural Gas Special Assessment District 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 October 19, 2012 and that the City Clerk posted same on City of Homer Homepage on October 16, 2012.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer  
this 16<sup>th</sup> day of October, 2012.

  
\_\_\_\_\_  
Renee Krause, CMC, Deputy City Clerk I



**ORDINANCE REFERENCE SHEET**  
**2012 ORDINANCE**  
**ORDINANCE 12-46**

An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount of \$50,165 from the General Fund Balance to Carry Out the Requirements of Homer City Code Title 17 Entitled Improvement Districts and to Implement a Public Information Strategy Related to the Proposed Natural Gas Special Assessment District.

Sponsor: City Manager

1. City Council Special Meeting October 15, 2012 Introduction
  - a. Memorandum 12-159 from City Manager as backup
2. City Council Regular Meeting October 22, 2012 Public Hearing and Second Reading
  - a. Memorandum 12-159 from City Manager as backup
  - b. Written public comments





**CITY OF HOMER  
HOMER, ALASKA**

City Manager

**ORDINANCE 12-46**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, APPROPRIATING FUNDS IN THE AMOUNT OF \$50,165 FROM THE GENERAL FUND BALANCE TO CARRY OUT THE REQUIREMENTS OF HOMER CITY CODE TITLE 17 ENTITLED IMPROVEMENT DISTRICTS AND TO IMPLEMENT A PUBLIC INFORMATION STRATEGY RELATED TO THE PROPOSED NATURAL GAS SPECIAL ASSESSMENT DISTRICT.

WHEREAS, Resolution 12-69 initiated the proposed Natural Gas Distribution System Special Assessment District; and

WHEREAS, Title 17 of the Homer Municipal Code entitled "Improvement Districts" contains requirements for preparing assessment rolls, certified mailings, neighborhood meetings, public hearings, and other activities that require staff time and financial resources; and

WHEREAS, The proposed special assessment district contains approximately 3,800 parcels and compliance with the code will require funding above and beyond the existing budget; and

WHEREAS, A proposed project of this magnitude and complexity requires that as much factual information as possible be disseminated so that the affected property owners and the general public can make informed decisions; and

WHEREAS, It is appropriate and necessary to appropriate funds, above and beyond the existing operating budget to adhere to the requirements of Title 17 and to provide the public with useful information through multiple venues and outlets.

NOW, THEREFORE, BE IT ORDAINED by the City of Homer:

Section 1. The Homer City Council hereby appropriates \$50,165 from the General Fund Balance for the purpose of complying with the requirements of Title 17 and implementing a public information strategy as follows:

41 Expenditure:

42	<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
43	151.798	Title 17 Tasks / Public Information	\$50,165

44  
45 Section 2. The funds appropriated in the preceding section shall be used for things like  
46 advertising, mailing, publications, web hosting, professional cost estimating, and temporary  
47 staffing and a proposed budget is contained in Memorandum 12-159, a copy of which is attached  
48 and incorporated herein.

49  
50 Section 3. This ordinance is a budget amendment only, is not of a permanent nature, and  
51 shall not be codified.

52  
53 ENACTED BY THE HOMER CITY COUNCIL this \_\_\_ day of \_\_\_\_\_, 2012.

54  
55 CITY OF HOMER

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57  
58  
59 JAMES C. HORNADAY, MAYOR

60  
61 ATTEST:

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63  
64  
65 JO JOHNSON, CMC, CITY CLERK

- 66
- 67 YES:
- 68 NO:
- 69 ABSENT:
- 70 ABSTAIN:

- 71
- 72 First Reading:
- 73 Public Hearing:
- 74 Second reading:
- 75 Effective Date:

76  
77  
78 Reviewed and approved as to form:

79  
80  
81 Walt Wrede, City Manager

80  
81 Thomas F. Klinkner, City Attorney

82  
83 Date: \_\_\_\_\_

82  
83 Date: \_\_\_\_\_

## MEMORANDUM 12-159

**TO:** Mayor Wythe and Homer City Council  
**FROM:** Walt Wrede  
**DATE:** October 9, 2012  
**SUBJECT:** Budget for Natural Gas Special Assessment District

As you know, the Council recently adopted Resolution 12-69 which initiated the Natural Gas Distribution System Special Assessment District. Title 17 of the Homer City Code contains provisions for the Special Assessment District review and approval process that require significant staff time and financial resources; especially for a proposed special assessment district this large, expensive, and complex. The requirements include, but are not limited to preparation of special assessment rolls, certified mailings, neighborhood meetings, public hearings and advertising. This effort requires a separate budget and appropriation above and beyond the existing operating budget.

In addition, the Council has stated that it is important to undertake a large public information effort for this project, given its size, complexity, cost, and potential impacts on the community. It is important for the City to disseminate as much factual information as possible about the proposed assessment district so that affected property owners and the public at large can make informed decisions.

The proposed budget which follows is intended to cover the work associated with the special assessment district that will take place between September 1, 2012 and March 1, 2013. This will take the Council through the entire special assessment review and decision making process required by the Code. A different budget will be needed if the assessment district is approved, a contract is signed with Enstar, and we proceed to construction. These costs will eventually be recouped through the administration fee when assessments are paid but they are real costs that must be addressed right now.

This budget contains a temporary employee (up to six months) to assist with work in the Clerk's office, money for professional construction cost estimating, money for web hosting, advertising, supplies, mailing, flyers, and so on. Some of these line items are a little fat (advertising for example) to provide for unanticipated circumstances. For example, new information may emerge in the next few months or issues may come up that have not been adequately addressed or explained. It is important to have the flexibility to supplement information if needed through things like inserts in the newspaper.

### Proposed Budget

Temporary Staff	\$14,000
Consulting /Cost Estimating	\$10,000

Flyer (printing, mailing, images)	\$3,500
Web Hosting	\$1,000
Printing	\$ 300
Advertising	\$5,500
Mailing (certified mail)	\$13,365
Supplies (paper, envelopes, etc)	\$2,000
Food / Custodial Services	<u>\$ 500</u>
<b>TOTAL</b>	<b>\$50,165</b>

## Jo Johnson

---

**From:** Larry Slone [larryslone543@gmail.com]  
**Sent:** Friday, October 12, 2012 1:31 PM  
**To:** Department Clerk  
**Subject:** Monday Council meeting

To: City Clerk  
Please put in Lay-Down Packet for Council Special Meeting Oct 15

From: Larry Slone

Subject: Ord 12-46, HSAD

Councilmembers,

In general I support proposed Ordinance 12-46, requesting additional funding to administer the gas-line development Special Assessment District.

Here's the problem: This additional money is provided primarily by city residents from taxes. It is going to be used to administer a program that will - hopefully - provide significant long-term benefits to these same residents. What it will apparently NOT do is provide any information exposing them of the additional monetary costs associated with reaching the goal of an inexpensive heating source (cheap gas).

This is a serious flaw in the flow of information because the ultimate expense of plumbing a building's gas-system, from curbside hook-up, could easily be \$30,000! I strongly urge councilmembers to instruct the administration to present this possibility during the information campaign. The alternative is that many subscribers will be caught flat-footed (by surprise). One cannot reasonably expect each of the thousands of affected users to individually contact local plumbing when the city could readily provide some estimates. The current admin proposal, providing cost estimates up to curbside hook-up only, is only one-half of the equation necessary for the potential subscribers to make an informed choice.

Larry Slone



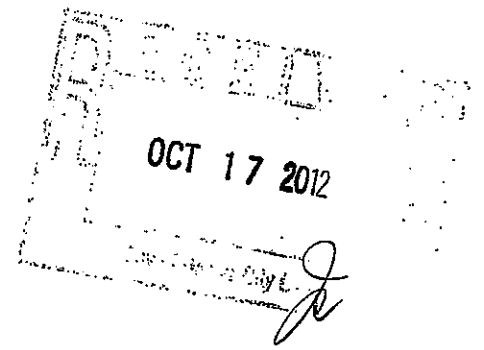
October 17, 2012

To: City of Homer

From: Harley R. Eckert Jr.

990 Soundview Drive

Homer, Alaska 99603



October 17, 2012

Attention: Homer City Council

Re: Homer Gas Pipeline

Dear Homer Council,

In 1994, Enstar won the right to serve natural gas in Homer through a regulatory proceeding before the Alaska Public Utilities Commission (APUC). The competitor for the Certificate of Public Convenience and Necessity (CPCN) was Homer Electric Association. The underpinning of Enstar's successful bid for that certificate was the provision of charging Homer customers the same price for gas as the rest of Enstar's customers. The issue of feasibility in sending a pipeline to the Homer area was not an issue in the regulatory proceeding. It is worthy of note that APUC Chairman, Sam Cotton, dissented. He favored the knowledge of a local utility that was focused on folks in the southern peninsula instead of stockholders in the lower 48.

In that proceeding, Enstar raised the "possibility" that HEA wanted the certificate for the purpose of blocking gas development, thereby enhancing HEA's electric energy market share even though HEA had very little of the heating market at that time. Enstar has done little other than block gas service to Homer since then. Could Enstar's intent have been to bring gas to Homer only when it could do so on its own economic terms? That

purpose would be contrary to the regulatory intent of the APUC in issuing the CPCN to any entity and once again was not raised as an issue in the case.

Enstar is receiving a substantial subsidy from the State of Alaska to pay for a main line system to Homer. It is also not removing the \$1 per Mcf surcharge to pay for the line to Homer, citing increased costs due to a changed source of the line, a smaller service territory and other changes. Enstar has not been required to provide competitive costs with other constructors. The City of Homer should ask the RCA to require competitive construction costs and to audit use of the public money.

The vast majority of Enstar's customers have not been required to pay this surcharge. I wonder if future new customers in Anchorage, Kenai, Soldotna and the MatSu valleys will ever have to worry about such a charge.

The City of Homer in considering a charge for a Local Improvement District should recognize that Enstar will receive approximately 80% of its unvetted mainline construction cost and will receive all profit from gas sales while the City will be required to take the heat on collecting distribution system costs to keep Enstar whole to the penny. Homer property owners pick up the total cost of service. Homer has the right to insist that Enstar does not collect more money for service than any other customer in the rest of its service territories.

The City of Homer must evaluate the cost of Enstar's distribution buildout. The cost cited should not include distribution mainlines and regulation stations because Enstar will be charging a "postage stamp rate" that includes cost components for this equipment. If Homer's LID cost includes mainlines and regulation stations, Enstar will be collecting that cost again in the rate charged each Homer customer for gas service.

It is my understanding that Enstar has delayed service to Homer because of the incremental cost to serve the community and tightening Cook Inlet gas supplies. The troubling issue here is that Enstar has not implemented



a moratorium of service among its current customers while subjecting Homer to a complete block of service. Given that Enstar was awarded the CPCN eighteen years ago, I can only surmise that Enstar has simply not wanted to serve Homer even though it was clinically required to. Homer should pay its fair share, not a discriminately higher cost.

Sincerely,

Harley R. Eckert Jr.

Email: [eckert@xyz.net](mailto:eckert@xyz.net)

907-399-4484



# ORDINANCE(S)



**ORDINANCE REFERENCE SHEET**  
**2012 ORDINANCE**  
**ORDINANCE 12-47**

An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2013 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures).

Sponsor: City Manager

1. City Council Regular Meeting October 22, 2012 Introduction



1 CITY OF HOMER  
2 HOMER, ALASKA

City Manager

3  
4 ORDINANCE 12-47

5  
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER,  
7 ALASKA, APPROPRIATING FUNDS FOR THE CALENDAR  
8 YEAR 2013 FOR THE GENERAL FUND, THE WATER-  
9 SEWER FUND, THE PORT/HARBOR FUND, DEBT FUNDS,  
10 AND CAPITAL RESERVE FUNDS (CONDITIONAL  
11 EXPENDITURES).

12  
13 THE CITY OF HOMER ORDAINS:

14  
15 Section 1. Pursuant to the authority of Alaska Statute, Title 29, the appropriations for  
16 Calendar Year ending December 2013 are appropriated as follows:

17		
18	General Fund	\$11,430,413
19	Water-Sewer Fund	\$ 3,593,462
20	Port/Harbor Fund	\$ 5,836,667
21	Capital Projects	\$ 2,289,188
22	Internal Service Funds	\$ <u>2,169,416</u>
23		
24	Total Expenditures	\$ 25,319,146

25  
26 Section 2. Such amounts are appropriated to the objects and purposes stated in the  
27 adopted budget.

28  
29 Section 3. A copy of the budget shall be certified by the City Clerk and filed in the Office  
30 of the City Clerk.

31  
32 Section 4. The supporting Line Item Budget detail as presented by the Administration and  
33 reviewed by the City Council is incorporated as part of this Budget Ordinance.

34  
35 Section 5. The property tax mill levy is set at 4.5 mills for 2013.

36  
37 Section 6. This Ordinance is limited to approval of the Budget and appropriations for  
38 Calendar Year 2013, is a non code Ordinance and shall become effective January 1, 2013.

39  
40 PASSED AND ENACTED by the Homer City Council on this \_\_\_\_\_ day of December,  
41 2012.

42  
43 CITY OF HOMER

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45 \_\_\_\_\_  
46 MARY E. WYTHE, MAYOR

47 ATTEST:

48

49

50 JO JOHNSON, CMC, CITY CLERK

51

52

53 Introduction:

54 Public Hearing:

55 Second Reading:

56 Effective Date:

57

58 AYES:

59 NOES:

60 ABSTAIN:

61 ABSENT:

62

63 Reviewed and approved as to form:

64

65

66 Walt E. Wrede, City Manager

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68 Date: \_\_\_\_\_

69

70

71 Fiscal Note: See Line Item Budget and detail.

Thomas Klinkner, City Attorney

Date: \_\_\_\_\_



**CITY OF HOMER  
HOMER, ALASKA**

City Clerk

**RESOLUTION 12-088**

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby maintains the  
City of Homer Fee Schedule at the current rates.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this \_\_\_\_ day of  
December, 2012.

CITY OF HOMER

\_\_\_\_\_  
MARY E. WYTHE, MAYOR

ATTEST:

\_\_\_\_\_  
JO JOHNSON, CMC, CITY CLERK

Fiscal Note: N/A



# Fee Schedule

## July 2012

**This Pamphlet compiled by the Office of the Homer City Clerk**

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



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

**Updated: July 2012**

07/12 - clerk

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

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

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

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

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

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

Phone Numbers for main offices:

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

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

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

#### **ADMINISTRATIVE FEES FOR THE CITY OF HOMER**

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

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

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

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

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

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

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

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

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

CD Reproductions: \$20.00

Document copying fees: \$ .25/page

Certification Fee: \$10/report

Driver License Records \$10

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

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

Lease application fee \$30

Lease fee \$300

Lease Assignment Fee \$250

Local Bidder's Preference

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

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

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

**Production Fees -**

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

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

**Local Improvement Districts (LID's):**

HARP (Homer Accelerated Roads Program) LID's

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

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

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

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

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

Notary \$5.00

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

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

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

Video Cassette (Police Department) \$30/tape

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

**AIRPORT TERMINAL FACILITY**

Administration - 235-8121 (ext 2225)

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

Advertising only:

\$ 75/yr. - size 9X4"

\$ 100/yr. - size 9X7"

\$125/yr. - size 9X11"

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

Long Term Parking - Per day \$5

Annual Pass \$500/year

Vending Machine Space \$30/month

## ANIMAL CONTROL FEES

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

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

Dog License			
	Neutered/spayed		\$10.00/2 years
	Nonneutered/nonspayed		\$50.00/2 years
Kennel license			
	Replacement fee, lost license		\$ 4.00
	Rabies Voucher		\$ 12.00
	Quarantine at Home		\$ 40.00
	Quarantine at Shelter		\$ 40.00 plus daily boarding fee
	Boarding fee (when available)		\$ 12.00 daily
	Pickup at residence for owner release		\$ 20.00
	Turn In		\$ 5.00
	Turn In for Euthanasia		\$ 15.00
Impound fees:			
	Nonspayed/Nonneutered		Spayed or Neutered
	1st offense	\$35.00	1st offense \$25.00
	2nd offense	\$50.00	2nd offense \$40.00
	3rd offense	\$85.00	3rd offense \$75.00
	4th offense or greater	\$100.00	same

### \* Live Trap:

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

Adoption Fee \$ 15.00

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

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

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

## CAMPING FEES

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

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

"Camping" means:

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

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

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

All fees inclusive of sales tax.

## **CITY CLERK**

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

Administrative - 235-3130

Cemetery fees amended Resolution 98-28.

Cemetery - plot   \$200

### Excavation

adult - \$500; \$400 opening, \$100 closing

infant \$375; \$300 opening, \$75 closing

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

City Council and Commission Meeting packet fee

Per Packet:

0 - 25 pages - \$5.00

26 - 50 pages - \$10.00

51 - 100 pages - \$20.00

100 - 200 pages - \$25.00

200 - 500 pages - \$30.00

500+ pages - \$35.00

Per Month, Per Council or Advisory Body:

1 packet same fees as above.

2 packets above fee with 10% reduction.

3 packets above fee with 12% reduction.

4 or more packets above fee with 15% reduction.

City Hall Facility Use Fee (Resolution 03-159)

Government Agencies, generally, are exempt from fees.

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



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

City Pins and Mugs (Resolution 98-28)

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

Copies of meeting (audio) tapes \$10.00/each (Reso. 03-159)  
Copies of meeting (digital) CDs \$10.00/each (Reso. 06-16)

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

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

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

**LIBRARY FEES**

235-3180 (Amended: Ordinance 05-08; Resolution 12-006, 04-98(S)(A); 03-87; 99-19(A); 98-86; 97-87)

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

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

Overdue Items - 14 day circulation (except digital devices) \$0.15/day  
(except digital devices) Maximum charge \$6.00

7 day and 1 day circulation - \$1.00/day  
Digital Devices \$5.00/day

Interlibrary Loans- \$1.00/day  
2nd overdue notice - \$1.00/notice

Bill notice - \$1.00/notice  
Admin. Fee for Bills Sent to Collection Agency \$25.00

Photo copy \$.15/ea (letter size) and (legal size) per side  
\$.25/ea (11"x17") per side  
\$1.00/ea color copies (letter size) and (legal size) per side  
\$2.00/ea color copies (11"x17") per side

Interlibrary loan fee \$2 standard size books  
\$.15 per page for photo copy  
Priority Mail \$4.00  
Microfilm/videos/CDS/Audios

Additional charges may be assessed and mailing costs may exceed these amounts.

Replacement/Repair of items

Lost or damaged items: Replacement cost plus \$7.00 processing fee per item

Lost or damaged cases, hang-up bags, etc.: Replacement cost or \$2.00, whichever is greater

Lost map or inserts - \$10/item  
Lost out-of print items - \$50/Alaskana  
\$40/non fiction  
\$35/fiction

Damaged Item - \$1.00/page  
\$2.50/cover

Damaged beyond repair - Full bindery cost or full replacement cost plus \$7.00 processing charge.

Improper Return of Digital Devices- \$25 fee if not returned to Front Desk staff

Please Note: To receive a refund on a lost item, patrons must return the item within sixty days of lost status. Refunds of payment for items deemed valuable to the collection and returned after the 60-day period may be made at the discretion of the Director. No refunds will be given for digital devices.

**PLANNING AND ZONING DEPARTMENT**

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

Zoning Permit

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

Zoning Permit Fees:

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

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

ROW Permit - minor \$90  
major \$90

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

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

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

Zoning Ordinance - HCC 21 \$ 15  
 Sign Permit - \$ 50  
 Variance - \$250  
 Erosion and Sediment Control Plan (BCWPD): \$300

Storm Water Protection Plan Fee: \$200

Conditional Use Permit Processing Fee

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

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

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

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

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

Flood Hazard Development Permit \$200

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

Elimination of a common interior lot line. \$200.00

Right of Way and Section Line \$300  
 Easement Vacation Application  
 Fee: (In addition to applicable preliminary plat fees).  
 Utility easement vacation: no fee

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

the evaluation process is still in effect.

#### Street Renaming

#### Fees

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

- |  |       |
|--|-------|
| (1) Street Naming Petition and hearing advertising fee                                 | \$150 |
| (2) Installation of each new City sign, post, etc. Per sign:                           | \$150 |
| (3) Replacement of existing City sign due to change where no post is needed. Per sign: | \$ 80 |

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

(B) For Private Road Naming:

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

### **PORT AND HARBOR DEPARTMENT**

(The following fees have been set by legislative enactments to HCC 10, Ord. 95-18(A) and Resolutions 12-037(S), 12-023, 10-89, 06-52, 06-04, 05-123, 04-96, 03-154(S), 03-104, 03-88, 00-39, 99-118(A), 99-101, 99-78(S), 99-30(A), 95-69 (Port/Harbor Tariff No. 600), Resolution 95-19, Resolution 01-84(S)(A), Resolution 02-81(A), Resolution 07-121, and Resolution 08-123)  
Harbor Office - 235-3160  
Fish Dock - 235-3162

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

Administrative cost for changing boat in slip - \$25.00

A \$30.00 per year charge will be assessed for a listing on a permanent reserved stall assignment.

Large quantity waste oil disposal (with Harbor Master approval) - \$3.25 gallon

#### **PARKING FEES**

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

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

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

Long Term Parking annual permit (January 1<sup>st</sup> through December 31<sup>st</sup>): fee \$200.00.

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

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

Monthly parking permit for vehicles less than 20': fee \$70.00 for 30 consecutive days.

Monthly parking permit for vehicles over 20': fee \$85.00 for 30 consecutive days in a portion of Lot 9 only.

Long term parking will be enforced year around.

Parking lot restrictions for long term parking, May 1 through October 1, as depicted on attached map (Attachment A).

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

Fines, \$25.00 per calendar day, limited to \$250.00 fine per calendar year, with \$200.00 of the fine credited towards the long term parking annual permit.

Annual Moorage fee - \$37.86 per lineal foot, plus \$50.00 administrative charge.

Reserved Stall - length of the float stall assigned, or overall length of vessel whichever is greater, plus \$50.00 administrative charge.

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

Dockage charges will be assessed based on lineal foot per calendar day or portion thereof as follows:

0' to 100'	\$254.13	451' to 475'	\$1,327.51	651' to 675'	\$2,711.10
101' to 200'	\$423.25	476' to 500'	\$1,434.88	676' to 700'	\$2,990.88
201' to 300'	\$677.75	501' to 525'	\$1,580.26	701' to 725'	\$3,368.76
301' to 350'	\$871.38	526' to 550'	\$1,687.63	726' to 750'	\$3,766.63
351' to 375'	\$961.01	551' to 575'	\$1,806.01	751' to 775'	\$4,188.01
376' to 400'	\$1,043.38	576' to 600'	\$1,958.38	776' to 800'	\$4,668.88
401' to 425'	\$1,137.26	601' to 625'	\$2,174.26		
426' to 450'	\$1,243.13	626' to 650'	\$2,445.63		

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

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

Wharfage:

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

COMMODITY	WHARFAGE RATE
Freight N.O.S. (Not Otherwise Specified)	\$7.96
Freight at barge ramp	\$5.14
Poles, logs, cants or cut finished lumber per M.M.	\$3.95/thousand board ft.

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

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

Petroleum products (inbound and outbound)	\$0.6363/barrel \$0.01515 per gallon
Wood Chips (all grades)	\$ as per contract
Seafood/fish product	Setting a tariff of \$4.76 per ton of seafood/fish product across the dock, regardless of species.
Livestock: Horses, mules, cattle, hogs, sheep, goats, all other livestock	\$10.12 per head
Fowl: Any kind, crated	\$10.12 per crate
Boats: Up to and including twenty (20) feet LOA	\$15.66 each
Over twenty (20) feet LOA	\$1.60 per lineal ft.
(Fishing boats, pleasure craft, skiffs, dinghies and other boats moved over the docks.)	
Demurrage	0.09/sq. ft.
Uplands Storage:	
Land for Gear Storage-	
First come-first served basis; approved by Harbormaster; primarily for fishing related gear.	
Open areas, fishing gear	0.12/ sq. ft.
Open areas, non-fishing gear	0.17/ sq. ft.
Boat Trailers-	
Short term storage, up to 7 days - space available basis - no fee.	
Long term storage, 8 days or more - not available May 1 to Oct 1	
Up to 30 feet	\$ 75.00/month Oct 1 to May 1
Over 30 feet	\$100.00/month Oct 1 to May 1

TIDAL GRIDS:

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

The rate per foot per tide is \$1.05 for vessels 0' - 59'  
 The rate per foot per tide is \$2.55 for vessels 60' - 80'  
 The rate per foot per tide is \$3.25 for vessels 81' - 100'  
 The rate per foot per tide is \$3.82 for vessels 101' - 120'  
 The rate per foot per tide is \$4.24 for vessels 121' - 140'

**WATER:**

Potable water furnished to vessels at the Deep Water Dock and Main Dock:  
 Quantity charge - \$38.81 per one thousand gallons (minimum five thousand gallons).  
 Scheduled deliveries will have a minimum charge of one hundred and two (\$102.00) dollars for combined connection and disconnection.  
 Unscheduled deliveries will have a minimum charge of one hundred thirty nine dollars and thirty two cents (\$139.32) for combined connection and disconnection.

**ELECTRICITY (per kilowatt):**

Reserved stalls having a meter base at the berth shall be charged a meter availability fee.  
 The meter availability fee - \$23.95 per month  
 Connect/disconnect fee - \$28.80

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

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

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

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

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

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

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

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

**LABOR/PERSONNEL:**

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

**SPECIAL SERVICES:**

Special services, including waste, bulk oil, or garbage disposal shall be billed at the City's actual cost plus 125% of city costs for services arranged for by the City but provided by others. Waste oil in quantities greater than 5 gallons, shall be charged a \$3.35 per gallon handling and disposal fee.

**REGULATED GARBAGE HANDLING FEE:**

Contact the Homer Harbormaster office for a list of contractors certified to handle regulated garbage at the Port of Homer. Fees will be negotiated between the contractor and vessel managers.

**SEARCH AND RESCUE FEES:**

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

**PUBLIC LAUNCH RAMPS:**

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

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

**BEACHES AND BARGE RAMP:**

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

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

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

The user of any beach area or the barge ramp must repair any damage to the beach or ramp and remove all debris. Failure to make such repairs and removal will result in repairs and cleanup by the harbor staff. The costs incurred by the harbor staff will be fully charged to the beach user. Labor rate for the harbor staff will be one hundred and two dollars (\$102.00) per hour per person, plus appropriate equipment rental and material costs.



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

**FISH DOCK:**

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

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

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

Blocking access to cranes - \$150.00/hr.

Unattended vessels - \$150.00/hr.

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

ITEM	FEE
Annual access	\$52.00 per year
Card (private license)	(annual renewal fee)
Card replacement fee	\$15.00 per occurrence
Cold Storage	\$334.75/month
(Cold storage rate structure is for storage area of eight (8) feet by ten (10) feet	\$309/per month for two (2) consecutive months
	\$283.25/per month for three (3) consecutive months
	\$275.50/per month for nine (9) month season
	Minimum one month rental
	Inspection \$50/per hour
Bait Storage Fee (4x4x4)	
Per Day	\$5.15
Per Week	\$25.75
Per Month	\$77.25
Ice Plant Bin Storage (Roofed over, open sided storage bins at west end of of ice plant building sixteen (16) feet by twelve (12) feet)	\$200/per month, minimum two (2) months
Fish Dock crane	\$90.64/per hour
Minimum charge per hour for crane	Fifteen minutes
Ice	\$124.95/per ton
Seafood Wharfage/Fish product	Setting a tariff of \$4.76 per ton of seafood/fish product across the docks.

Regardless of species bait in quantities greater than one ton that is loaded onto a vessel at Fish Dock, shall be charged seafood wharfage.

Freight NOS, Nonfish Cargo	\$14.50/per ton for cargo going over the Fish Dock.
Fish Waste Disposal Fees/Fish Grinder	\$5.00/Tub \$30.00/Tote

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

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

**PUBLIC SAFETY**

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

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

Handicap Parking Violation \$100

Noisy Vehicles - enforcement begins April 28, 2004.

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

<u>Offense</u>	<u>Penalty/Fine</u>
Muffler not working properly	CORR/\$500
Muffler modified/excessive noise	CORR/\$500
Muffler removed or inoperative	CORR/\$500

Noise exceeds limits:

First conviction	\$100
Second conviction within 6 months of first conviction	\$200
Third conviction within 6 months of any prior conviction	\$300

Sale of vehicle exceeding noise limits:

First conviction	\$100
Second conviction within six (6) months of first conviction	\$200

Third conviction within six (6) months of any prior conviction	\$300
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Jake brake use prohibited:

First conviction	\$100
Second conviction within six (6) months of first conviction	\$200 plus proof of satisfactory HPD commercial vehicle inspection
Third conviction within six (6) months of any prior conviction	\$300 plus proof of satisfactory HPD commercial vehicle inspection

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

Public Transportation (HCC 8.12.150 and 8.12.200):

Vehicle Permit \$75 Fiscal Year, expires June 30<sup>th</sup>

Permit \$37.50 after January 1<sup>st</sup>, expires June 30<sup>th</sup>

\$5 Replacement Permit

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

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

Parking Tickets -\$25

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

Itinerant Merchant - \$330/for 60 days

Mobile Food Unit - \$390/per yr.

### **FIRE DEPARTMENT FEES**

Emergency 911

Administrative Office - 235-3155

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

#### **AMBULANCE:**

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

#### **FIRE:**

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

**VOLUNTEER PERSONNEL:**

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

**PUBLIC WORKS DEPARTMENT**

Administrative - 235-3170

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

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

**SUBDIVISION AGREEMENT FEE SCHEDULE:**

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

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

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

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

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

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

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

(Contact Planning Department - at City Hall, 235-3106. Planning issues the permits.)

#### WATER AND SEWER FEES:

(The following fees have been set by the following legislative enactment HCC Title 14, new fees set forth in Ordinance 11-43, Resolution 11-062(A), Resolution 09-47(S)(A), Resolution 09-48(S)(A), Resolution 07-119 (A), Resolution 07-120(A), Ordinance 06-62(A), Resolution 06-04, Resolution 05-125, Resolution 05-122, Resolution 05-121(A), Resolution 05-09, Resolution 04-95, Resolution 04-94(S)(A), Resolution 03-159, Resolution 02-80, Resolution 01-80(A), Resolution 00-123, Resolution 00-34, Ordinance 00-02, Ordinance 97-17(A), amending the rates set forth in Ordinance 97-5(S)(A), with amendments by Ordinance 97-7, Ordinance 97-13 and Ordinance 97-14).

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

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

Establishing service includes a one time disconnect - \$30  
Service calls, inspections, repairs not to exceed one hour - \$25 per employee plus equipment and materials.

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

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

#### SEWER FEES:

##### Sewer Connection and Extension Permit Fee

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

##### Sewer Rate Schedule.

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

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

Seasonal monthly sewer customer charge will be \$10.00 or one half off the regular monthly customer charge.

\*-Customer classification definitions for determining water rates:

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

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

Commercial - Any user not defined as Residential.

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

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

Sewer System Dischargers Who Are Members of Kachemak City LID:

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

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

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

Seasonal Sewer Meter Fee is \$211.97.

**WATER FEES:**

Water Connection Fee

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

Water Rate Schedule.

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

Customer Classification*	Monthly Customer Charge	Charge per Gallon	Usage Charge per 1,000 Gallons of Water
Single Family Residential	\$25	\$0.00442	\$ 4.42
Multi-Family Residential	\$25 (per unit)	\$0.00442	\$ 4.42
Commercial	\$25	\$0.01140	\$11.40
Bulk	\$25	\$0.01269	\$12.69

Seasonal monthly water customer charge will be \$12.50 or one half off the regular monthly customer charge.

\*-Customer classification definitions for determining water rates:

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

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

Commercial - Any user not defined as Residential.

Meter Size Deposits.

<u>Size (inches)</u>	<u>Residential Users</u>	<u>Nonresidential Users</u>
5/8	\$75.00	\$220.00
3/4	\$80.00	\$230.00
1	\$90.00	\$250.00
1-1/2	\$115.00	\$310.00
2	\$150.00	\$370.00
3	\$220.00	\$525.00
4	\$310.00	\$730.00
6	\$520.00	\$1,225.00

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

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

**RESIDENTIAL HOLDING TANK FEES**

(Resolution 02-23)

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

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

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

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

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



**LEGISLATIVE BODY**

**MAYOR**

Mary E. (Beth) Wythe – 2014

**COUNCILMEMBERS**

Vacant —2013

Bryan Zak—2013

Barbara Howard—2014

David Lewis—2014

Francie Roberts—2015

Beauregard Burgess—2015

**ADVISORY BODIES**

Parks and Recreation Advisory  
Commission

Advisory Planning Commission

Port and Harbor Advisory  
Commission

Library Advisory Board

Economic Development Advisory  
Commission

**DEPARTMENTS**

**Located At:**

City Hall

City Manager’s Office  
Administration  
Personnel

City Clerk’s Office  
Records & Elections  
Planning & Zoning

Public Works Facility

Public Works  
Water & Sewer  
Maintenance  
City Engineer  
Inspector

On the Spit

Port and Harbor

Public Library  
Library

Police Department  
Public Safety  
Police Department

Fire Hall

Fire Department  
EMS  
Fire  
Rescue

Homer High School

Community Recreation



**CITY OF HOMER  
HOMER, ALASKA**

City Clerk

**RESOLUTION 12-089**

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

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

WHEREAS, It was determined there were no adjustments to the Port of Homer Terminal  
Tariff No. 600 at this time.

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

PASSED AND ADOPTED by the City Council of Homer, Alaska, this \_\_\_\_ day of  
December, 2012.

CITY OF HOMER

\_\_\_\_\_  
MARY E. WYTHER, MAYOR

ATTEST:

\_\_\_\_\_  
JO JOHNSON, CMC, CITY CLERK

Fiscal Note: N/A



# **PORT OF HOMER TERMINAL TARIFF NO. 600**

Terminal Tariff No. 600  
Filed under ATFI Rules



Issued by City of Homer  
Phone 907.235.3160 Fax 907.235.3152  
Or Visit our Website at  
<http://www.cityofhomer-ak.gov/port>  
4350 Homer Spit Road  
Homer, Alaska 99603

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

Issued: July 2, 2012

Effective: July 2, 2012



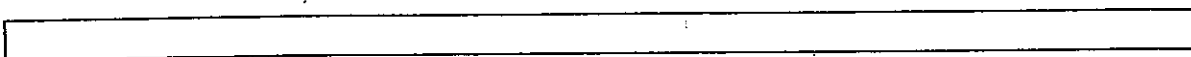
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RULE: 01 -- SCOPE (I)

EFF: 31OCT1994

NOT APPLICABLE

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

EFF: 31OCT1994

NOT APPLICABLE

RULE: 03 -- RATE APPLICABILITY RULE (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 04 -- HEAVY LIFT (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 05 -- EXTRA LENGTH (I)

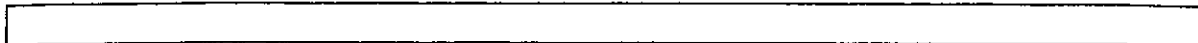
EFF: 31OCT1994

NOT APPLICABLE

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

EFF: 31OCT1994

NOT APPLICABLE



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

EFF: 31OCT1994

NOT APPLICABLE

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

EFF: 31OCT1994

NOT APPLICABLE

RULE: 09 -- FREIGHT FORWARDER COMPENSATION (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 10 -- SURCHARGES AND ARBITRARIES (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 11 -- MINIMUM QUANTITY RATES (I)

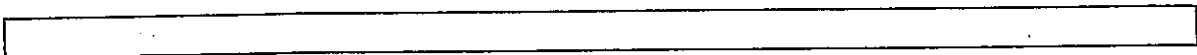
EFF: 31OCT1994

NOT APPLICABLE

RULE: 12 -- AD VALOREM RATES (I)

EFF: 31OCT1994

NOT APPLICABLE



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RULE: 13 -- TRANSSHIPMENT ( I )

EFF: 31OCT1994

NOT APPLICABLE

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

EFF: 31OCT1994

NOT APPLICABLE

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

EFF: 31OCT1994

NOT APPLICABLE

RULE: 16 -- HAZARDOUS CARGO ( I )

EFF: 31OCT1994

NOT APPLICABLE

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

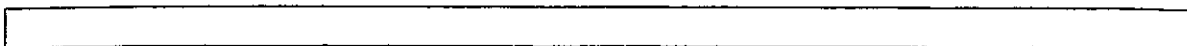
EFF: 31OCT1994

NOT APPLICABLE

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

EFF: 31OCT1994

NOT APPLICABLE



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

EFF: 31OCT1994

NOT APPLICABLE

RULE: 20 -- OVERCHARGE CLAIMS (I)

EFF: 31OCT1994

NOT APPLICABLE

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

EFF: 31OCT1994

NOT APPLICABLE

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

EFF: 31OCT1994

NOT APPLICABLE

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

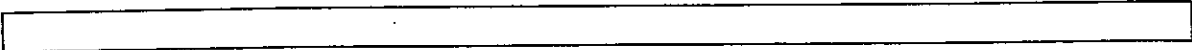
EFF: 31OCT1994

NOT APPLICABLE

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

EFF: 31OCT1994

NOT APPLICABLE



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

EFF: 31OCT1994

NOT APPLICABLE

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

EFF: 31OCT1994

NOT APPLICABLE

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

EFF: 31OCT1994

NOT APPLICABLE

RULE: 28 -- DEFINITIONS (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 29 -- SYMBOLS (I)

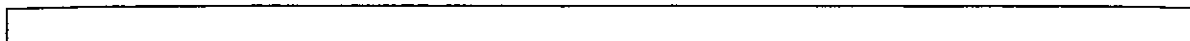
EFF: 31OCT1994

NOT APPLICABLE

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

EFF: 31OCT1994

NOT APPLICABLE



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RULE: 31 -- SEASONAL DISCONTINUANCE (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 32 -- MILITARY CARGO TERMS (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 33 -- PROJECT RATES (I)

EFF: 31OCT1994

NOT APPLICABLE

RULE: 34 -- TERMINAL TARIFFS (I)

EFF: 31OCT1994

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

RULE: 34.1 -- SCOPE (C)

EFF: 15SEPT1995

SECTION I

SCOPE:

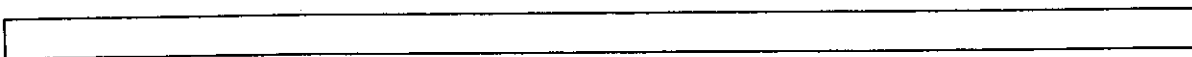
The rules, regulations, conditions, commodity rates and/or charges set forth in this tariff apply to or from the following terminal(s)

NAME

ADDRESS

PORT OF HOMER

4350 HOMER SPIT ROAD  
 HOMER, ALASKA 99603



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

EFF: 01JAN2002

SUBSECTION 100

Abbreviations:

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

Symbols:

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

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

**DEFINITIONS:**

(a) **DEFINITIONS OF FEDERAL MARITIME COMMISSION MAY CONTROL:**  
Unless provided in this Tariff, applicable definitions set fort in 46 C.F.R. shall control.

(b) **BEAM:**  
For the purpose of this Tariff, "beam" means greatest width of the vessel, including booms, spars, gins, or any fixed extensions.

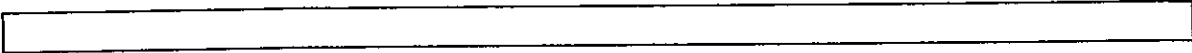
(c) **CITY DOCKS:**  
The city docks of the City of Homer include all docks, floats, stalls, wharves, ramps, piers, bulkheads, and sea walls owned or operated by the City of Homer including the Deep Water Dock, the Wood and Steel tidal grids, the Main (Ferry) Dock, Fish Dock, and beaches within the boundaries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

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

(e) **FLOAT; FLOAT SYSTEM:**  
Those portions of the city docks located within the Homer Port that rise and fall with the tide including the pilings, ramps, ladders, and utility connections.

(f) **HOLIDAYS:**  
Whenever in this Tariff reference is made to holidays the following are included:

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





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

(g) HOMER HARBOR:

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

(h) LENGTH:

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

(i) OPERATOR:

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

(j) OWNER:

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

(k) POINT OF REST STAGING AREA:

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

(l) REGISTRATION:

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

(m) RESERVED MOORING:

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



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

(n) STALL:

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

(o) SMALL BOAT HARBOR:

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

(p) TERMINAL FACILITIES:

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

(q) TRANSIENT:

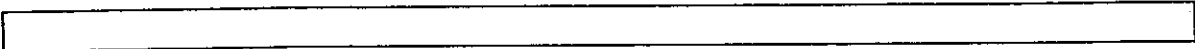
"Transient" means any vessel using the mooring space on a temporary basis or which does not have a specific reserved mooring space.

(r) "VESSEL" DEFINED:

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

(s) WATERWAY:

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



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RULE: 34.2 - NOTICE TO THE PUBLIC (C)

EFF: 21DEC1999

SECTION 1

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

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

RULE: 34.4 - APPLICATION OF TARIFF (C)

EFF: 01JAN2002

SUBSECTION 105

(a) GENERAL APPLICATION OF TARIFF:

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



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**RULE: 34.4 - APPLICATION OF TARIFF**  
(continued)

**(b) TARIFF EFFECTIVE:**

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

**(c) ACCEPTANCE OF TARIFF:**

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

**(d) RESERVATION OF AGREEMENT RIGHTS:**

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

**(e) COMPLIANCE WITH CONDITIONS OF BERTHING:**

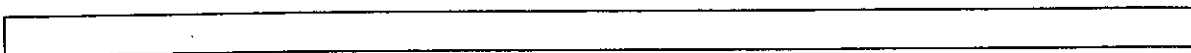
Use of city docks and terminal facilities and the acceptance of services shall comply with any additional Conditions of Berthing set forth in subsection 310 contained herein.

**RULE: 34.5 - APPLICATION OF RATES (C)**

EFF: 27DEC2000

**SUBSECTION 110**

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



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RULE: 34.5 - APPLICATION OF RATES  
(continued)

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

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

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

RULE: 34.6 - INSURANCE (C)

EFF: 15SEP1995

SUBSECTION 115

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

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

EFF: 01JAN2002

SUBSECTION 120

(a) RESPONSIBILITY FOR CHARGES:

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



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

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

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

**(c) CHARGES ON DELINQUENT ACCOUNTS:**

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

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

EFF: 15SEP1995

**SUBSECTION 125**

**(a) RESPONSIBILITY LIMITED**

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



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

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

**(b) INDEMNITY:**

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

**(c) OWNER'S RISK:**

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

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



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

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

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

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

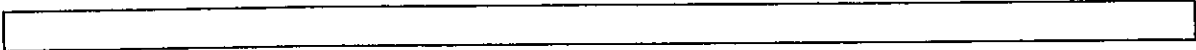
EFF: 21DEC1999

SUBSECTION 130  
SUBJECT TO SUBRULE 34.8 (d)

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

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

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





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

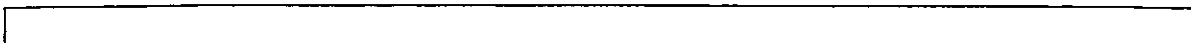
- (4) during periods of congestion, or in cases of emergency, when, in the judgment of the Harbormaster, the circumstances the prevailing or likely to occur will prevent the city docks or terminal, or harbor facilities, or any portion of them from providing customary services to the public.

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

(b) RIGHT TO REFUSE CARGO:

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

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



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

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

(c) RIGHT TO SCHEDULE VESSELS AND CARGO:

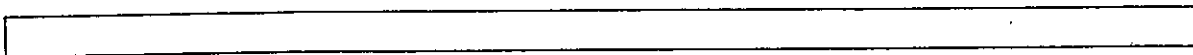
In his discretion, the Harbormaster shall at all times have the right to schedule access to any harbor or port facility by any person or vessel, or to remove any person, vessel, or cargo at any time from any city dock or terminal facility in order to provide for efficient operation of the city docks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

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

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

(e) RIGHT TO WITHHOLD DELIVERY OF FREIGHT:

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



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**RULE: 34.9 - RIGHTS OF THE CITY OF HOMER**

(continued)

**(f) RIGHT TO SELL FOR UNPAID CHARGES:**

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

**(g) EXPLOSIVES:**

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

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

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

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

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

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



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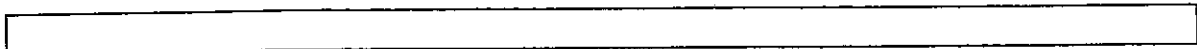
- (3) Movements of vessels to reduce congestion, or maximize services. In his discretion, the Harbormaster shall at all times have the right to move or rearrange any vessel from its present location to any other location in order to reduce congestion within or on the terminal, the docks or the harbor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

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

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

(j) RIGHT TO IMPOUND AND DISPOSE OF VESSEL:

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



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

(k) RIGHT TO REMOVE AND DISPOSE OF NUISANCES.

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

RULE: 34.10 - SHIPPERS REQUESTS AND COMPLAINTS (I)

EFF: 15SEP1995

SUBSECTION 135

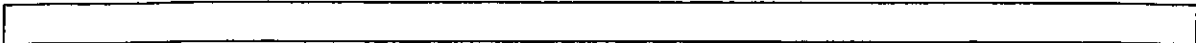
Requests and complaints may be made by any shipper, vessel, or vessel agent by filing a written statement with: Harbormaster, 4350 Homer Spit Road, Homer, Alaska, 99603, or by facsimile, number (907) 235-3152.

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

EFF: 15DEC1999

SUBSECTION 140

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



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RULE: 34.12 - MANIFESTS REQUIRED OF VESSELS (C)

EFF: 15DEC1999

SUBSECTION 145

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

RULE: 34.13 - MOORAGE IN HARBOR (C)

EFF: 01JAN2006

SUBSECTION 150

(a) ASSIGNMENT OF MOORAGE:

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

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

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

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

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

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



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

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

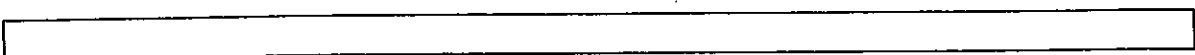
A stall, on becoming available, shall promptly be made available to the next applicant from the top of the appropriate waiting list, as provided herein. The applicant may be assigned to an available stall upon completion and execution of the moorage agreement, payment of the appropriate moorage fee,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

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

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

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

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





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**RULE: 34.13 - MOORAGE IN HARBOR**

(continued)

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

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

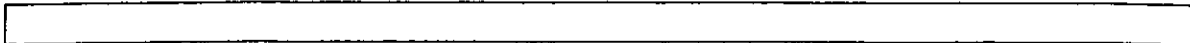
Upon the death of any reserved stall user, reserved mooring privileges shall be transferred to the surviving spouse, son or daughter upon written request to the Harbormaster.

**(b) WAITING LIST FOR RESERVED STALL ASSIGNMENT:**

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

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

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



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

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

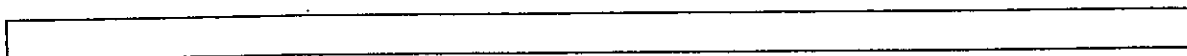
Upon the death of an applicant, the applicant's rank on the waiting list shall be transferred to the surviving spouse, son or daughter upon written request to the Harbormaster.

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

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

**(c) RESERVED STALL ASSIGNMENTS:**

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



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**RULE: 34.13 - MOORAGE IN HARBOR**

(continued)

**(d) PERMANENT RESERVED STALL AND TRANSIENT MOORAGE ASSIGNMENTS:**

There are two types of moorage assignments at the Homer Port and Harbor Small Boat Harbor. The first is a permanently assigned reserved stall and the second is a transient moorage. Stalls that are permanently assigned to a boat/owner may be used for transient moorage when the permanently assigned vessel is away from the stall.

**(e) NOTICE UPON ARRIVAL:**

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

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

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

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



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

**(f) VESSEL REGISTRATION:**

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

**RULE: 34.14 - BERTHING AT THE PORT (C)**

EFF: 01JAN2002

**SUBSECTION 155**

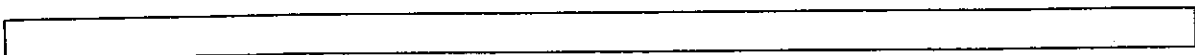
**(a) ASSIGNMENT OF BERTHS:**

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

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

(Subject to Subrule 34.8 (d) herein)

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



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**RULE: 34.14 - BERTHING AT THE PORT**  
(continued)

**(b) PREFERENCE TO RESERVED DOCK USE:**

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

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

Other vessels using the dock will be cleared upon arrival of the ferry. The north face of the Pioneer Dock has preferential mooring privileges accorded to the U.S. Coast Guard vessel assigned.

**RULE: 34.15 - SAFETY, SANITATION AND HOUSEKEEPING (C)**

EFF: 01JAN2009

**SUBSECTION 160**

**(a) GENERAL PROVISIONS**

All users of City docks, terminal and harbor facilities shall exercise due care for the protection of life and property and the public from injury or damage.

Additional safety and sanitation rules applicable to docks and terminals should be consulted. Ordinances of the City of Homer of particular relevance include Chapter 5.06, (Nuclear Free Zone Which Includes Harbor Facilities), Chapter 5.08 (Garbage and Solid Waste Disposal), Chapter 5.16 (Public Nuisances), Chapter 5.20 (Fire Prevention and Explosives), and Title 10 (Port and Harbor).



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**RULE: 34.15 - SAFETY, SANITATION AND HOUSEKEEPING**  
 (continued)

All safety and sanitation laws, regulations and policies of the City of Homer, the Kenai Peninsula Borough, the State of Alaska, and the United States, including those adopted by international treaty, apply to city docks, terminal or harbor facilities. All users, including shippers, vessels, and consignees are hereby warned that the party or parties responsible for infractions of such laws, regulations or policies will be subject to and responsible for any penalties that may result from their violation of those laws, regulations and policies.

**(b) HAZARDOUS MATERIAL, NOTICE OF HAZARDOUS CARGO AND PERMIT REQUIREMENT:**

Hazardous materials, as established by the Department of Transportation Hazardous Materials Commodity List, will not be permitted without the express consent of the Harbormaster and previous arrangement (at least 12 hours prior to landing) and receipt of all appropriate manifests and U.S. Coast Guard Permits, and only at those locations designated by U.S. Coast Guard Permit.

Temporary storage and/or shipment through the Port of Homer of quantities of hazardous waste in excess of 400 pounds of acutely hazardous material) requires a minimum 14 day advance request for a permit, in compliance with the "Interim Policy for the Port and City of Homer concerning notification by hazardous waste carriers and/or generators, municipal review and public notification."

No person shall throw or otherwise cause to be deposited any gasoline, oil, hazardous waste, petroleum contaminated refuse or pumping of bilge containing petroleum products onto any part of into the water of the port or harbor.

Pumping or storing fuel on floats is prohibited.

**(c) RESPONSIBILITY FOR HOUSEKEEPING:**

Users of docks and other terminal and harbor facilities will be required to maintain same in an orderly manner as directed by the Harbormaster. It is unlawful for any person to dump or otherwise dispose of refuse, sewage, garbage, rocks, and/or debris of any kind or type whatever into the water under the jurisdiction of the City of Homer Port and Harbor.



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**RULE: 34.15 - SAFETY, SANITATION AND HOUSEKEEPING**  
 (continued)

Deposit of fish carcasses, including heads, bones or viscera from sport fishing activities is authorized only at designated locations.

If user does not properly clean property used, the Harbormaster shall order the work performed and user will be billed for services in accordance with the rates set forth in Subrule 34.25 Subsection 245 of this tariff.

No person shall tap, connect, disconnect, or interfere with any water outlet, water pipe, water connection, telephone equipment, electrical devise of any kind on docks or in stalls maintained or operated by the City in the Homer Port or Small Boat Harbor without first having obtained the permission of the Harbormaster; or to interfere with or tamper with any wharf, float, gangway, ramp, or any other facility operated by the City.

No person shall use or disturb any port or harbor equipment or facilities; except fire extinguishers in a fire emergency and harbor carts. City provided carts are for use on the floats and may not be removed from the harbor or used on ramps at any time. Carts should be returned to area adjacent to ramps after each use.

**(d) SMOKING PROHIBITED:**

No smoking shall be allowed on any wharf, pier or in any port or harbor facility, during fuel operations or at any time on any fuel station. Persons violating this rule may be barred, at the discretion of the Harbormaster, from the further use of any wharf or facility and, in addition, shall be subject to prosecution under applicable federal, state and municipal laws.

**(e) WASTE OIL AND PETROLEUM PRODUCTS:**

All waste oil and petroleum products must be properly disposed of by the vessel/owner. The City of Homer offers a limited ability to take small quantities of such products as a convenience to the boating public. Quantities, less than 5 gallons, of waste oil and petroleum products will be accepted by the City in the approved and designated facilities on shore. There shall be no storage, even of a temporary nature, of waste oil or petroleum products on city docks, wharves, piers, or finger floats. Any vessel/owner/agent storing or disposing of waste oil in an inappropriate or illegal manner may be barred from further use of the Homer Port and Harbor and/or penalized according to the provisions of federal, state and local law.



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**RULE: 34.15 - SAFETY, SANITATION AND HOUSEKEEPING**  
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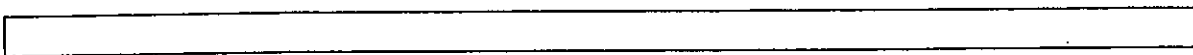
Larger quantities of waste oil may be accepted by the Harbormaster upon prior arrangement by written approval on a case by case basis. These larger quantities of waste oil, if accepted shall be charged \$3.25 per gallon handling and disposal fee.

**(f) TUG REQUIREMENT AND SPEED LIMITATIONS**

- (1) Vessels berthing or departing docks subject to the Tariff must use sufficient tugs so vessel can be berthed or removed in a safe manner. Berthing speed shall not exceed the maximum speed allowable for the tonnage or displacement of the vessel by the design of the facility.
- (2) The Deep Water Dock (DWD) fendering system was designed for a 37,500 displacement ton vessel with maximum berthing speed of 20 feet per minute then later up grader with modified corner fenders, and three breasting dolphins, to accommodate up to 65,000 ton displacement vessels. Vessels larger than 37,500 displacement tons shall have a maximum berthing speed of 16 feet per minute.
- (3) The new Pioneer Dock was designed to accommodate vessels of up to 80,000 displacement tons. Vessels larger than 37,500 displacement tons shall be docked with a maximum berthing speed of 16 feet per minute.
- (4) All craft shall restrict their speed to two miles per hour, no wake, while inside the Small Boat Harbor entering or leaving and shall operate at a reduced speed within one quarter mile of the docks outside the harbor. It shall be unlawful for any vessel to travel at a speed within any waterway causing a wake, wash or wave action which will damage, endanger or cause undue distress to any other boat or occupant thereof, regardless of established speed limits.

**(g) TYING TO PILING IS PROHIBITED:**

All vessels using the Deep Water Dock and Pioneer Dock will use bits and bullrails.





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**RULE: 34.15 - SAFETY, SANITATION AND HOUSEKEEPING**

(continued)

**(h) FIRE EXTINGUISHER REQUIREMENTS:**

- (1) Fire extinguishers in operating condition must be readily available on or immediately adjacent to all welding, cutting, or open flame equipment being used on vessels.
- (2) Fire extinguishers in operating condition must be readily available on all machines, cranes, and welders used on the docks or within the Terminal.

**(i) NO POSTING OR DEFAACEMENT:**

No person shall write or post any written or printed matter in any place within or on any Homer Port or Harbor facilities, except upon bulletin boards constructed for the purpose only after having obtained permission from the Harbormaster.

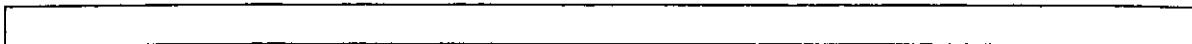
No person shall disregard, deface, remove, tamper with or damage any sign or notice posted or installed by the Harbormaster.

**(j) ANIMALS:**

All dogs or other animals will at all times be under the physical control of the owner or person in charge of the animal in accordance with 20.08.020 of the City Code.

**(k) STOVES, FIRES, EQUIPMENT, FLAMES, ETC:**

No person shall leave a stove or other heating equipment in unattended operation on a vessel moored within the Homer harbor unless such equipment has been certified as safe for such unattended use. No person shall leave any vessel within the Homer Boat Harbor unattended while fire or open flame is burning thereon. No cutting or welding or use of open flame shall be allowed on any boat undergoing repairs, on or at any Homer port or harbor facility except in an area especially designated for such repair. However, at the Harbormaster's discretion, this requirement may be waived provided adequate fire fighting equipment is physically located where the welding project is taking place. No person shall use any fire-fighting equipment located at the Homer harbor for the purpose of pumping fire suppressant water into boats for any purpose other than extinguishing fires. Any use of City fire extinguishers must immediately be reported to the Harbormaster.



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**RULE: 34.15 - SAFETY, SANITATION AND HOUSEKEEPING**  
 (continued)

**(m) PLACEMENT OF GEAR:**

The placement of fishing nets in the waters of the Homer Small Boat Harbor is prohibited. The physical limits of the "Small Boat Harbor" are set forth in Subrule 34.2 (o) Subsection 100 of this Tariff.

**RULE: 34.16 - RESPONSIBILITY FOR PROPERTY DAMAGE (C)**  
 EFF: 15DEC 1999

**SUBSECTION 165**

Users damaging city docks, floats, ramps, or other property of the City of Homer will be responsible for cost of repairs. User will be billed for repairs to damaged property at cost, including overhead.

**RULE: 34.17 - BULK PETROLEUM PRODUCTS (I)**  
 EFF: 15SEP1995

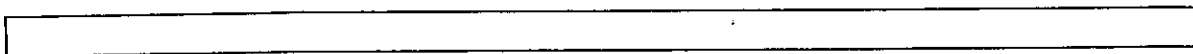
**SUBSECTION 170**

**(a) APPLICATION OF TARIFF:**

Except as otherwise provided in this section, the rates, rules and regulations published in other sections of this Tariff apply to vessels, shippers, and consignees of Bulk Petroleum Products.

**(b) CLEARING AND HEATING PETROLEUM LINES:**

Shippers, consignees, or vessels and persons in charge thereof are responsible for providing steam or other heating means to assure the proper flow of asphalt and other petroleum products requiring heat. Shippers, consignees, or vessels and persons in charge thereof will be responsible for clearing all petroleum products from lines located on or adjacent to any Terminal facility after a vessel completes loading or discharge unless otherwise authorized by the Harbormaster. In the event the City of Homer performs any of the above named services, rates shall be charged in accordance with Subrule 34.21 Subsection 215 of this Tariff and billed to shipper, consignee or vessel.



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**RULE: 34.17 - BULK PETROLEUM PRODUCTS**  
(continued)

**(c) REGULATIONS GOVERNING PETROLEUM PRODUCTS:**

The transfer of bulk petroleum products shall be made in compliance with City of Homer Code provisions including Chapter 5.20 (Fire Prevention), as well as other federal, state and municipal laws, rules or regulations.

**(d) HOUSEKEEPING:**

Flammable liquids and all hydrocarbons leaked or spilled on wharves shall be cleaned up immediately. Vessels, or consignees shall remove temporary lines immediately upon completion of receipt or discharge of flammable liquids.

Spillage from disconnected lines shall be cleaned up immediately by vessel or consignee.

**RULE: 34.18 - HARBOR MOORAGE RATES (A)**

EFF: 02JULY2012

**SUBSECTION 200**

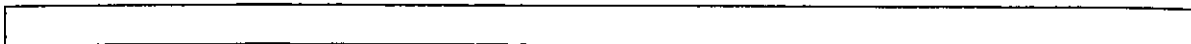
**(a) CALCULATION OF MOORAGE RATES:**

Mooring charges shall commence when a vessel is made fast to a wharf, pier, harbor float or other facility, or when a vessel is moored to another vessel so berthed (rafting). Charges shall continue until such vessel is completely free from and has vacated the port and harbor facilities.

A vessel moored at any time between 12:01 A.M. and 10:00 A.M. shall be charged a full day's moorage. The Harbormaster may, in his discretion and with proper and appropriate advance notice, waive a daily rate for a vessel that will occupy mooring space for a minimum time and, provided that the Harbormaster determines the use of the public facilities by others will not be congested or adversely affected.

Mooring charges shall be calculated on the length of the vessel, or in the case of a reserved stall, the length of the float stall assigned, whichever is greater.

Length shall be construed to mean the distance expressed in feet from the most forward point at the stem to the aftermost part of the stern of the vessel, measured parallel to the base line of the vessel. The length shall include all hull attachments such as bowsprits, dinghies, davits, etc.



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**RULE: 34.18 - HARBOR MOORAGE RATES**  
(continued)

For billing purposes, when the actual length of the vessel is not immediately available, length of the vessel as published in "Lloyd's Register of Shipping" may be used. The City of Homer reserves the right to: (1) obtain the length from the vessel's register, or (2) measure the vessel.

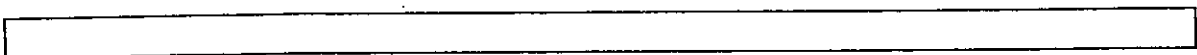
All vessels in the harbor are subject to these rates, except properly registered seine skiffs or work skiffs attached to the mother vessel. Work skiff is defined as a boat that is usually carried on the deck or super structure of the mother vessel and is regularly used in the commercial enterprise of the mother vessel.

**(b) ANNUAL MOORAGE FEE:**

The annual moorage fee for reserved moorage and transient moorage privileges shall be thirty seven dollars and eighty six cents (\$37.86) per lineal foot based on the overall length of the vessel (including all hull attachments such as bowsprits, davits, dinghies, swimsteps etc.) plus a fifty dollar (\$50.00) administration charge; or for a reserved stall, the length of the finger float stall assigned, or the overall length of the vessel, whichever is greater plus a fifty dollar (\$50.00) administration charge.

Any reproduction in the moorage fee due to a substituted or amended moorage agreement is not applied retroactively and the owner or operator is not entitled to a refund or a pro-rata adjustment of the moorage fees already due or paid. Any moorage agreement that expires will, after five days, automatically be charged a monthly rate retroactive to the expiration date. Unregistered vessels will also, after 5 days, automatically be charged a monthly rate retroactively to the date the vessel entered the harbor.

- (1) All reserved stall assignments are on an annual basis beginning October 1 and ending September 30 of the following year. Prepayment of a full year's moorage is due on or before October 1 of each year. Payment for reserved moorage will only be accepted from the individual assigned the reserved stall. The reserved stall payment shall be paid in full at the time the reserved stall/moorage agreement is executed to the satisfaction of the Harbormaster. Any other arrangements are at the discretion of the Harbormaster and must be made in advance.



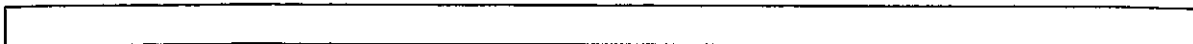
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RULE: 34.18 - HARBOR MOORAGE RATES

(continued)

- (2) A reserved stall assignment granted after October 1 will be charged a fee based on the number of months (including the month which it is granted regardless of the day of the month) left in the fiscal year ending September 30.
- (c) A semiannual transient rate is available on a prepaid basis only for transient vessels mooring in the Small Boat Harbor for a period of six consecutive months. The transient semiannual rate is 67% of the annual rate. Vessels that do not renew will automatically be charged the monthly rate.
- (d) The monthly transient rate will be 17% of the annual rate. Vessels that are properly registered and pay all moorage fees in advance may deduct fifty cents (\$.50) per foot per month.
- (e) The daily transient rates are: 3% of the annual rate. Vessels that properly register and pay all moorage fees in advance may deduct five dollars per day from the daily rate.
- (f) **FLOAT PLANE FEES:**  
With proper registration and specific permission from the Harbormaster, float planes may arrange for short-term moorage in the Small Boat Harbor. This is only allowed when ice and weather conditions prevent float planes from landing on Beluga Lake.

A fee in the amount equal to the daily rate for moorage of two (2) 24' vessels shall be assessed on a daily basis for float planes mooring within the confines of the Small Boat Harbor. A monthly rate in the amount equal to the monthly rate for two 24' vessels shall be assessed for float plane moorage for longer periods, and the moorage charge computed for a float plane's stay in the harbor shall be the lowest total charge resulting from the application of either the daily or the monthly rate indicated.



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RULE: 34.19 - DOCKAGE (A)  
EFF: 02JULY2012

SUBSECTION 205

(a) DEFINITION:

Dockage charges are assessed on the overall length of the vessel. Length of the vessel as published in the "Lloyds Register of Ships" will be used; however, the Port reserves the right to:

- (1) obtain the length from the vessel's register, or (2) measure the vessel.

(b) DOCKAGE CHARGES:

Dockage charges will be assessed per linear foot per calendar day or portion thereof. A service charge of \$52 will be assessed to each vessel. These charges are applicable to the "outer face" and "trestle berth" of Deep Water Dock and to all berthing locations on Pioneer Dock. The "inside berth" (berth No.2) of Deep Water Dock will have a 4-hour minimum dockage charge of 1/6 the daily rate, and a half day (up to 12 hours) docking charge of 1/2 the daily rate, with no service charge applicable.

0' to 100'	\$254.13	451' to 475'	\$1,327.51	651' to 675'	\$2,711.10
101' to 200'	\$423.25	476' to 500'	\$1,434.88	676' to 700'	\$2,990.88
201' to 300'	\$677.75	501' to 525'	\$1,580.26	701' to 725'	\$3,368.76
301' to 350'	\$871.38	526' to 550'	\$1,687.63	726' to 750'	\$3,766.63
351' to 375'	\$961.01	551' to 575'	\$1,806.01	751' to 775'	\$4,188.01
376' to 400'	\$1,043.38	576' to 600'	\$1,958.38	776' to 800'	\$4,668.88
401' to 425'	\$1,137.26	601' to 625'	\$2,174.26		
426' to 450'	\$1,243.13	626' to 650'	\$2,445.63		

A service charge of \$481.53 will be assessed for each Cruise Ship. The crane at the inside of (berth No. 2) of Deep Water Dock shall be subject to same terms for charge and usage as for the cranes on Fish Dock (Rule 34.30).

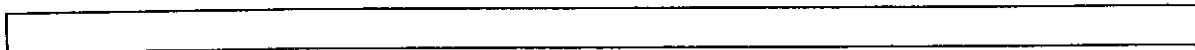
RULE: 34.20 - DEFINITIONS AND CHARGES WHARFAGE (A)  
EFF: 02JULY2012

SECTION II

SUBSECTION 210

(a) DEFINITION:

Wharfage is the charge assessed against any freight placed in transit shed or on a wharf, or passing through, over or under a wharf, or transferred between vessels, or loaded to or unloaded from a vessel at a wharf, regardless of whether or not a wharf is used. Wharfage is solely the charge for use of wharf and does not include handling, sorting, piling of freight or charges for any other services.



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**RULE: 34.20 - DEFINITIONS AND CHARGES WHARFAGE**  
(continued)

Log quantities will be reported by manifest to the Port Office for subsequent billing. The basis for measuring 1,000 board feet (M.B.M.) log scale shall be the Scribner Rule or Scribner Dec. C Log Rule. All log scales will be performed by an independent log scaling bureau. Certified copies of log scale tickets and/or log scale books shall be provided to the Port for all logs shipped. The basis for the tariff payment to the City will be computed on a net log scale, with a maximum of a twenty five percent (25%) deduct factor for defects and taper; that is gross scale minus 25% total deduct.

A Bone Dry Unit (BDU) is defined as 1.2 bone dry tons of wood chips. A bone dry ton is that quantity of wood chips which would weigh 2,000 lbs when dry.

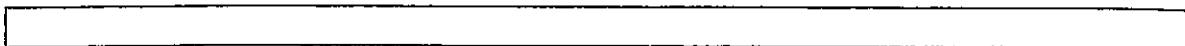
**(b) APPLICATION:**

Wharfage rates named in the Tariff will be charged for all merchandise or cargoes received inbound or shipped outbound over the city docks (except the Fish Dock for which wharfage rates are contained in Rule 34.30 Subsection 275, barge ramp, or barge beaching site within the Homer Port and Harbor and will be in addition to all other charges made under provisions of this Tariff, EXCEPT:

No wharfage shall be charged to ship's gear, such as strongbacks, lines, hatch covers, walking boards, etc., placed on wharf during unloading operations. Fuel handled over wharf will not be considered as ship stores and will be subject to wharfage and other charges that may be incurred. Logs that are unloaded at Port of Homer barge beaching site will be charged 50% of the wharfage rate applicable to outbound (export) shipment. However if these cargoes are not exported over Deep Water Dock with full payment of outbound wharfage within 60 days of unloading at the barge beaching site, then the additional 50% of wharfage will be owed and paid for the inbound product.

**(c) OVERSIDE:**

One-half of wharfage named herein will be charged to merchandise or cargo discharged or loaded overside of vessel directly to or from another vessel or to the water when vessel is berthed at wharf.



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RULE: 34.20 - DEFINITIONS AND CHARGES WHARFAGE  
(continued)

(d) OVERSTOWED CARGO:

Overstowed cargo destined for discharging at another port will be exempt of wharfage charges, provided such cargo is not removed from the wharf prior to re-loading to the vessel.

(e) SCHEDULE OF RATES:

Minimum wharfage on any shipment will be ten dollars (\$10). Except as otherwise specifically provided, rates are in dollars per short ton of 2000 lbs. or per 40 cu.ft.

COMMODITY	WHARFAGE RATE
Freight N.O. S.	\$7.96
Freight at Barge Ramp	\$5.14
Poles, logs, cants or cut	\$3.95/thousand board
Finished lumber per MBM	feet
(Note: Industry standard conversion formulas shall be used in converting pounds to board feet measure.)	

In absence of board feet measure on bill of lading, a loadout will be assessed a tariff by converting the weight of logs to board foot measure, for the average diameter of logs (small end diameter) in accordance with the following table for white spruce logs:

Scaling Diameter of Logs Inches	Weight per Board Feet Pounds
8"	14.5
12"	11.5
16"	9.5
20"	8.5
24"	7.8

Kiln dried lumber: Three pounds will equal one board foot measure.

Petroleum Products	\$0.6363/barrel
(inbound and outbound)	\$0.01515/gallon
Wood Chips (all grades)	\$ as per contract



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**RULE: 34.20 - DEFINITIONS AND CHARGES WHARFAGE**

(continued)

Seafood/fish product:	Setting a tariff of \$4.76 per ton of seafood/fish Product across the dock, regardless of species.
Livestock: Horses, mules	
Cattle, hogs, sheep, goats	\$10.12 per head
All other livestock:	
Fowl: Any kind, crated:	\$10.12 per crate
Boats: Up to and including twenty feet L.O.A.	\$15.66 each
Over twenty feet L.O.A.:	\$1.60 per lineal foot
(Fishing boats, pleasure craft, skiffs, dinghies and other boats moved over the docks.)	

**RULE: 34.21 - DEMURRAGE (A)**

EFF: 01JAN2011

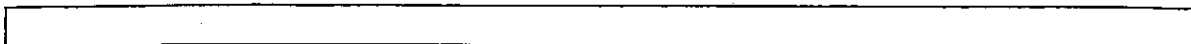
**SUBSECTION 215**

**(a) DEFINITION:**

The term "demurrage" as used in this tariff shall mean the charge assessed against cargo remaining in or on terminal facilities after the expiration of free time, unless arrangements have been made for storage.

**(b) FREE TIME:**

- (1) **Definition:** The specified period during which cargo may occupy space assigned to it on terminal property free of demurrage or terminal storage charges, immediately prior to the loading, or subsequent to the discharge, of such cargo off the vessel.
- (2) **Computing free time:** Free time is calculated inclusive of Saturdays, Sundays or holidays. Free time starts the first 7 A.M. after freight is received or unloaded onto wharf from car, truck, or, in the case of freight received from vessel, the first 7 A.M. after completion of vessel's discharge. On outbound traffic from vessel, delivery of which is made after the allotted time period, the day freight is loaded out or delivered to truck or car is to be included in the computation as storage day.



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**RULE: 34.21 - DEMURRAGE (A)**  
(continued)

When freight is transhipped between deep sea vessels and involves application of both a long and short time period, the longer period shall be allowed, but not the aggregate of any two free time periods.

- (3) Free time period: Free time of 3 days will be allowed on all inbound traffic.  
Free time of 3 days will be allowed on all outbound traffic.

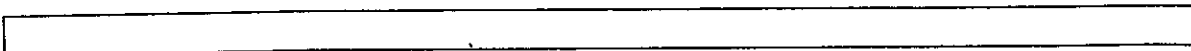
**(c) RATES:**

Demurrage will be assessed at a rate of nine cents (\$.09) per square foot per day, based on the "foot print" occupied by cargo in the laydown area or for cargo with overhangs, the footprint plus the area under the overhang that the overhang renders unusable for other storage.

**(d) LAY-DOWN AREAS:**

All cargo is expected to vacate city docks, and piers as soon upon arrival as possible. Cargo is not to be stored on City piers awaiting pick up by vessels unless prior arrangements are made with the Harbormaster. The Harbormaster shall have the discretion to refuse all cargo activities and/or laydown, either in-bound or out-bound. Cargo that is allowed to wait for "beyond" transportation shall adhere to the following rules.

- (1) The Harbormaster shall designate laydown areas for cargo.
- (2) Cargo may not be placed on city docks or terminal facilities except in designated laydown areas.



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RULE: 34.21 - DEMURRAGE  
(continued)

- (3) Cargo and freight not placed in designated laydown area must be immediately removed from a city dock or terminal facility upon order of the Harbormaster.
- (4) A vessel, shipper or consignee who refuses to move cargo on demand will be assessed wharf demurrage at five times its applicable rate, starting at the time the vessel, shipper or consignee is notified to move the cargo.
- (5) In addition, the Harbormaster may, in his discretion move cargo or freight and any expense or damages, including damage to cargo or freight during such movement, shall be charged to the vessel, shipper or consignee except damages caused by the City's own negligence.

RULE: 34.22 - UPLAND STORAGE (A)

EFF: 01JAN2009

SUBSECTION 230

(a) AREA OF LAND AVAILABLE:

The City of Homer may make available a limited area of land for gear storage subject to the following conditions:

- (1) Space is made available on a first-come, first-served basis. All storage assignments must be approved by the Harbormaster.
- (2) This upland storage area is primarily for fishing related gear. No vehicle or boat trailers may be placed on the upland storage area without prior permission of the Harbormaster.

(b) BOAT TRAILER STORAGE:

- (1) Short term storage of boat trailers not to exceed 7 days will be provided on a space available basis. Storage is allowed only in designated areas where posted.



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RULE: 34.22 - UPLAND STORAGE  
(continued)

- (2) Long term storage of boat trailers (8 or more days) is not available during the summer season beginning May 1 and ending September 30. Long term storage of boat trailers other than during the summer season must be approved and assigned by the Harbormaster. Long term boat storage is available commercially off the Spit.

(c) METHOD OF CALCULATIONS OF RATES:

Charges shall be based on type of storage required, vehicle, boat trailer, gear or equipment.

(d) STORAGE CHARGES:

No charge for storage should be generated for free time of 2 days or less. Storage time beyond 7 days shall generate one month charge.

(e) RATES:

All general storage is on a month-to-month basis unless otherwise provided. Charges for any particular lot shall begin at the receipt of the first unit of that particular lot in store and shall continue and include the storage month during which the last unit of the particular lot is removed from storage. Charges shall be made on the basis of square footage of units in any particular lot in store during the storage month. All charges for storage are due on the first day of a storage month.

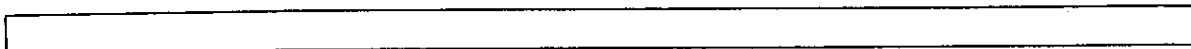
A storage month shall extend from a date in one calendar month to, but not including, the same date of the next and all succeeding calendar months. Less than one month's storage will be charged for the full month. The Harbormaster may negotiate storage contracts for six months or longer.

Fees for general storage are as follows:

Open Areas, fishing gear	\$ .12 per square foot
Open Areas, non fishing gear	.17 per square foot
Fenced Storage Yard	.24 per square foot

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

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



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**RULE: 34.22 - UPLAND STORAGE**

(continued)

There will be no storage of trailers of total length greater than 40 feet and no long term storage available from June 1 to Oct. 1.

Equipment and materials stored without proper registration and advance payment will be charged according to storage fees above.

**(f) EMPTY CRADLES/TRAILERS:**

For the purpose of this Tariff, a vessel trailer or cradle shall be treated as a vessel of the length of the vessel normally occupying the cradle.

**RULE: 34.23 - TIDAL GRIDS (A)**

EFF: 01JAN2011

**SUBSECTION 235**

**(a) TIDAL GRIDS**

The City of Homer operates two tidal grids. The wooden grid is for vessels of less than 60 feet in length. The steel grid is generally for use by vessels of 60 feet or greater in length. Vessels over 60' may not use the wooden grid without specific approval of the Harbormaster. Vessels over 300 displacement tons or over 120' may not use the steel grid without specific approval of the Harbormaster. Vessels that remain on either grid after their scheduled tide may be assessed a 50% surcharge for each unscheduled tide. Use of the steel grid shall be charged at the minimum rate applicable for a 60' boat if a boat of less length is allowed to use this grid.

Sandblasting of vessel is not permitted on tidal grids; water blasting of vessel to remove barnacles or other marine growth is permitted provided that the water pressure used does not result in removal of paints onto the grid work platform or into the water of the harbor.

**(b) RATES:**

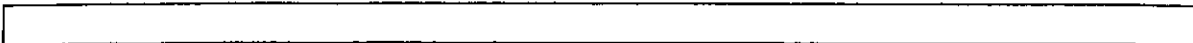
The rate per foot per tide is \$1.05 for vessels 0'-59'

The rate per foot per tide is \$2.55 for vessels 60'-80'

The rate per foot per tide is \$3.25 for vessels 81'-100'

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

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



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RULE: 34.23 - TIDAL GRIDS  
(continued)

(c) USE OF TIDAL GRIDS

Except in emergencies, use of tidal grids is limited to three tide cycles. Use of the tidal grids must be scheduled in advance and a deposit equal to one tide use must be paid. Deposit may be refunded if cancellation of reservation is at least forty-eight hours prior to scheduled use.

(d) WRITTEN PERMISSION FOR USE OF GRIDS:

No vessel shall be moored onto the tidal grids until permission has been granted by the Harbormaster and the appropriate Utilization Agreement/Waiver and Release forms completed by User.

RULE: 34.24 - HANDLING, LOADING AND UNLOADING (I)

EFF: 15SEP1995

SUBSECTION 240

(a) HANDLING DEFINED:

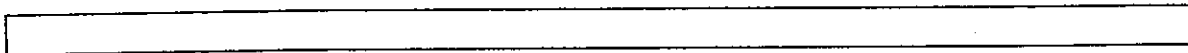
Handling means the service of physically moving cargo between point of rest and any place on the terminal facility other than the end of a ship's tackle.

(b) LOADING AND UNLOADING DEFINED:

Loading and unloading means the service of loading or unloading cargo between any place on the terminal and trucks lighter or barges or any other means of conveyance to or from the terminal facility.

(c) TERMINAL USE PERMIT:

Handling, loading and unloading services are provided by independent agents at all terminal facilities covered by this Tariff. A Terminal Use Permit or Fish Dock Use Permit is available to any qualified agent desiring to provide long shore services at the terminal facilities of the City of Homer.



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RULE: 34.25 - SERVICE CHARGES (A)

EFF: 01JAN2011

SUBSECTION 245

A service charge is assessed, in addition to any other charges set forth in this Tariff, for specific services provided by the City of Homer or its agents. Service charges do not include charges for dockage, wharfage, wharf demurrage and handling.

(a) SPECIFIC SERVICES:

The following rates shall apply for services provided by the City of Homer.

- (1) Potable water furnished to vessels at the Deep Water Dock and Main Dock:  
 The following charges in dollars will be made for furnishing water to vessels berthed at docks or terminals subject to this Tariff:
  - a. Quantity charge, \$38.81 dollars per one thousand gallons (minimum five thousand gallons).
  - b. Scheduled deliveries will have a minimum charge of \$102.00 for combined connection and disconnection.
  - c. Unscheduled deliveries will have a minimum charge of \$139.32 dollars for combined connection and disconnection.
  
- (2) Electricity (per kilowatt):
  - (a) Reserved stalls having a meter base at the berth shall be charged a meter availability fee.
    1. The meter availability fee will be \$23.95 per month.
    2. There will be an electrical usage charge cost per kilowatt determined by the local public utility.
    3. Licensee shall notify the Harbormaster of any period when the assigned vessel will not occupy the stall and the Harbormaster, upon payment of a \$28.80 connect/disconnect fee, shall disconnect service to the license holder's stall.



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RULE: 34.25 - SERVICE CHARGES  
(continued)

- (b) Subject to availability, transient vessel may buy electrical power on a metered basis from October 15 to April 15.
1. There will be a \$28.80 connect/disconnect fee.
  2. Metered transient vessels will be charged a meter availability and connect/disconnect fee of \$28.80 per month with a one month minimum charge to be applied for shorter connection periods.
  3. There will be an electrical usage charge per kilowatt as determined by the local public utility.

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

	110 volt	220 volt	208 volt 3 phase
Daily (or part thereof)	\$10.20	\$20.12	\$45.20
Monthly	\$152.67	\$341.70	Available meter only

If a transient vessel consumes more electricity than would be covered by these flat rates, then such transient vessel shall be charged for the actual consumption. If a transient vessel on the daily rate accrues daily charges that total for a 30 day period more than the monthly flat rate, then the monthly rate shall be billed.

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

- (d) 208 volt/3 phase electrical power is available at System 5 on a first come-first served basis, for which the vessel will be charged the following rates:
1. There will be an electrical usage charge per kilowatt hour as determined by the local public utility.
  2. Vessels will be charged a meter availability fee of \$28.80 per month with a one month minimum charge to be applied for shorter connection periods.
  3. There will be a \$28.80 connect/disconnect fee.
- (3) Towing inside small boat harbor: Skiff with operator ½ hour \$68.00, Skiff with operator 1 man hour \$102.00. Any additional personnel required will be charged at rate of \$99.00 per hour.





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RULE: 34.25 - SERVICE CHARGES

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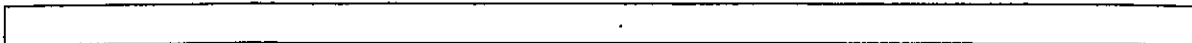
- (4) Pumping vessel: \$40.79 per day or portion thereof for electrical pumps.  
 \$69.97 per hour or portion thereof for gas pumps. (includes attendant time)

(b) LABOR/PERSONNEL:

- (1) When labor is furnished by the City at the request of a user it is expressly stipulated that the City acts as agent of the user. The City shall charge for labor provided by the City for the following services:

- (i) all services not specifically described in this Tariff
- (ii) Services of loading, unloading, or transferring cargo for which no specific commodity rates are provided and which cannot be performed at the rates named N.O.S. and cargo in packages or units of such unusual bulk, size, shape or weight as to preclude performing such services at rates named under individual items of this Tariff.
- (iii) Services for which no specific commodity rates are provided and any other services for which specific rates are named in this Tariff because of unusual conditions or requirements of shippers not normally incidental to such services preclude the performance; and
- (iv) Services of cleaning City docks or terminal facilities of dunnage, stevedore gear, and other equipment or material when the shipper, vessel owner or consignee fails to promptly clear the facility as requested by the Harbormaster.

- (2) When a user notifies the Harbormaster for labor for a specific time and labor is on the job ready for work at that time, the use shall be charged from the time the labor is ready for work until the work is concluded even if the work is delayed through no fault of the City.



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**RULE: 34.25 - SERVICE CHARGES**  
(continued)

(3) All labor provided by City personnel shall be charged at \$102.00 per hour. ( ½ hour minimum at \$51.00. Work requiring call-outs shall be charged at a minimum of two hours.

**(c) EQUIPMENT:**

When the City utilizes city equipment to provide services under this Subsection, it will charge users for the cost of that equipment on an hourly basis at the rates charged capital projects within the City of Homer for similar equipment.

**(d) REGULATED GARBAGE HANDLING FEE:**

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

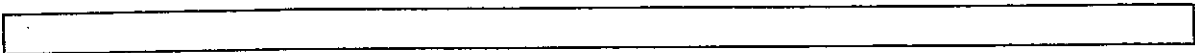
**(e) SPECIAL SERVICES:**

Except where otherwise required by law, the Harbormaster has the authority to refuse or to provide or to arrange for the provision of services in addition to those set out in paragraph (a) above. Special services, including waste, bulk oil, or garbage disposal shall be billed at the City's actual cost (including city labor costs as determined in paragraph 2 above) plus 125% of city costs for services arranged and paid for by the City but provided by others. Waste oil in quantities greater than 5 gallons, shall be charged a \$3.35 per gallon handling and disposal fee.

Special services shall not include the taking or handling of sewage of any kind. Sewage disposal must be accomplished by the vessel owner or his agent pursuant to federal, state and municipal laws, codes and ordinances.

**RULE: 34.26 - PASSENGER FEES (C)**  
EFF: 02JULY 2012

Deleted pursuant to Resolution 12-038(S)



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RULE: 34.27 - SEARCH AND RESCUE FEES (A)

EFF: 01JAN2011

SUBSECTION 255

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

RULE: 34.28 - BOAT LAUNCH RAMP FEES (A)

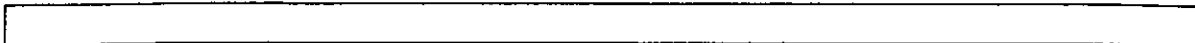
EFF: 01JAN2011

SUBSECTION 260

(a) USE OF PUBLIC LAUNCH RAMPS:

The City owns and provides access to public launch ramps, Access to those ramps is generally on a first come, first served basis, but the Harbormaster may deviate from that policy or refuse access to a ramp when, in his judgment, the public interest would be served and his consideration in that determination of the following factors:

- (1) The degree of existing or potential congestion in the harbor, including upland storage area, and whether the proposed launch or retrieval will affect that congestion, and
- (2) Whether the launch or retrieval poses a risk of loss of public or private property.



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**RULE: 34.28 - BOAT LAUNCH RAMP FEES (A)**  
(continued)

**(b) CHARGES FOR USE OF PUBLIC LAUNCH RAMPS:**

Vessels shall be charged \$13.00 per day to launch from the public launch ramps from April 1 through October 15 (Reserved stall lessees exempt for the boat assigned to and registered to the stall only, not for other boats owned by the same individual.) Vessel owners or operators may obtain a seasonal permit for \$130.00 entitling a specific vessel and owner to launch from April 1 through October 15. (Reserved stall lessees exempt for the boat assigned to and registered to the reserved stall only, not for other boats owned by the same individual.)

**(c) RAMP USE:**

The principal intended use of the launch ramp is the launch and recovery of small/trailable vessels. An authorized subsidiary use is the incidental, noncommercial, loading or unloading of goods, supplies or materials.

The principal intended use of the harbor barge ramp is the commercial loading or unloading of goods, materials, equipment or personnel. An authorized subsidiary use is the loading or unloading of fishing gear and equipment or other use approved by the Harbormaster.

At the Harbormaster's discretion, reasonable restrictions may be placed on the use of any ramp owned or operated by the City.

**RULE: 34.29 - BEACHES AND BARGE RAMP (A)**

EFF: 01JAN2011

**SUBSECTION 270**

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

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

Vessels up to 50 ft. per foot \$1.50  
 Vessels over 50 ft. per foot \$1.50



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**RULE: 34.29 - BEACHES AND BARGE RAMP**  
 (continued)

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

The user of any beach area or barge ramp must repair any damage to the beach or ramp and remove all debris. Failure to make such repairs and removal will result in repairs and cleanup by harbor staff. The costs incurred by the harbor staff will be fully charged to the beach user. Labor rate for the harbor staff will be (\$90.00) per hour per person, plus appropriate equipment rental and material costs.

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

**RULE: 34.30 - FISH DOCK (A)**  
 EFF: 02JULY2012

**SUBSECTION 275**

The Fish Dock is to be used primarily for the loading and unloading of fish, fish products and fishing gear. Any other use must be approved in advance by the Harbormaster.

Dock fees shall be those set at Subrule 34.19 Subsection 205;

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

No non-City owner cranes or boom trucks may be brought onto Fish Dock for use in loading/unloading without advance Harbor Officer approval.

Every person using a crane on the Fish Dock shall first obtain a license from the City. A private user shall obtain a private license, which shall be the annual access card, and shall pay the annual access card fee set forth in this subsection. A private license shall entitle only the owner if an individual, and the master and crew of a vessel to load/unload the vessel at the Fish Dock. In addition to the annual license fee, all users of the Homer Fish Dock shall pay the user fees set forth herein.



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RULE: 34.30 - FISH DOCK  
(continued)

The Harbormaster shall designate one or more cranes on the Fish Dock open to public use (both private and commercial users) on a first-come first-served basis. All private licenses and food services are subject to a two-hour maximum time limit during the times when other private or food service licensees are waiting to use the crane. This time shall be the time that the licensees actually occupy the crane berthing space or otherwise has possession of the public use crane. Every other crane at the Fish Dock and the crane on the Main dock may be designated by the Harbormaster for preferential use. Preferential use of a crane shall entitle the holder to the exclusive right to use of the crane for loading and unloading fish and fish product during fish buying periods and to priority use of crane for all other uses; provided however, that a preferential user shall not be entitled to use of the crane until an actual and legal use of the crane by non-preferential user ends. The Harbormaster shall promulgate such additional rules as may be necessary to implement this section.

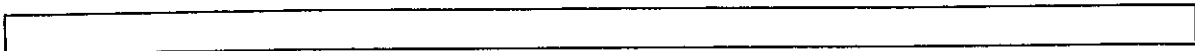
For an approved user's vessel blocking access to cranes other than those in use, a fee of one hundred fifty dollars (\$150.00) per hour will be assessed if such vessel is not immediately moved upon request of Harbor staff and if another vessel is thereby forced to wait.

Vessels are not to be left unattended at Fish Dock. Vessels moored at Fish Dock must have sufficient crew on board to move the vessel upon request or direction of Harbor staff. A fee of one hundred fifty dollars (\$150.00) per hour will be assessed against the owner or operator of a vessel per hour left unattended at Fish Dock that obstructs access by other vessels.

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

No person shall use the Fish Dock in violation of this section.

Schedule of rates shall be set by City Council Resolution  
See also Subrule 34.20 Subsection 210 e.



PORT AND HARBOR OF HOMER 4350 HOMER SPIT ROAD HOMER, ALASKA 99603 PHONE: 907.235.3160  TERMINAL TARIFF NO. 600	FMC NO. 600	PAGE	53
		REVISED PAGE NO.	13th

RULE: 34.30 - FISH DOCK  
(continued)

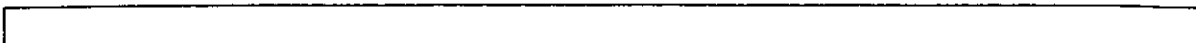
ITEM	FEE
Annual access	\$52.00 per year
Card (private license)	(annual renewal fee)
Card replacement fee	\$15.00 per occurrence
Cold Storage	\$334.75/month
(Cold storage rate structure is for storage area of eight feet by ten feet)	\$309/per month for two consecutive months
	\$283.25 per month for three consecutive months minimum one month rental
	inspection \$50/hour
	\$257.50 per month nine month season
Ice Plant Bin Storage (roofed-over, open-sided Storage bins at west end of ice plant building Sixteen feet by twelve feet)	\$200/month Minimum two months
Bait Storage Fee per bin (4x4x4)	
Per Day	\$5.15
Per Week	\$25.75
Per Month	\$77.25
Fish Dock Crane	\$90.64/hour
Minimum charge per hour for crane	Fifteen minutes
Ice	\$124.95 per ton

Seafood wharfage/Fish product:

Setting a tariff of \$4.76 per ton of seafood/fish product across the docks regardless of species. Bait in quantities greater than one (1) ton that is loaded onto a vessel at Fish Dock, shall be charged seafood wharfage.

Freight NOS, Non-fish Cargo:

\$14.50/T for cargo going over the Fish Dock. Fishing gear is free from wharfage. Except as otherwise provided under a lease agreement contract or operating agreement with the City of Homer, ice brought onto Fish Dock to be loaded into totes or transferred to boats at the dock, shall be charged wharfage at the Freight NOS rate, unless this is ice that was purchased from the City Ice Plant.



PORT AND HARBOR OF HOMER 4350 HOMER SPIT ROAD HOMER, ALASKA 99603 PHONE: 907.235.3160  TERMINAL TARIFF NO. 600	FMC NO. 600	PAGE	54
		REVISED PAGE NO.	6th

RULE: 34.31 - CONDITIONS OF BERTHING (C)

EFF: 15DEC1999

SUBSECTION 310

All applications for Bessel berthing shall be made in the form specified by the Harbormaster and may require the timely filing of the financial responsibility information called for by Supplement to Vessel Berthing Application, completed in accordance with, and otherwise governed by, the terms and conditions set forth below:

(1) Unless waived pursuant to paragraph 2 below, the terms of payment for all applicable terminal or dockage charges shall be cash in advance. A cash deposit or acceptable security in an amount equal to 125% of the estimated applicable charges will be required to be posted with the Harbormaster six days prior to the vessel's scheduled arrival, or at such time as may be authorized or directed by the Harbormaster, but in all cases in advance of actual services rendered.

When a cash deposit has been posted, any excess there of after satisfaction of all applicable port charges, shall be promptly refunded by the Port of Homer to the party posting same.

(2) The Harbormaster may waive the requirement of cash in advance as to all or any category or categories of its anticipated port charges when the party responsible for such charges has been identified by berthing agent to the satisfaction of the Harbormaster, and:

- (i) That the party responsible has established credit worthiness acceptable to the Harbormaster; or
- (ii) Adequate security, acceptable to the Harbormaster in an amount equal to 125% of the applicable estimated port charges, has been posted; or
- (iii) The agent requesting the berth, or another entity, in each case applicable to the Harbormaster as credit worthy, has personally accepted financial responsibility for the applicable charges.

(3) The vessel agent or other person requesting a berth ("berthing agent") shall provide, as a part of the berthing process and to the extent of his knowledge, all information called for by any Supplement to Vessel Berthing Application respecting the vessel, its estimated arrival and departure, amount(s) and type(s) of cargo to be loaded or discharged.





PORT AND HARBOR OF HOMER 4350 HOMER SPIT ROAD HOMER, ALASKA 99603 PHONE: 907.235.3160  TERMINAL TARIFF NO. 600	FMC NO. 600	PAGE	55
		REVISED PAGE NO.	4th

**RULE: 34.31 - CONDITIONS OF BERTHING**  
 (continued)

The vessel agent or other person requesting a berth shall provide an estimate of the amount of each category of port charges, as enumerated, and the party responsible there for.

The submission of this form, signed by the berthing agent, shall constitute the berthing agent's information supplied, based upon and to the extent of information made available to the berthing agent shall be held personally liable to the City of Homer as a result of the agent's failure to accurately report the above information.

Should the berthing agent, subsequent to submission of this form, receive information which materially differs from the information the agent reasonably believes is not equally known to the Harbormaster, it shall immediately notify the Harbormaster and if requested by the Harbormaster, promptly file an amended Supplement to Vessel Berthing Application with the Harbormaster.

All estimates of terminal and dockage charges are subject to approval and/or adjustment by the Harbormaster.

(4) The Harbormaster shall, promptly after receipt of this form, advise the berthing agent as to (i) its approval or adjusted estimate of terminal charge and (ii) whether posting of cash or security is required for any one or more categories of such charges and the amount thereof.

(5) In addition to the terms for berth reservation and establishment of financial responsibility as set forth herein, request for berth reservation and assignment of berths shall otherwise be in accordance with all local rules and regulations established by the City of Homer.

(6) The City of Homer retains the right in its sole discretion to determine whether a responsible party or agent is credit worthy and waive the cash-in-advance requirement. The City may establish guidelines for determining whether a responsible party or an agent is credit worthy. Compliance with these guidelines does not create a right to waiver of the cash-in-advance requirement.

(7) For safety or other reasons, the City of Homer in some circumstances may grant a vessel a temporary berth before the owner or agent has paid all applicable charges or otherwise complied with all applicable Tariff provisions of conditions of berthing.

PORT AND HARBOR OF HOMER 4350 HOMER SPIT ROAD HOMER, ALASKA 99603 PHONE: 907.235.3160  TERMINAL TARIFF NO. 600	FMC NO. 600	PAGE	56
		REVISED PAGE NO.	7th

**RULE: 34.31 - CONDITIONS OF BERTHING**  
 (continued)

In such circumstances, the vessel may unload its cargo only if (i) the Harbormaster determines that a regular berth is available, and (ii) the owner pays all applicable charges and complies with all other applicable Tariff provisions and conditions of berthing. If no regular berth is available, or the vessel owner or agent does not pay all applicable charges and comply with other applicable provisions, the vessel may not unload its cargo and shall sail on the next tide. The vessel shall be assessed appropriate fees as set forth in this Tariff.

**RULE: 34.32 - PARKING FEES**  
 EFF: 09APR2012

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

**(a) LONG TERM PARKING PERMITS**

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

- (1) Seasonal permits for day use parking (Ramps 1-4): \$250.00.
- (2) Long Term parking permits required for vehicles 20' or less parked in excess of seven (7) consecutive 24-hour days.
- (3) Long Term parking annual permit fee for vessel owners paying annual moorage in the Homer Harbor: fee \$100.00.
- (4) Long Term parking annual permit (January 1st through December 31st): fee \$200.00.
- (5) Monthly parking permit for vehicles less than 20': fee \$70.00 for 30 consecutive days.
- (6) Monthly parking permit for vehicles over 20': fee \$85.00 for 30 consecutive days in a portion of Lot 9 only.
- (7) Long term parking will be enforced year around.
- (8) Parking lot restrictions for long term parking, May 1 through October 1, as depicted on harbor map (Resolution 11-036(A).
- (9) Existing code definitions for restricted parking, vehicles, junk vehicles, and fines for violations apply. Fines, \$25.00 per calendar day, provided that the fine for overtime parking in long term parking area will be limited to \$250.00 fine per calendar year, with \$200.00 of the fine credited towards the long term parking annual permit.







**ORDINANCE REFERENCE SHEET**  
**2012 ORDINANCE**  
**ORDINANCE 12-48**

An Ordinance of the City Council of Homer, Alaska, Amending the Official Road Maintenance Map of the City of Homer by Adding Kestrel Circle and a Portion of Golden Plover Avenue as Urban Road.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting October 22, 2012 Introduction
  - a. Memorandum 12-162 from Public Works Inspector as backup



1 CITY OF HOMER  
2 HOMER, ALASKA

3 City Manager/  
4 Public Works Director

5 ORDINANCE 12-48  
6

7 AN ORDINANCE OF THE CITY COUNCIL OF  
8 HOMER, ALASKA, AMENDING THE OFFICIAL  
9 ROAD MAINTENANCE MAP OF THE CITY OF  
10 HOMER BY ADDING KESTREL CIRCLE AND A  
11 PORTION OF GOLDEN PLOVER AVENUE AS  
12 URBAN ROAD.  
13

14 WHEREAS, The City of Homer has determined that it is necessary to provide  
15 minimum standards to regulate design and construction of public streets, roads, and  
16 highways within the City of Homer; and  
17

18 WHEREAS, Ordinance 85-14, HCC 11.04.055, adopted July 2, 1985 provides  
19 appropriate street design and construction standards as well as an official maintenance  
20 map to record streets officially accepted for maintenance; and  
21

22 WHEREAS, HCC 11.04.055 provides that the City shall not accept maintenance  
23 responsibility for any road or street which is not constructed or reconstructed to the  
24 adopted standards unless the road is shown on the Official Road Maintenance Map, as  
25 amended via Ordinance 02-23(S), adopted June 10, 2002, of the City of Homer; and  
26

27 WHEREAS, An additional 2425 linear feet has been duly inspected, reviewed,  
28 approved by the Department of Public Works and recommended for acceptance by the  
29 City of Homer as Urban Road.  
30

31 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:  
32

33 Section 1. Section 11.04.55 Official Road Maintenance Map adopted is hereby  
34 amended per provisions of sections (a) through (e) to include the following additional  
35 streets as Urban Road by the City of Homer and recorded as amendments #35 and #36 on  
36 the New Official Road Maintenance Map adopted: The following mileage calculations  
37 are to the nearest hundredth.  
38

Amend	Subdivision	Roadway Name	Lineal Feet	Mile	Class
35.	Canyon Trails	Golden Plover Ave.	1450	.28	Urban
36.	Canyon Trails	Kestrel Circle	975	.18	Urban

39 Section 2. This is a non code ordinance and of a permanent nature.  
40  
41  
42

43 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_\_\_ day  
44 of November, 2012.

45  
46  
47  
48  
49  
50  
51

CITY OF HOMER

\_\_\_\_\_  
MARY E. WYTHE, MAYOR

52 ATTEST:

53  
54  
55

\_\_\_\_\_  
56 JO JOHNSON, CMC, CITY CLERK

57  
58

59 Introduction:

60 Public Hearing:

61 Second Reading:

62 Effective Date:

63

64 AYES:

65 NOES:

66 ABSTAIN:

67 ABSENT:

68

69 Reviewed and approved as to form:

70

\_\_\_\_\_  
71  
72 Walt E. Wrede, City Manager

\_\_\_\_\_  
73 Thomas Klinkner, City Attorney

74 Date: \_\_\_\_\_

75 Date: \_\_\_\_\_

76

77 Fiscal Note: Annual maintenance costs for these improvements is estimated to be  
78 \$10,912.50.





## CITY OF HOMER

**PUBLIC WORKS**  
3575 HEATH STREET HOMER, AK 99603

TELEPHONE (907)235-3170  
FACSIMILE (907)235-3145  
EMAIL dgardner@ci.homer.ak.us

MEMORANDUM 12-162

To: Jo Johnson, City Clerk

Through: Carey Meyer, PW Director *CSM*  
From: Dan Gardner, Inspector *DMG*

Date: October 2, 2012

Subject: Street Improvements – Official road Maintenance Map  
Canyon Trails Subdivision

---

As part of a subdivision agreement for Canyon Trails Subdivision, road improvements have been constructed to Urban Road standards, as classified by road maintenance definitions. These streets have been inspected and are ready for formal acceptance by the city council.

The streets are listed below with their corresponding lengths.

- Golden Plover Avenue – 1450 lineal feet  
(An additional 1150 lineal feet of Golden Plover which runs through Kachemak City and leads into the Canyon Trails Subdivision will be periodically plowed as necessary to allow for reasonable access to the city portion. This is not to be added to the official maintenance map)
- Kestrel Circle – 975 lineal feet

This is a total of 2425 lineal feet, for a total of .46 miles.

In accordance with Ordinance 85.13, Section 12.20.090, and Section 11.20.100, this Department requests that the city council formally accept the street improvements for operation and maintenance. Upon council's approval, please add the additional .46 miles of roadway to the official road maintenance map for year-round maintenance.

See attached map for location of streets.

Fiscal note: Annual maintenance costs for these improvements is estimated to be \$10,912.50.

C: Jan Jonker, Superintendent  
Walt Wrede, City Manager





Golden Plover Avenue  
In Kachemak City Limits  
Limited Plowing by Homer  
1150 Lineal Feet

Kestrel Circle  
975 Lineal Feet

Golden Plover Avenue  
1450 Lineal Feet

Kachemak City Limits



**ORDINANCE REFERENCE SHEET**  
**2012 ORDINANCE**  
**ORDINANCE 12-49**

An Ordinance of the City Council of Homer, Alaska Appropriating \$20,000 from the Homer Accelerated Roads and Trails Fund (HART) for the Purpose of Conducting Survey Work and Engineering / Cost Estimating to Determine the Cost of Constructing the Initial One Half Mile of the Proposed Kachemak Drive Non-Motorized Pathway in Accordance with Resolution 12-079(S).

Sponsor: Mayor/City Council

1. City Council Regular Meeting October 22, 2012 Introduction
  - a. Memorandums 12-163, 12-164, and 12-165 from Kachemak Drive Path Committee as backup
  - b. Synopsis of October 11, 2012 Kachemak Drive Path Committee meeting
  - c. Resolution 12-079(S)



CITY OF HOMER  
HOMER, ALASKA

Mayor/City Council

ORDINANCE 12-49

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA APPROPRIATING \$20,000 FROM THE HOMER ACCELERATED ROADS AND TRAILS FUND (HART) FOR THE PURPOSE OF CONDUCTING SURVEY WORK AND ENGINEERING / COST ESTIMATING TO DETERMINE THE COST OF CONSTRUCTING THE INITIAL ONE HALF MILE OF THE PROPOSED KACHEMAK DRIVE NON-MOTORIZED PATHWAY IN ACCORDANCE WITH RESOLUTION 12-079(S).

WHEREAS, Resolution 12-079(S) authorized the allocation of up to \$20,000 from the HART Fund for the purpose of survey work and engineering estimates to determine the cost of constructing the initial one half mile of the proposed Kachemak Drive Non-Motorized Pathway; and

WHEREAS, Resolution 12-079(S) provided the background, foundation, and justification for this appropriation; and

WHEREAS, Resolution 12-079(S) states the intent of the Council on this matter and a budget amendment / appropriation ordinance is required to implement that intent.

NOW, THEREFORE, BE IT ORDAINED by the City of Homer:

Section 1. The Homer City Council hereby appropriates \$20,000 from the Homer Accelerated Roads and Trails Fund (HART) for the purpose of survey work and engineering / cost estimating to determine the cost of constructing the initial one half mile of the proposed Kachemak Drive Non-Motorized Pathway as follows:

Expenditure:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
165-375	Kachemak Drive Pathway	\$20,000

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

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

43  
44 CITY OF HOMER

45  
46  
47  
48 \_\_\_\_\_  
MARY E. WYTHER, MAYOR

49 ATTEST:

50  
51  
52 \_\_\_\_\_  
53 JO JOHNSON, CMC, CITY CLERK

- 54  
55  
56 Introduction:  
57 Public Hearing:  
58 Second Reading:  
59 Effective Date:

- 60  
61 AYES:  
62 NOES:  
63 ABSTAIN:  
64 ABSENT:

65  
66 Reviewed and approved as to form:

67  
68 \_\_\_\_\_  
69 Walt E. Wrede, City Manager

\_\_\_\_\_

Thomas Klinkner, City Attorney

70  
71 Date: \_\_\_\_\_

72  
73 Date: \_\_\_\_\_



## 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](mailto:clerk@ci.homer.ak.us)

### MEMORANDUM 12-163

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**TO:** MAYOR WYTHE AND CITY COUNCIL  
**THRU:** WALT WREDE, CITY MANAGER  
**FROM:** KACHEMAK DRIVE TRAIL COMMITTEE  
**DATE:** OCTOBER 16, 2012  
**RE:** EXPRESSING SUPPORT AND CONTACT DESIGNATION

---

This committee supports Kevin Walker in his endeavor to provide input, receive information, and share expertise as a private citizen to the contractor for the proposed gas line and find out if there is a way to connect the gas line work with construction of the Kachemak Drive Trail.



# 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 12-164

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**TO:** MAYOR WYTHE AND CITY COUNCIL  
**COPY:** CAREY MEYER, PUBLIC WORKS DIRECTOR  
**THRU:** WALT WREDE, CITY MANAGER  
**FROM:** KACHEMAK DRIVE TRAIL COMMITTEE  
**DATE:** OCTOBER 16, 2012  
**RE:** THANK YOU FOR FUNDING AND REQUEST TO BE INCLUDED IN THE COMMUNICATIONS WITH THE SURVEYOR

---

Thank you to the Homer City Council for approving the resolution to allocate up to \$20,000 from the HART fund for the purposes of survey work and an engineering estimate for the first half mile of the proposed Kachemak Drive Trail.

Kachemak Drive Trail Committee requests that the city inform and include this committee in communications with the surveyor, so that we can assist on the ground and in providing information as to where we've flagged out a possible pathway. We are available to do brush clearing, and chain saw work to assist the work of the surveyor. We are interested in who, when and how the survey work will be done. Our goal is to make the \$20,000 go as far as possible by providing volunteer labor at every stage.

Plans, specifications and estimates should be developed with our input. We can provide the pre-engineering packet to the surveyor. We have done a lot of work and it should be shared. Using HOPP as our model, we need cost estimates to break out materials, equipment and labor, so that we can estimate cost savings from volunteer labor.

This committee supports Kevin Walker in his endeavor to provide input, receive information, and share expertise and in effect speak for this committee to the surveyor.

Included are our phone numbers for questions or concerns.

Kevin Walker 235-5304; Dave Brann 235-6018; Bumppo Bremicker 399-1345; Lindianne Sarno 235-2952; Lynne Burt 235-5380; and Beth Cumming 235-7971.



## Office of the City Clerk

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## MEMORANDUM 12-165

---

**TO:** CAREY MEYER, PUBLIC WORKS DIRECTOR  
**COPY:** WALT WREDE, CITY MANAGER  
**FROM:** KACHEMAK DRIVE TRAIL COMMITTEE  
**DATE:** OCTOBER 16, 2012  
**RE:** COMPLETING SURVEY WORK ON KACHEMAK DRIVE TRAIL

---

At the regular meeting on October 11, 2012 the committee discussed and approved the following recommendation.

The Kachemak Drive Trail Committee strongly urges the Public Works Department to proceed before snowfall with the survey and engineering work as described in resolution 12-079(S).



Minutes of Kachemak Drive Trail Committee, 5:30 p.m., October 11, 2012

Call to Order by Chair Bremicker

Attending: Beth Cumming, Lindianne Sarno (recording), Bumpo Bremicker, chair, Lynne Burt. Kevin Walker, visitor.

Agenda Approval – Beth move, Lynne, second. Approved.

Approval of Minutes of previous Meeting (September 13, 2012), Beth move, Lynne second. Approved.

Visitors, Kevin Walker, not city resident. You got my e-mail (needs Lynne's e-mail address). [lynneburt890@gmail.com](mailto:lynneburt890@gmail.com) Resolution addressed first half mile, excludes other three miles. Assume city will help a lot with first half mile. That means I can move onto the other three miles. Allocation of \$20,000 to determine feasibility of first one half mile. Looking at gas line map for other three miles, it looks as if gas line will stay inside right of way. Might try to get out of road and into the sewer line right of way. Kevin is hoping to work with Enstar, acquire relevant survey information, and be able to use that to persuade them to finish their grading to resemble the path, for example ramps on both sides of driveways. Kevin was hoping City would be here this evening. Kevin would like to work closely with the surveyor hired by the city, whoever it is. If city sends out a bid package, Kevin will send it to a person he has worked with before.

Beth recommends Kevin contact Carey Meyer before 8 in the morning.

Bumpo: See if we can add factors to the Enstar survey before it goes out for a bid,

Kevin: If there is extra work, I can do it. Recommend surveyor to survey driveways, for example. The gas company's contractor may have equipment that can work from the road, putting the line into the side of the shoulder. 4" pipe. Won't be high pressure line. Gas line has to be about four feet deep.

We discuss minimum distance between water and sewer.

Bumpo: Factors: Extra fill, ramps for driveway, leave a ten foot pathway that's potentially bikeable with the addition of tyvar and gravel.

Lindianne: Will Kevin be working with surveyor on first half mile also? Can we let Carey Meyer know that we want to be involved in the \$20,000 survey as well as the gas line survey?

Bumpo: we need to do a memo from this group saying we would like a representative from this group to work with the city on that half mile, so that we can help.

Kevin: First half mile, not sure exactly where the flags for the trail are.

Bumppo: Path goes from spit side, along the bottom, gets to one spot where tree is overhead, forks at that point, goes up the hill and on Mud Bay trail. We need to go with the surveyor.

Beth: Marker where city line and road right of way come together = first step.

Memo to Carey Meyer, Walter Wrede, and Homer City Council:  
From Kachemak Drive Trail Committee

Thank you to Homer City Council for approving the resolution to allocate up to \$20,000 from the HART fund for the purposes of survey work and an engineering estimate for the first half mile of the proposed Kachemak Drive Trail.

Kachemak Drive Trail Committee requests that the city inform and include this committee in communications with the surveyor, so that we can assist on the ground and in providing information as to where we've flagged out a possible pathway. We are available to do brush clearing, and chain saw work to assist the work of the surveyor. We are interested in who, when and how the survey work will be done. Our goal is to make the \$20,000 go as far as possible by providing volunteer labor at every stage.

Plans, specifications and estimates should be developed with our input. We can provide the pre-engineering packet to the surveyor. We have done a lot of work and it should be shared. Using HOPP as our model, we need cost estimates to break out materials, equipment and labor, so that we can estimate cost savings from volunteer labor.

This committee supports Kevin Walker in his endeavor to provide input, receive information, and share expertise and in effect speak for this committee to the surveyor.

Included are our phone numbers.

Kevin Walker 235-5304, Dave Brann 235-6018, Bumppo Bremicker 399-1345,  
Lindianne Sarno 235-2952, Lynne Burt 235-5380, Beth Cumming 235-7971.

Lynne proposes that we accept, Bumppo seconds, this memo is approved.

Second memo:

To Walter Wrede, Homer City Manager:  
From Kachemak Drive Trail Committee

This committee supports Kevin Walker in his endeavor to provide input, receive information, and share expertise as a private citizen to the contractor for the proposed gas line and find out if there is a way to connect the gas line work with construction of the Kachemak Drive Trail.



Beth moves, Lynne seconds, memo is accepted.

Kevin leaves November 11 – January 10, 2012. He will go in and talk to Carey Meyer before he leaves, and will be available telephonically if necessary.

Pending Business: Short Term and Long Term Goals of Committee. Beth: what next? To encourage public works to get right at the survey. Don't wait until the snow is too deep.

Memo to City Manager Walter Wrede and Public Works Director Carey Meyer:  
From the Kachemak Drive Trail Committee:  
The Kachemak Drive Trail Committee strongly urges the Public Works Department to proceed before snowfall with the survey and engineering work as described in resolution 12-079(S).

Lynne moves, Bummpo seconds, memo is approved.

Continued Pending Businesses:

Link to Kachemak Drive Neighborhood Association, phone calls, letter to editor, KBBI, eventual goal is community wide group. Volunteers for building the trail.

Lindianne: Concurrently, look for sources of funding. State, federal, city HART funds, grants. Dave Brann. HART funds will be continuing source of funds to attract matching funds.

Beth: Would like to have numbers available. Plans specifications and estimates. Next meeting is December 13. Request times in January, February. No meeting in November.

Beth: Has been thinking about possibility that whole drive doesn't have to be all one entity, state or city. Why not a city trail, first half mile, and then connect that to possible state trail.

New Business: Future of Kachemak Drive Committee, page 11. We will not consider dissolving this committee until the path is complete and ready for bicyclists. Lindianne moves, Lynne Burt seconds, unanimous approval.

Discussion and Recommendations on Actions Taken by Council at the October 8 meeting: we have already done this, and have memos to go.

Memo to Renee: Meeting dates: First Thursdays from now on would be preferable, and we do not need the city council chambers. We are a small group. We want to meet two weeks before Parks and Rec. Starting with December, January and February. December 6, January 3, February 7. Are these dates possible?

Kevin Walker suggests that we Google State of Alaska Application for Trail Safety, Signing and education projects, Alaska Trail Initiative.

Meeting adjourned by Chair Bremicker at 7:30 p.m.

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**CITY OF HOMER  
HOMER, ALASKA**

**RESOLUTION 12-079(S)**

Wythe/Parks and Recreation  
Advisory Commission

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, AUTHORIZING THE ALLOCATION OF UP TO \$20,000 FROM THE HART FUND FOR THE PURPOSES OF SURVEY WORK AND AN ENGINEERING ESTIMATE TO DETERMINE THE COST OF CONSTRUCTING THE INITIAL ONE-HALF MILE OF THE PROPOSED KACHEMAK DRIVE NON-MOTORIZED PATHWAY.

WHEREAS, The City of Homer has adopted the Homer Non-Motorized Transportation and Trails Plan, Homer Area Transportation Plan, Climate Action Plan, HART Policy Manual and has included the Kachemak Drive Rehabilitation/Pathway in the Capital Improvement Plan (CIP); and

WHEREAS, The Parks and Recreation Advisory Commission (PRAC) established a committee to specifically address possible solutions to the hazards presented to non-motorized and motorized users of Kachemak Drive; and

WHEREAS, The Homer City Council adopted Resolution 11-090(A), directing the Kachemak Drive Path Committee (KDPC) to work with the Transportation Advisory Committee (TAC) to more fully develop the project; and

WHEREAS, The PRAC, KDPC and TAC mutually agree that the construction of the Kachemak Drive Non-Motorized Pathway would provide a safety zone for pedestrians and a safer driving zone for the vehicle traffic on Kachemak Drive; and

WHEREAS, The PRAC, KDPC and TAC further recommend that the City of Homer consider taking the responsibility for the construction and maintenance of the Kachemak Drive Non-Motorized Pathway; and

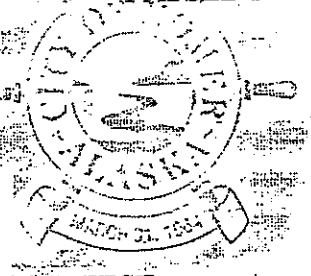
WHEREAS, The construction of the first section of the proposed Kachemak Drive Non-Motorized Pathway, from the intersection of Kachemak Drive and Spit Road, approximately one-half of a mile up Kachemak Drive towards the parking area at the crest of the hill, would provide immediate safety benefits for pedestrians, cyclists and motorists; and


WHEREAS, The first step towards determining the feasibility of constructing this initial one-half mile section of the proposed path requires surveying and an engineering estimate which is anticipated to cost not more than \$20,000.


46 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska,  
47. authorizes the allocation of up to \$20,000 for the purposes of survey work and an engineering  
48 estimate to determine the cost of constructing the initial one-half mile of the proposed Kachemak  
49 Drive Non-Motorized Pathway and authorizes the City Manager and staff to proceed as required  
50 to complete these activities.

51  
52 BE IT FURTHER RESOLVED that the commitment of these funds in no way binds the  
53 City of Homer to the construction of either the initial one-half mile of pathway, or any other  
54 segments of the proposed Kachemak Drive Non-Motorized Pathway. The contribution is made  
55 solely as a good faith show of support for the construction of the Kachemak Drive Non-  
56 Motorized Pathway.

57  
58 PASSED AND ADOPTED by the Homer City Council this 8<sup>th</sup> day of October, 2012.



CITY OF HOMER  
  
JAMES C. HORNADAY, MAYOR

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66 ATTEST:  
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70 JO JOHNSON, CMC, CITY CLERK

71  
72 Fiscal Note: \$20,000 from HART, Trails Fund, Acct. No. 165-375.

**ORDINANCE REFERENCE SHEET**  
**2012 ORDINANCE**  
**ORDINANCE 12-50**

An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Grant Award from the Rasmuson Foundation in the Amount of \$18,852 for Collection Enhancement and Authorizing the City Manager to Execute the Appropriate Documents.

Sponsor: City Manager/Library Director

1. City Council Regular Meeting October 22, 2012 Introduction
  - a. Memorandum 12-166 from Library Director as backup



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**CITY OF HOMER  
HOMER, ALASKA**

City Manager/Library Director

**ORDINANCE 12-50**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
ACCEPTING AND APPROPRIATING A GRANT AWARD  
FROM THE RASMUSON FOUNDATION IN THE AMOUNT  
OF \$18,852 FOR COLLECTION ENHANCEMENT AND  
AUTHORIZING THE CITY MANAGER TO EXECUTE THE  
APPROPRIATE DOCUMENTS.

WHEREAS, On June 5, 2012 the Homer Public Library submitted an application for a Tier 1 Grant from the Rasmuson Foundation to purchase books, media, and other library materials to enhance the library's collection; and

WHEREAS, On October 1, 2012 the Rasmuson Foundation awarded the grant request in the amount of \$18,852.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. That the grant of \$18,852 from the Rasmuson Foundation is hereby accepted and appropriated as follows and that the City Manager is authorized to execute the appropriate documents:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
	Rasmuson Tier 1 Grant	\$18,852.00

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

Section 3. This is a budget amendment ordinance, is temporary in nature, and shall not be codified.

ENACTED BY THE HOMER CITY COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

CITY OF HOMER

\_\_\_\_\_  
MARY E. WYTHE, MAYOR

ATTEST:

\_\_\_\_\_  
JO JOHNSON, CMC, CITY CLERK

47 Introduction:  
48 Public Hearing:  
49 Second Reading:  
50 Effective Date:  
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52 AYES:  
53 NOES:  
54 ABSTAIN:  
55 ABSENT:  
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57 Reviewed and approved as to form:  
58  
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60 \_\_\_\_\_  
61 Walt E. Wrede, City Manager  
62 Date: \_\_\_\_\_  
63  
64

\_\_\_\_\_  
Thomas Klinkner, City Attorney  
Date: \_\_\_\_\_



**Homer Public Library  
500 Hazel Avenue  
Homer, Alaska 99603  
907-235-3180**

**MEMORANDUM 12-166**

**TO: Mayor and Council**

**THROUGH: Walt Wrede, City Manager**

**FROM: Ann Dixon, Library Director**

**DATE: October 17, 2012**

**RE: Rasmuson Foundation Tier 1 Award**

The Rasmuson Foundation has awarded \$18,852 to the City of Homer - Homer Public Library for collection enhancement. The award funds will be used to expand and update the current collection by purchasing books, audiobooks, DVDs, music, and reference materials. Funds from the award must be spent by September 30, 2013 with a report due 30 days thereafter.

**RECOMMENDATION:** Approve Ordinance 12-50 accepting the Rasmuson Foundation Tier 1 award for collection enhancement and authorizing the Library Director to execute the Award agreement.



**ORDINANCE REFERENCE SHEET**  
**2012 ORDINANCE**  
**ORDINANCE 12-51**

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Capital Budget by Appropriating \$212,270 from the Homer Accelerated Roads and Trails Fund (HART) to Re-Pave Fish Dock Road and Construct Improvements to Outer Dock Road and Appropriating \$100,000 from the General Fund Reserves / Fund Balance for a Reimbursable Economic Development Grant to Fund the Homer Tidal Power Incubator Project.

Sponsor: Mayor

1. City Council Regular Meeting October 22, 2012 Introduction



**CITY OF HOMER  
HOMER, ALASKA**

Mayor

**ORDINANCE 12-51**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING THE FY 2012 CAPITAL BUDGET BY APPROPRIATING \$212,270 FROM THE HOMER ACCELERATED ROADS AND TRAILS FUND (HART) TO RE-PAVE FISH DOCK ROAD AND CONSTRUCT IMPROVEMENTS TO OUTER DOCK ROAD AND APPROPRIATING \$100,000 FROM THE GENERAL FUND RESERVES / FUND BALANCE FOR A REIMBURSIBLE ECONOMIC DEVELOPMENT GRANT TO FUND THE HOMER TIDAL POWER INCUBATOR PROJECT.

WHEREAS, Sustaining and promoting economic development are vital to the long-term success of any community; and

WHEREAS, Receiving financial assistance through State and Federal grant funds is becoming increasingly difficult; and

WHEREAS, The City of Homer has identified port and harbor activities as a substantial contributor to the economic viability of our community; and

WHEREAS, The City of Homer has also identified, through the Climate Action Plan, a desire to support the reduction of greenhouse gas emissions in a variety of ways including the use of tidal energy; and

WHEREAS, More research is required in the area of viable tidal energy in order to obtain this objective; and

WHEREAS, There are a variety of low-cost projects recommended for inclusion in the 2013 – 2018 Capital Improvement Plan (CIP) which will meet both the objective of tidal power and support of the port and harbor industry in Homer; and

WHEREAS, The City of Homer has designated income to the Homer Accelerated Roads and Trails (HART) Fund through the collection of sales taxes for the purpose of road improvements; and

WHEREAS, Both the re-pavement of the Fish Dock Road and the upgrade to the Outer Fish Dock Road are proposed for inclusion in the CIP but also qualify for funding through the HART Fund; and

WHEREAS, The collective cost of these two projects is estimated to be \$212,270, which is an amount easily covered through the HART Fund; and

47  
48 WHEREAS, The Homer City Council recognizes the need to invest in the future  
49 economy of the community and that there is potential for the proposed Homer Tidal Incubator  
50 Project to generate local jobs in addition to providing for a needed research location; and  
51

52 WHEREAS, The City of Homer providing funding for the Homer Tidal Incubator Project  
53 through a reimbursable economic development grant, increases the probability of the investment  
54 actually stimulating our local economy; and  
55

56 WHEREAS, The success of the project will be dependent on qualified leadership such as  
57 a university; and  
58

59 WHEREAS, The economic benefits will be dependent on local employment, a further  
60 requirement will be that the research being conducted provides local employment opportunities.  
61

62 NOW, THEREFORE, BE IT ORDAINED by the City of Homer:  
63

64 Section 1. The Homer City Council hereby amends the FY 2012 Capital Budget by  
65 appropriating \$212,270 from the HART Fund for the purpose of funding the re-pavement of Fish  
66 Dock Road and upgrades to Outer Dock Road as provided for and described in the CIP  
67 documents which are attached and incorporated herein as follows:  
68

69 Expenditure:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
60-375	Pave Fish Dock Road / Upgrade Outer Dock Road	\$212,270

75 Section 2. The Homer City Council hereby amends the FY 2012 Capital Budget by  
76 appropriating \$100,000 from the General Fund Reserves / Fund Balance for the purpose of  
77 providing \$100,000 in the form of a reimbursable economic development grant to fund the  
78 Homer Tidal Incubator Project as described in the CIP documents which are attached and  
79 incorporated herein as follows:  
80

81 Expenditure:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
100-100	Incubator Project	\$100,000

86 Section 3. The City Manager is authorized to draft the documents and take the steps  
87 necessary to initiate the Homer Tidal Incubator Reimbursable Grant Program.  
88

89 Section 4. This ordinance is a budget amendment ordinance only, is not of a permanent  
90 nature, and shall not be codified.  
91

92 ENACTED BY THE HOMER CITY COUNCIL this \_\_\_\_ day of \_\_\_\_\_, 2012.

CITY OF HOMER

\_\_\_\_\_  
MARY E. WYTHE, MAYOR

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98 ATTEST:

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102 JO JOHNSON, CMC, CITY CLERK

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105 Introduction:  
106 Public Hearing:  
107 Second Reading:  
108 Effective Date:

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110 AYES:  
111 NOES:  
112 ABSTAIN:  
113 ABSENT:

114  
115 Reviewed and approved as to form:

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117 \_\_\_\_\_  
118 Walt E. Wrede, City Manager

\_\_\_\_\_  
Thomas Klinkner, City Attorney

119  
120 Date: \_\_\_\_\_

Date: \_\_\_\_\_

121





# CITY MANAGER'S REPORT



**MANAGERS REPORT**  
**October 22, 2012**

**TO:** MAYOR WYTHE / HOMER CITY COUNCIL

**FROM:** WALT WREDE

UPDATES / FOLLOW-UP

The Manager's Report at the October 22 meeting will consist primarily of a verbal report and update on two topics; the Natural Gas Distribution System Special Assessment District and the Buccaneer Drilling Rig which is still moored at the Deep Water Dock. Both topics are great interest to the community and things are evolving and changing rapidly. If I provided a written report, it would likely be outdated by the time the Council meeting rolled around.

**ATTACHMENTS**

1. October Employee Anniversaries
2. Alaska Recreation and Parks Association (ARPA) awards:
  - Facility Excellence Award to: Karen Hornaday Park Playground Project (HoPP), Homer Little League, and City of Homer
  - Outstanding Organization Award to: City of Homer, Parks and Community Recreation





# City of Homer

## Memorandum

To: Mayor Wythe and Homer City Council  
From: Walt Wrede, City Manager  
Date: October 17, 2012  
Re: October Employee Anniversaries

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I want to thank the following employees for the dedication, commitment and service they have provided the City and taxpayers of Homer over the years. Each of these employees will have an anniversary this month.

Elaine Grabowski,	Fire	29	Years
Richard Klopp,	Public Works	10	Years
Martin Gonzales,	Public Works	2	Years
Claudia Haines,	Library	2	Years
Brad Somers,	Port & Harbor	1	Year

Alaska Recreation & Parks Association ARPA (affiliated with the National Recreation & Parks Association –NRPA)

ARPA's mission is to support agencies, institutions, businesses, organizations, and individuals who provide or advocate for parks, recreation and wildland programs and facilities.

Mission: To support agencies, institutions, businesses, organizations, and individuals who provide or advocate for parks, recreation and wildland programs and facilities.

**2011 Facility Excellence Award**

This award recognizes significant new projects, major renovations, or long-term performance as a flagship of recreation. Any facility from any area of recreation, from trails to aquatic centers, is eligible. Created in 2010.

- A. Nominator must submit before and after photos
- B. The renovations or improvements must have taken place during the calendar year of the award. (Ex: in 2012, nominators will be selecting facilities which were improved before January 1, 2012, to align with the other awards achievements made in 2011.
- C. A written description shall include: the facility's main uses before and after; the funding of the improvements; how ADA was a factor; all partners;
- D. Support materials will be considered:
  - 1. Press coverage documenting previous conditions, changes requested, grand openings, or other;
  - 2. Statistical data demonstrating improved attendance, lower utility costs or similar;
  - 3. Formal acknowledgement from local municipalities, Boroughs, state or Federal recognition, proclamations or other
- E. The Awards committee will select the facility or facilities that most reflect positive changes.

Awarded to:

Karen Hornaday Park, Homer Playground Project (HoPP), Homer Little League & City of Homer

**2011 Outstanding Organization Award**

This award recognizes the agencies, departments, and organizations that make great contributions to their community and to the improvement of recreation in Alaska. Clubs, federal and state agencies, municipal departments, and not-for-profit organizations are eligible.

- A. The contributions or improvement of recreation must have taken place during the calendar year of the award or prior. (Ex: in 2012, nominators will be selecting organizations which were active before January 1, 2012, to align with the other awards achievements made in 2011.
- B. A written description shall include the organization's contributions and recreation improvements within their community or Alaska.
- C. Support materials will be considered:
  - 1. Press coverage documenting accomplishment, events, programs, or other;
  - 2. Formal acknowledgement from local municipalities, Boroughs, state or Federal recognition, proclamations or other
- D. The Awards committee will select the organization that most reflect outstanding contributions to their community or the state of Alaska.

Awarded to:

City of Homer Parks & Community Recreation

# 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 WYTHE AND HOMER CITY COUNCIL  
FROM: MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK *MJ*  
DATE: OCTOBER 17, 2012  
SUBJECT: BID REPORT

**INVITATION TO BID ON CITY OF HOMER SURPLUS EQUIPMENT** Sealed bids will be received on surplus City equipment until 3:00 p.m. Thursday, October 25, 2012 at City Clerk's Office, City of Homer, 491 E. Pioneer Drive, Homer, AK 99603. Sealed bids must be on the proper bid form provided by the City, one item per form. The complete equipment list and bid forms may be picked up at City Clerk's Office. All bidders must be on the Plan Holders List to be considered responsive.

**REQUEST FOR PROPOSALS FOR INCORPORATING ART INTO FOUR PUBLIC RESTROOMS FACILITIES DOWNTOWN AND ON THE HOMER SPIT** Proposals to incorporate art into four (4) new Public Restroom Facilities, two (2) located on Pioneer Avenue and two (2) on the Homer Spit, will be received at the Office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska, until Thursday, December 6, 2012 at 4:00 p.m. As there will be four separate buildings, artists are encouraged to submit one or more concepts or proposals so as to ensure artwork will be incorporated into all four restrooms.





# CITY ATTORNEY REPORT



# COMMITTEE REPORT(S)



**PENDING BUSINESS**



# NEW BUSINESS





**RESOLUTION(S)**







# 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

August 3, 2012

Dear Property Owner:

A request for water and sewer improvements was made for your neighborhood. The request was made by John Fenske on April 30, 2012.

A Special Assessment District may be initiated with petition signatures of the record owners of one half or more in value of the real property in the proposed district. We have compiled a list of the property owners within the boundaries of the Sterling Highway/Saltwater Drive improvement district, including your parcel(s).

If you support the water and sewer improvements and wish for the City to determine a cost estimate of the project you will need to sign and return the Property Owner Petition. By signing you are indicating that you may favor the utility improvements and wish to hear more about the project, including costs. The Property Owner Petition must be returned to the City Clerk by **October 10, 2012**.

If you are not interested in starting the water and sewer improvements you do not need to sign the Property Owner Petition. Your lack of response indicates that you are not in favor of the Special Assessment District.

Pursuant to the Homer Accelerated Water and Sewer Program, districts shall be assessed 75% property owner share of the project. Projects will be authorized only after a public hearing to insure public participation in the process.

We will determine the amount of interested property owners by the number of signatures that are returned. You will be notified of the results once the petition deadline has passed.

Please call with questions you may have about the Special Assessment District. We would be happy to assist you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jo Johnson", is written over a horizontal line.

Jo Johnson  
City Clerk

Enc. Property Owner Petition  
Map of proposed project



**CITY OF HOMER, ALASKA  
PROPERTY OWNER PETITION**

John Fenske of 1832 Sterling Highway, Homer, AK 99603 filed a request for water and sewer improvements. Request Date: 4/30/12

District Name: Sterling Highway/Saltwater Drive Water and Sewer Improvement Requested: Water X\_Sewer X\_Road Reconstruction \_ Paving \_

We, the undersigned owners of real property fronting, predominately, Sterling Highway, Saltwater Drive, located within Glory View, Binocular Bluff, Kachemak Riviera, C. Weberg, Marshall, and Bidarki Creek Subdivisions and Mutch Tract within the City of Homer, Alaska, request that a Homer Accelerated Water and Sewer Program Special Assessment District for water and sewer improvements be created to include the properties listed below. We represent the owners of at least one-half or more in value of the real property to be benefitted by these improvements.

Pursuant to the Homer Accelerated Water and Sewer Program, districts shall be assessed 75% property owner share of the project. Projects will be authorized only after a public hearing to insure public participation in the process.

If you are in favor of these improvements please sign in the Signature and Date slot. Please date your signature. We ask that you include your phone number for future reference, although this is not mandatory. Deadline for this petition is October 10, 2012. For this petition to be sufficient, signatures representing at least one half or more in value of the real property to be benefitted must be secured. If sufficient, a neighborhood meeting will be held.

IN WITNESS WHEREOF, we have set our hands:

Signature / Date (Phone number Optional)	Owner(s) Name and Address	Legal Description KPB Parcel No.	Assessed Property Value
1.	CHURCH OF THE NAZARENE INC. 3980 HUNTER ST. HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0810060 GLORY VIEW SUB LOT 1 175-08-137	\$ 51,500
2.	RICHARD E. & JENNIFER L. ZIELINSKI P.O. BOX 402 HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0810060 GLORY VIEW SUB LOT 2 175-08-138	\$436,800
3.	JACQUELINE M. EISENBERG 1552 SALTWATER DR. HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 11 BLK 1 175-08-209  T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 1 BLK 1 175-08-210	\$258,300  \$283,200

Total property value is \$4,508,100 minus exemption of \$0 = \$4,508,100. At least one half or more in value of the real property to be benefitted is \$2,254,050.

**CITY OF HOMER, ALASKA  
PROPERTY OWNER PETITION**

John Fenske of 1832 Sterling Highway, Homer, AK 99603 filed a request for water and sewer improvements. Request Date: 4/30/12

District Name: Sterling Highway/Saltwater Drive Water and Sewer Improvement Requested: Water X Sewer X Road Reconstruction \_ Paving \_

We the undersigned owners of real property fronting, predominately, Sterling Highway, Saltwater Drive, located within Glory View, Binocular Bluff, Kachemak Riviera, C. Weberg, Marshall, and Bidarki Creek Subdivisions and Mutch Tract within the City of Homer, Alaska, request that a Homer Accelerated Water and Sewer Program Special Assessment District for water and sewer improvements be created to include the properties listed below. We represent the owners of at least one-half or more in value of the real property to be benefited by these improvements.

Pursuant to the Homer Accelerated Water and Sewer Program, districts shall be assessed 75% property owner share of the project. Projects will be authorized only after a public hearing to insure public participation in the process.

If you are in favor of these improvements please sign in the Signature and Date slot. Please date your signature. We ask that you include your phone number for future reference, although this is not mandatory. Deadline for this petition is October 10, 2012. For this petition to be sufficient, signatures representing at least one half or more in value of the real property to be benefitted must be secured. If sufficient, a neighborhood meeting will be held.

IN WITNESS WHEREOF, we have set our hands:

Signature / Date (Phone number Optional)	Owner(s) Name and Address	Legal Description KPB Parcel No.	Assessed Property Value
4.	JOSEPH ALAN KAPLAN RUTH KAPLAN P.O. BOX 1356 HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 2 BLK 1 175-08-211	\$385,500
5.	PAULA COLESCOTT 3073 BRITTANY PL. ANCHORAGE, AK 99504	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 3 BLK 1 175-08-212	\$ 50,000

Total property value is \$4,508,100 minus exemption of \$0 = \$4,508,100. At least one half or more in value of the real property to be benefitted is \$2,254,050.



CITY OF HOMER, ALASKA  
PROPERTY OWNER PETITION

John Fenske of 1832 Sterling Highway, Homer, AK 99603 filed a request for water and sewer improvements. Request Date: 4/30/12

District Name: Sterling Highway/Saltwater Drive Water and Sewer Improvement Requested: Water X Sewer X Road Reconstruction    Paving   

We the undersigned owners of real property fronting, predominately, Sterling Highway, Saltwater Drive, located within Glory View, Binocular Bluff, Kachemak Riviera, C. Weberg, Marshall, and Bidarki Creek Subdivisions and Mutch Tract within the City of Homer, Alaska, request that a Homer Accelerated Water and Sewer Program Special Assessment District for water and sewer improvements be created to include the properties listed below. We represent the owners of at least one-half or more in value of the real property to be benefited by these improvements.

Pursuant to the Homer Accelerated Water and Sewer Program, districts shall be assessed 75% property owner share of the project. Projects will be authorized only after a public hearing to insure public participation in the process.

If you are in favor of these improvements please sign in the Signature and Date slot. Please date your signature. We ask that you include your phone number for future reference, although this is not mandatory. Deadline for this petition is October 10, 2012. For this petition to be sufficient, signatures representing at least one half or more in value of the real property to be benefited must be secured. If sufficient, a neighborhood meeting will be held.

IN WITNESS WHEREOF, we have set our hands:

Signature / Date (Phone number Optional)	Owner(s) Name and Address	Legal Description KPB Parcel No.	Assessed Property Value
6.	<p>JUDITH ANN MARLEY TRUST 183 W. BAYVIEW AVE. HOMER, AK 99603</p> <p>J. A. MARLEY TRUSTEE FOR THE MARLEY TRUST 183 W. BAYVIEW AVE. HOMER, AK 99603</p>	<p>T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 4 BLK 1 175-08-213</p> <p>T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 6 BLK 2 175-08-222</p> <p>T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 5 BLK 2 175-08-223</p> <p>T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 4 BLK 2 175-08-224</p>	<p>\$ 50,000</p> <p>\$ 62,100</p> <p>\$ 73,000</p> <p>\$ 62,000</p>

Total property value is ~~\$4,508,100~~ minus exemption of \$0 = ~~\$4,508,100~~. At least one half or more in value of the real property to be benefited is ~~\$2,254,050~~.

CITY OF HOMER, ALASKA  
PROPERTY OWNER PETITION

John Fenske of 1832 Sterling Highway, Homer, AK 99603 filed a request for water and sewer improvements. Request Date: 4/30/12

District Name: Sterling Highway/Saltwater Drive Water and Sewer Improvement Requested: Water X Sewer X Road Reconstruction -- Paving --

We the undersigned owners of real property fronting, predominately, Sterling Highway, Saltwater Drive, located within Glory View, Binocular Bluff, Kachemak Riviera, C. Weberg, Marshall, and Bidarki Creek Subdivisions and Mutch Tract within the City of Homer, Alaska, request that a Homer Accelerated Water and Sewer Program Special Assessment District for water and sewer improvements be created to include the properties listed below. We represent the owners of at least one-half or more in value of the real property to be benefited by these improvements.

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IN WITNESS WHEREOF, we have set our hands:

Signature / Date (Phone number Optional)	Owner(s) Name and Address	Legal Description KPB Parcel No.	Assessed Property Value
7.	FRANK J. VONDERSAAR 1988 TRUST 1740 SALTWATER DR. HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 5 BLK 1 175-08-214	\$153,300
8.	PHILLIP S. GORDON P.O. BOX 1193 HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 7 BLK 2 175-08-221	\$135,300

Total property value is \$4,508,100 minus exemption of \$0 = \$4,508,100. At least one half or more in value of the real property to be benefited is \$2,254,050.

**CITY OF HOMER, ALASKA  
PROPERTY OWNER PETITION**

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<b>Signature / Date (Phone number Optional)</b>	<b>Owner(s) Name and Address</b>	<b>Legal Description KPB Parcel No.</b>	<b>Assessed Property Value</b>
9.	STEVE PENLEY P.O. BOX 1163 GRANBY, CO 80446	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 3 BLK 2 175-08-225  T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 2 BLK 2 175-08-226  T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 1 BLOCK 2 EXCL PTN TO AK DOT BY WD @250/786 175-08-227	\$ 59,800   \$194,100   \$139,200

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Signature / Date (Phone number Optional)	Owner(s) Name and Address	Legal Description KPB Parcel No.	Assessed Property Value
10.	NOEL W. CAMPBELL REVOCABLE TRUST 146 N. MOUNT VERNON AVE. PRESCOTT, AZ 86301	T 6S R 14W SEC 24 SEWARD MERIDIAN HM THAT PORTION OF GOVT LOT 3 BEGINNING AT THE 1/16 CORNER OF SEC 24 TH PROCEEDING WEST 250.00 FT TO THE WEST LINE OF TRACT B OF THE VERN & BERNADINE MUTCH 1981 DEED OF RECORD BOUNDARY SURVEY TH NORTH ALONG SAID WEST LI 175-08-229	\$ 88,400
		T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0840059 KACHEMAK RIVIERA SUB TRACT A 175-08-235	\$ 95,500

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11.	ALASKA STATE D.O.T. & P.F. P.O. BOX 196900 ANCHORAGE, AK 99519	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 000000 DAVID L BEAR 1954 BOUNDARY SURVEY TRACT 2 175-08-234	\$ 2,100
12.	PETE WEDIN DEBRA M. WEDIN P.O. BOX 3353 HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0600300 C WEBERG SUB TRACT B 175-09-001	\$ 34,300
		T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0600300 C WEBERG SUB TRACT A 175-09-002	\$ 116,900
		T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0600300 C WEBERG SUB TRACT C 175-09-003	\$ 37,600
		T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0990016 MUTCH TRACTS 1998 ADDN TRACT B-1 175-08-236	\$251,200

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16.	THOMAS M. YOUNG & SONYA MARTIN P.O. BOX 537 HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2003044 BINOCULAR BLUFF NO 3 LOT 6-A BLK 1 175-08-243	\$381,700

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17.	EMC MORTGAGE LLC 1111 POLARIS PKWY. COLUMBUS, OH 43240	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2008100 BINOCULAR BLUFF SUB NO 4 LOT 8A 175-08-244	\$ 50,000
18.	JOHN E. FENSKE P.O. BOX 2112 HOMER, AK 99603  DONNA M. FENSKE P.O. BOX 1204 HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2008100 BINOCULAR BLUFF SUB NO 4 LOT 8B 175-08-245	\$264,300
		T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2007106 BIDARKI CREEK NO 3 TRACT 1-A-1 175-25-009	\$279,300

Total property value is \$4,508,100 minus exemption of \$0 = \$4,508,100. At least one half or more in value of the real property to be benefited is \$2,254,050.







Photo taken in 2008, NOAA.  
Parcel lines are not exact.

**Legend**  
**Proposed Utility**  
**Special Assessment District**

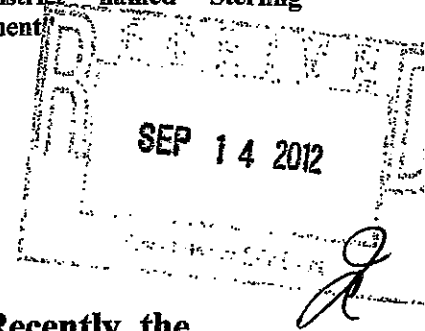
Sewer Only  
 Water and Sewer



**THIS DOCUMENT IS:**

**A QUALIFIED CONSENT** by Joseph Alan Kaplan and Ruth Kaplan, given on September 13, 2012 as Owners of the 4<sup>th</sup> Listed Parcel on the "...Homer, Property Owner PETITION by John Fenske ...for Water/Sewer Improvements for the District named Sterling Highway/Saltwater Dr, Water/Sewer Improvement

**TO: THE OFFICE OF THE  
CITY CLERK OF HOMER, AK  
FROM: Joseph Alan Kaplan and Ruth Kaplan,  
owners of Lot 2, Block 1, Binocular Bluff Subdivision  
(1646 Saltwater Drive, Homer AK 99603)**



**We do not live on the parcel in the above named district. Recently, the property was converted from seasonal vacation rentals to furnished rental apartments. After purchasing the property in 2007, we eagerly sought to join the city water/sewer system; but we were effectively barred. Most neighbors were not interested in any petition to join. They were thoroughly discouraged by efforts ten or more years ago to bring such city services to Saltwater Drive. It is told that most owners had been upset after being advised that the project would come at a nominal cost, to finally learn that the final price tag per parcel would be over \$25,000. It is reported that this caused the entire project to be rejected. City files can provide more accurate detail.**

**Yet, as new owners, we still needed to upgrade. After seeking a necessary permit for an expanded septic system from ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) in 2008, that state agency required us to re-install a complete system designed licensed engineer from a DEC list. The result was an above ground six foot high, circular mound enfolding the effluent field, plus a Bio-Cycle conversion system. All in all, the project cost us about \$40,000, as well as gross aesthetic loss. A beautiful, perfectly graded front lawn was transformed to one with a 40 foot circular "whale- tomb" as its centerpiece. Not a pleasant sight. We were also encouraged to increase our water holding tanks from 2000 gallons to 5500 gallons, all of which we did because DEC approval was mandated. That investment cost us about \$7500. Recently, a much too optimistic well-dig brought only cloudy-arsenic water; failure at a cost of \$7500.**

**Given our heavy sacrifice to date in our private waste and potable water projects, we are naturally reluctant now to support any new city water/sewer initiative with unknown monetary consequence - unless the city provides meaningful incentives.**

**It does seem obvious that any special consideration by the city council, such as reduction or deferment of sewer costs only for us, might set an unacceptable**

precedent. However, the city may be ready to reject that slippery-slope argument, and accept the fact that it makes better sense to approach these matters on a case to case basis. Clearly, the alienation and bitter opposition of those who previously have made private water/sewer investments makes expansion of the city system very difficult. We now offer to the city to negotiate with us using the case-by case approach, accepting the fact that our participation in the city water/sewer initiative is of some value to the city. If so, we might be interested in such an arrangement. We might accept a flat reduction of any assessment by 50%, or even a deferral of payment over fifteen years or more.

Yet, if the slippery-slope is still too troublesome, in lieu of any separate accord, we suggest other remedies may be available. The city might consider a more universal plan that accommodates all those owners who have previously made significant investments. Following is an outline of one such plan. Although our naiveté in such esoteric civic-science matters and accounting numbers associated therewith, is probably much too apparent, nevertheless, with the reader's indulgence, we ask that our general plan be reviewed for possible guideposts to more sophisticated schemes. Again, we only submit this as a novice's sketch of one possible plan that may make future attempts at city water/sewer expansion and improvement, somewhat more equitable than it has been.

(1K=1000)

TOTAL WATER/SEWER INVESTMENT BY OWNER	TOTAL REDUCTION IN DOLLAR ASSESSMENT OR % COST DEFERRED	NUMBER OF YEARS IF DEFERRED
\$5K to \$10K within 5 YEARS	25%	5
\$5K to \$10K within 10 yrs	12.5%	3
\$10K to \$30 K within 5 yrs	50%	10
\$10K to \$30 K within 10 yrs	30%	5
\$30K to \$50K within 5 yrs	75%	12
\$30K to \$50K within 10 yrs	50%	6
Over \$50 K within 5 yrs	85%	15
Over \$50 K within 10 yrs	50%	8

**The argument for any solution begins with an acknowledgment that the present impasse to necessary expansion of the city water/sewer system is due to the inequity imposed upon owners who had previously made significant investments in their own private systems. To hurdle this, the city must cure that inequity - particularly in partially improved districts. Without a cure, owners like us will continue to oppose expansion. It is grossly unfair that owners of undeveloped parcels -with the lowest tax base- who have little to lose and a good deal to gain in bigger lot value by opting for the Petition, are allowed to pay the same assessments as those of us who have endured years without such city services and have found it not only necessary to invest in expensive self-help, but to be heavily taxed upon such investment. We stand to pay double, triple or even more in total water/sewer investment than the inert woodlanders. Certainly, it is worth some dollar indulgence by both the city and the passive parcel owners to entice the more industrious improvers with offers of dollar concessions whether it be by outright reduction in the total amount of assessment, or deferment of assessments over a number of years. Without such concessions, expansion of city water and sewer services to long-neglected, partially improved, districts are doomed.**

**Our qualified consent to Mr. Fenske's Petition is dependant upon providing us with an acceptable incentive.**

**Respectfully Yours;**

**Ruth Kaplan and Joseph Alan Kaplan**

**ssweets@sprynet.com (907) 226-2243**

**Signatures:**

**Dated: September 13, 2012**

**CC: Dan Gardner**

**Public Works**

**3575 Heath Street**

**Homer AK 99603**



CITY OF HOMER, ALASKA  
PROPERTY OWNER PETITION

OCT 08 2012 PM 09:39

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18.	JOHN E. FENSKE P.O. BOX 2112 HOMER, AK 99603  DONIVA M. FENSKE P.O. BOX 1204 HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2008100 BINOCULAR BLUFF SUB NO 4 LOT 8B 175-08-245	\$264,300
<i>Donna M Fenske</i> 2092-6453 10-8-12		T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2007106 BIDARKI CREEK NO 3 TRACT 1-A-1 175-25-009	\$279,300

Total property value is \$4,508,100 minus exemption of \$0 = \$4,508,100. At least one half or more in value of the real property to be benefited is \$2,254,050.

CITY OF HOMER, ALASKA  
PROPERTY OWNER PETITION

SEP 10 2012 AM 10:23 *ec*

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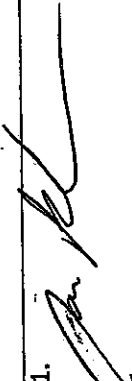
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 907-435-7147	CHURCH OF THE NAZARENE INC. 3980 HUNTER ST. HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0810060 GLORY VIEW SUB LOT 1 175-08-137	\$ 51,500
2.	RICHARD E. & JENNIFER L. ZIELINSKI P.O. BOX 402 HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0810060 GLORY VIEW SUB LOT 2 175-08-138	\$436,800
3.	JACQUELINE M. EISENBERG 1552 SALTWATER DR. HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 11 BLK 1 175-08-209	\$258,300
		T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 1 BLK 1 175-08-210	\$283,200

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14.	MICHAEL J. & FRANCES P. HAINES P.O. BOX 1063 HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002012 MARSHALL SUB NO 3 LOT 1- B 175-08-241	\$355,100
15.	PHILIP HODGE ELIZABETH HODGE P.O. BOX 94 DENALI NATIONAL PARK, AK 99755	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2003036 BINOCULAR BLUFF SUB # 2 LOT 9A 175-08-242	\$ 80,600
16.	THOMAS M. YOUNG & SONYA MARTIN P.O. BOX 537 HOMER, AK 99603  907-378-6132 call	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2003044 BINOCULAR BLUFF NO 3 LOT 6-A BLK 1 175-08-243	\$381,700

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IN WITNESS WHEREOF, we have set our hands:

Signature / Date (Phone number Optional)	Owner(s) Name and Address	Legal Description KPB Parcel No.	Assessed Property Value
6. <i>Judith Ann Marley</i> TRUST <i>Judith Ann Marley</i> Trust 8/10/12	JUDITH ANN MARLEY TRUST 183 W. BAYVIEW AVE. HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 4 BLK 1 175-08-213	\$ 50,000
		T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 6 BLK 2 175-08-222	\$ 62,100
		T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 5 BLK 2 175-08-223	\$ 73,000
<i>J.A. Marley</i>	J. A. MARLEY TRUSTEE FOR THE MARLEY TRUST 183 W. BAYVIEW AVE. HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 4 BLK 2 175-08-224	\$ 62,000

Total property value is \$4,508,100 minus exemption of \$0 = \$4,508,100. At least one half or more in value of the real property to be benefited is \$2,254,050.

**CITY OF HOMER, ALASKA  
PROPERTY OWNER PETITION**

John Fenske of 1832 Sterling Highway, Homer, AK 99603 filed a request for water and sewer improvements. Request Date: 4/30/12

District Name: Sterling Highway/Saltwater Drive Water and Sewer Improvement Requested: Water X Sewer X Road Reconstruction \_ Paving \_

We the undersigned owners of real property fronting, predominately, Sterling Highway, Saltwater Drive, located within Glory View, Binocular Bluff, Kachemak Riviera, C. Weberg, Marshall, and Bidarki Creek Subdivisions and Mutch Tract within the City of Homer, Alaska, request that a Homer Accelerated Water and Sewer Program Special Assessment District for water and sewer improvements be created to include the properties listed below. We represent the owners of at least one-half or more in value of the real property to be benefitted by these improvements.

Pursuant to the Homer Accelerated Water and Sewer Program, districts shall be assessed 75% property owner share of the project. Projects will be authorized only after a public hearing to insure public participation in the process.

If you are in favor of these improvements please sign in the Signature and Date slot. Please date your signature. We ask that you include your phone number for future reference, although this is not mandatory. Deadline for this petition is October 10, 2012. For this petition to be sufficient, signatures representing at least one half or more in value of the real property to be benefitted must be secured. If sufficient, a neighborhood meeting will be held.

IN WITNESS WHEREOF, we have set our hands:

Signature / Date (Phone number Optional)	Owner(s) Name and Address	Legal Description KPB Parcel No.	Assessed Property Value
<p>9. <i>Steve Penley</i> <i>8-20-12</i> <i>970-531-3614</i></p>	<p>STEVE PENLEY P.O. BOX 1163 GRANBY, CO 80446</p>	<p>T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 3 BLK 2 175-08-225</p> <p>T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 2 BLK 2 175-08-226</p> <p>T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742077 BINOCULAR BLUFF SUB LOT 1 BLOCK 2 EXCL PTN TO AK DOT BY WD @250/786 175-08-227</p>	<p>\$ 59,800</p> <p>\$194,100</p> <p>\$139,200</p>

Total property value is \$4,508,100 minus exemption of \$0 = \$4,508,100. At least one half or more in value of the real property to be benefitted is \$2,254,050.

CITY OF HOMER, ALASKA  
PROPERTY OWNER PETITION

John Fenske of 1832 Sterling Highway, Homer, AK 99603 filed a request for water and sewer improvements. Request Date: 4/30/12

District Name: Sterling Highway/Saltwater Drive Water and Sewer Improvement Requested: Water X Sewer X Road Reconstruction X Paving

We the undersigned owners of real property fronting, predominately, Sterling Highway, Saltwater Drive, located within Glory View-Binocular Bluff Kachemak Riviera, C. Weberg, Marshall, and Bidarki Creek Subdivisions and Mutch Tract within the City of Homer, Alaska, request that a Homer Accelerated Water and Sewer Program Special Assessment District for water and sewer improvements be created to include the properties listed below. We represent the owners of at least one-half or more in value of the real property to be benefited by these improvements.

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If you are in favor of these improvements please sign in the Signature and Date slot. Please date your signature. We ask that you include your phone number for future reference, although this is not mandatory. Deadline for this petition is October 10, 2012. For this petition to be sufficient, signatures representing at least one half or more in value of the real property to be benefited must be secured. If sufficient, a neighborhood meeting will be held.

IN WITNESS WHEREOF, we have set our hands:

2/2

Fenske

AUG 23 2012

Signature / Date (Phone number Optional)	Owner(s) Name and Address	Legal Description KPB Parcel No.	Assessed Property Value
17.	EMC MORTGAGE LLC 1111 POLARIS PKWY. COLUMBUS, OH 43240	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2008100 BINOCULAR BLUFF SUB NO 4 LOT 8A 175-08-244	\$ 50,000
18.	JOHN E. FENSKE P.O. BOX 2112 HOMER, AK 99603  DONNA M. FENSKE P.O. BOX 1204 HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2008100 BINOCULAR BLUFF SUB NO 4 LOT 8B 175-08-245  T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2007106 BIDARKI CREEK NO 3 TRACT 1-A-1 175-25-009	\$264,300  \$279,300

*[Handwritten Signature]*  
907-299-0325

Total property value is \$4,508,100 minus exemption of \$0 = \$4,508,100. At least one half or more in value of the real property to be benefited is \$2,254,050.

CITY OF HOMER, ALASKA  
PROPERTY OWNER PETITION

AUG 17 2012 PM 05:50

John Fenske of 1832 Sterling Highway, Homer, AK 99603 filed a request for water and sewer improvements. Request Date: 4/30/12

District Name: Sterling Highway/Saltwater Drive Water and Sewer Improvement Requested: Water X Sewer X Road Reconstruction \_ Paving \_

We the undersigned owners of real property fronting, predominately, Sterling Highway, Saltwater Drive, located within Glory View, Binocular Bluff, Kachemak Riviera, C. Weber, Marshall, and Bidarki Creek Subdivisions and Mutch Tract within the City of Homer, Alaska, request that a Homer Accelerated Water and Sewer Program Special Assessment District for water and sewer improvements be created to include the properties listed below. We represent the owners of at least one-half or more in value of the real property to be benefited by these improvements.

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If you are in favor of these improvements please sign in the Signature and Date slot. Please date your signature. We ask that you include your phone number for future reference, although this is not mandatory. Deadline for this petition is October 10, 2012. For this petition to be sufficient, signatures representing at least one half or more in value of the real property to be benefited must be secured. If sufficient, a neighborhood meeting will be held.

IN WITNESS WHEREOF, we have set our hands:

Signature / Date (Phone number Optional)	Owner(s) Name and Address	Legal Description KPB Parcel No.	Assessed Property Value
13. <i>Thomas P. Paulino</i> 8/17/12 299-0308	THOMAS P. PAULINO P.O. BOX 951 HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0990016 Mutch Tracts 1998 ADDN TRACT B-2 175-08-237	\$77,000
14.	MICHAEL J. & FRANCES P. HAINES P.O. BOX 1063 HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002012 MARSHALL SUB NO 3 LOT 1- B 175-08-241	\$355,100
15.	PHILIP HODGE ELIZABETH HODGE P.O. BOX 94 DENALI NATIONAL PARK, AK 99755	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2003036 BINOCULAR BLUFF SUB # 2 LOT 9A 175-08-242	\$ 80,600
16.	THOMAS M. YOUNG & SONYA MARTIN P.O. BOX 537 HOMER, AK 99603	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2003044 BINOCULAR BLUFF NO 3 LOT 6-A BLK 1 175-08-243	\$381,700

Total property value is \$4,508,100 minus exemption of \$0 = \$4,508,100. At least one half or more in value of the real property to be benefited is \$2,254,050.

CITY OF HOMER, ALASKA  
PROPERTY OWNER PETITION

RECEIVED  
AUG 23 2012

John Fenske of 1832 Sterling Highway, Homer, AK 99603 filed a request for water and sewer improvements. Request Date: 4/30/12

District Name: Sterling Highway/Saltwater Drive Water and Sewer Improvement Requested: Water X Sewer X Road Reconstruction Paving -

We the undersigned owners of real property fronting, predominately, Sterling Highway, Saltwater Drive, located within Glory View, Binocular Bluff, Kachemak Riviera, C. Weberg, Marshall, and Bidarki Creek Subdivisions and Mutch Tract within the City of Homer, Alaska, request that a Homer Accelerated Water and Sewer Program Special Assessment District for water and sewer improvements be created to include the properties listed below. We represent the owners of at least one-half or more in value of the real property to be benefitted by these improvements.

Pursuant to the Homer Accelerated Water and Sewer Program, districts shall be assessed 75% property owner share of the project. Projects will be authorized only after a public hearing to insure public participation in the process.

If you are in favor of these improvements please sign in the Signature and Date slot. Please date your signature. We ask that you include your phone number for future reference, although this is not mandatory. Deadline for this petition is October 10, 2012. For this petition to be sufficient, signatures representing at least one half or more in value of the real property to be benefitted must be secured. If sufficient, a neighborhood meeting will be held.

IN WITNESS WHEREOF, we have set our hands:

Signature / Date (Phone number Optional)	Owner(s) Name and Address	Legal Description KPB Parcel No.	Assessed Property Value
<p>10. <i>Noel W. Campbell, Trustee</i> 20 Aug. 12 (928) 776-7030 (H) (928) 925-6810 (C)</p>	<p>NOEL W. CAMPBELL REVOCABLE TRUST 146 N. MOUNT VERNON AVE. PRESCOTT, AZ 86301</p>	<p>T 65 R 14W SEC 24 SEWARD MERIDIAN HM THAT PORTION OF GOVT LOT 3 BEGINNING AT THE 1/16 CORNER OF SEC 24 TH PROCEEDING WEST 250.00 FT TO THE WEST LINE OF TRACT B OF THE VERN &amp; BERNADINE MUTCH 1981 DEED OF RECORD BOUNDARY SURVEY TH NORTH ALONG SAID WEST LI 175-08-229</p> <p>T 65 R 14W SEC 24 SEWARD MERIDIAN HM 0840059 KACHEMAK RIVIERA SUB TRACT A 175-08-235</p>	<p>\$ 88,400</p> <p>\$ 95,500</p>

Total property value is \$4,508,100 minus exemption of \$0 = \$4,508,100. At least one half or more in value of the real property to be benefitted is \$2,254,050.

1 CITY OF HOMER  
2 HOMER, ALASKA

City Manager

3  
4 RESOLUTION 12-091

5  
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER,  
7 ALASKA, EXPRESSING ITS SUPPORT FOR A KACHEMAK  
8 NORDIC SKI CLUB APPLICATION TO THE  
9 RECREATIONAL TRAIL GRANT PROGRAM OF THE STATE  
10 OF ALASKA DIVISION OF PARKS AND OUTDOOR  
11 RECREATION FOR A MAINTENANCE BUILDING AT THE  
12 LOOKOUT MOUNTAIN SKI AREA IN THE AMOUNT OF  
13 \$50,000.

14  
15 WHEREAS, The Kachemak Bay Nordic Ski Club (KNSC) has been developing the  
16 Lookout Mountain Ski Trail system for several years; and

17  
18 WHEREAS, KNSC recently completed a similar grant to improve the access road and  
19 parking lots at Lookout Mountain, and the grant administrators commented that funds are  
20 available in the Recreational Trail Grant Program (RTP) to build a maintenance building for the  
21 grooming equipment; and

22  
23 WHEREAS, The RTP grant application KNSC is preparing for a maintenance building at  
24 the Lookout Mountain Ski Area requests a resolution of support from the local governing body;  
25 and

26  
27 WHEREAS, The City of Homer will benefit from better groomed trails as volunteer  
28 groomers will spend less time digging and thawing out equipment and more time grooming; and

29  
30 WHEREAS, Many events and ongoing programs that bring visitors and business to the  
31 City of Homer are held at the Lookout Mountain Ski Area, including middle and high school ski  
32 team training and races, Besh Cup Races, regional and state races, Ski for Women, Junior Nordic  
33 ski program, Kachemak Bay Nordic Ski Marathon, and Homer Women's Nordic; and

34  
35 WHEREAS, The facility will be designed as a warming facility so spectators and skiers  
36 can warm up during events that can last as long as 8 hours in frigid conditions; and

37  
38 WHEREAS, KNSC is asking for this resolution of support for a RTP grant with no  
39 financial or staff time obligation from the City of Homer.

40  
41 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby expresses  
42 its strong support for KNSC's grant application to the Recreational Trail Grant Program of the  
43 State of Alaska Division of Parks and Outdoor Recreation to build a Maintenance Building at the  
44 Lookout Mountain Ski Area in the amount of \$50,000.

47 PASSED AND ADOPTED by the Homer City Council this 22<sup>nd</sup> day of October, 2012.

48

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CITY OF HOMER

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MARY E. WYTHE, MAYOR

54 ATTEST:

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JO JOHNSON, CMC, CITY CLERK

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Fiscal Note: N/A

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**CITY OF HOMER  
HOMER, ALASKA**

City Clerk

**RESOLUTION 12-092**

A RESOLUTION OF THE CITY COUNCIL OF HOMER,  
ALASKA, DESIGNATING SIGNATORIES OF CITY  
ACCOUNTS AND SUPERSEDING ANY PREVIOUS  
RESOLUTION SO DESIGNATING.

WHEREAS, City Council certified that Mary E. (Beth) Wythe was elected Mayor at their  
October 8, 2012 meeting; and

WHEREAS, City Council confirmed the selection of Francie Roberts as Mayor Pro  
Tempore at their October 15, 2012 meeting; and

WHEREAS, Robert Painter was appointed as Acting City Manager via Resolution 12-  
001.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer Alaska, that the  
designated signatories, effective October 22, 2012 are as follows with the number of signatories  
defined:

On the regular Wells Fargo Bank Alaska checking account #016030109 that the following are  
the designated signatories for this account, with dual signatures required for checks over \$5,000;  
on the investment accounts with Alaska Municipal League, First National Bank, Raymond James  
Investment, Wells Fargo Bank Alaska, and other institutions, and for Department of  
Administration Grants and other grants, one of the following authorized signatories or the dual  
electronic authorization system is required for all transactions:

**MARY E. WYTHER, MAYOR  
FRANCES ROBERTS, MAYOR PRO TEMPORE  
WALT E. WREDE, CITY MANAGER  
ROBERT PAINTER, ACTING CITY MANAGER  
REGINA MAURAS, FINANCE DIRECTOR/TREASURER  
JO JOHNSON, CITY CLERK**

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 22<sup>nd</sup> day of  
October, 2012.

CITY OF HOMER

\_\_\_\_\_  
MARY E. WYTHER, MAYOR

ATTEST:

\_\_\_\_\_  
JO JOHNSON, CMC, CITY CLERK

Fiscal Note: N/A



1 CITY OF HOMER  
2 HOMER, ALASKA

Mayor

3  
4 RESOLUTION 12-093

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6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, IN  
7 SUPPORT OF FULL FUNDING FOR THE STATE OF ALASKA  
8 MUNICIPAL HARBOR FACILITY GRANT PROGRAM IN THE  
9 FY2014 CAPITAL BUDGET.

10  
11 WHEREAS, Harbor facilities represent critical transportation links and are the  
12 transportation hubs for waterfront and economic development in Alaskan coastal communities;  
13 and

14  
15 WHEREAS, Harbor facilities are ports of refuge and areas for protection for ocean-going  
16 vessels and fishermen throughout Alaska, especially in coastal communities; and

17  
18 WHEREAS, The State of Alaska has transferred most of its harbor facilities to  
19 municipalities; and

20  
21 WHEREAS, The State of Alaska and the municipalities built these harbor facilities; and

22  
23 WHEREAS, The municipalities took over this important responsibility even though they  
24 knew these same harbor facilities were in poor condition at the time of the transfer due to the  
25 State's failure to keep up with deferred maintenance; and

26  
27 WHEREAS, Consequently when local municipal harbor masters formulated their annual  
28 harbor facility budgets, they inherited a major financial burden that their local municipal  
29 governments could not afford; and

30  
31 WHEREAS, In response to this financial burden, the Governor and the Alaska State  
32 Legislature passed legislation to create the Municipal Harbor Facility Grant Program, AS  
33 29.60.800; and

34  
35 WHEREAS, The Municipal Harbor Facility Grant Program provides State assistance in  
36 the form of a matching 50/50 grant for municipal owned harbor facilities to be administered by  
37 the Department of Transportation and Public Facilities; and

38  
39 WHEREAS, The City of Homer is pleased with the DOT/PF's administration process to  
40 review for eligibility, and to score and rank applicants to the Municipal Harbor Facility Grant,  
41 since State funds may be limited; and

42  
43 WHEREAS, Many communities throughout Alaska have greatly benefitted from this  
44 program by receiving grants from the Municipal Harbor Facility Grant Program; and  
45

46 WHEREAS, Many other communities have been recently scored and are currently  
47 eligible for Municipal Harbor Facility Grants; and  
48

49 WHEREAS, All the money invested in these harbors by the State and matched by  
50 communities stimulates the economy, creates safer and more functional harbors for residents and  
51 for the fishing fleets and creates job opportunities for local residents and businesses, which is  
52 especially important in these times of economic hardship.  
53

54 NOW, THEREFORE, BE IT RESOLVED that the City of Homer urges full funding by  
55 the Governor and the Alaska Legislature to support the Municipal Harbor Facility Grant Program  
56 to ensure safety and economic prosperity among coastal communities.  
57

58 PASSED AND ADOPTED by the Homer City Council this 22<sup>nd</sup> day of October, 2012.  
59

60 CITY OF HOMER  
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63 \_\_\_\_\_  
64 MARY E. WYTHER, MAYOR

65 ATTEST:  
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67 \_\_\_\_\_  
68 JO JOHNSON, CMC, CITY CLERK

69 Fiscal Note: N/A  
70

**CITY OF HOMER  
HOMER, ALASKA**

City Manager

**RESOLUTION 12-094**

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING RESOLUTION 12-027(A), THE COMPOSITION OF THE WATER AND SEWER RATE TASK FORCE, TO ALLOW MAYOR WYTHER TO CONTINUE TO SERVE AS A TASK FORCE MEMBER UNTIL THE COMPLETION OF THEIR FINDINGS AND RECOMMENDATIONS TO THE CITY COUNCIL.

WHEREAS, A task force to review the existing water and sewer rates and rate structure was formed March 27, 2012 via Resolution 12-27(A); and

WHEREAS, The task force was comprised of five members of the community who are residents of the City and two City Councilmembers; and

WHEREAS, Former Councilmember Beth Wythe was appointed to the task force on April 9, 2012 via Memorandum 12-056 and has served continuously until she was elected Mayor of the City of Homer on October 2, 2012; and

WHEREAS, The task force is well established; and

WHEREAS, It would be in the best interest of the City to allow Mayor Wythe to continue to serve on the task force.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby amends Resolution 12-027(A), the composition of the Water and Sewer Rate Task Force to allow Mayor Beth Wythe to continue to serve on the task force until the completion of their findings and recommendations to the City Council.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 22<sup>nd</sup> day of October, 2012.

CITY OF HOMER

\_\_\_\_\_  
MARY E. WYTHER, MAYOR

ATTEST:

\_\_\_\_\_  
JO JOHNSON, CMC, CITY CLERK

Fiscal Note: N/A



## 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](mailto:clerk@ci.homer.ak.us)

## MEMORANDUM 12-168

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TO: MAYOR WYTHE AND CITY COUNCIL

FROM: WATER & SEWER RATE TASK FORCE

DATE: OCTOBER 16, 2012

SUBJECT: CHANGES TO THE MEMBERSHIP OF THE TASK FORCE

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### **BACKGROUND**

At the worksession on October 8, 2012 the members of the Water & Sewer Rate Task Force discussed a requirement that mandated Chair Wythe step down from her position on any Committee or Task Force.

The discussion included the difficulty a new member would have getting "up to speed" and possibly losing time in presenting an alternate solution to the Water & Sewer rates.

The majority of the members agreed that it was preferable to retain Chair Wythe on the task force but if she could not then the Council definitely needed to appoint a new council member to take her place.

### **RECOMMENDATION**

The Water & Sewer Rate Task Force Recommends City Council allow Mayor Elect Wythe to stay on the Task Force due to her strong leadership skills, continuity, and the stage the recommendation to Council is at currently.





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**CITY OF HOMER  
HOMER, ALASKA**

Mayor-

**RESOLUTION 12-027(A)**

A RESOLUTION OF THE CITY COUNCIL OF HOMER,  
ALASKA, ESTABLISHING A WATER AND SEWER RATE  
TASK FORCE.

WHEREAS, Setting fair water and sewer rates has long been a contentious issue for the  
City Council; and

WHEREAS, Establishing a task force to review the existing rates and the rate structure  
for 2013 is desired; and

WHEREAS, The task force should review the current rates and proposed rates for 2013  
and provide Council with a written report and recommendations; and

WHEREAS, The task force shall be compromised of five members of the community  
who are residents of the City and two City Councilmembers; and

WHEREAS, The appointmentS of the task force will be by appointment of the Mayor  
with approval of the City Council and have an open advertisement time that closes on April 3<sup>rd</sup>  
with the appointments to take place at the April 9<sup>th</sup> meeting.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby  
establishes the Water and Sewer Rate Task Force and authorizes the City Clerk to begin  
advertising for applicants interested in serving.

BE IT FURTHER RESOLVED that the Task Force shall be comprised of five  
community members who are residents of the City and two City Councilmembers.

BE IT FURTHER RESOLVED that the Task Force will be supported by appropriate staff  
determined by the City Manager.

BE IT FURTHER RESOLVED that the Task Force will present to the City Council their  
findings and recommendations no later than June 25, 2013.


PASSED AND ADOPTED by the Homer City Council this 27<sup>th</sup> day of March, 2012.

CITY OF HOMER

  
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JAMES C. HORNADAY, MAYOR

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JO JOHNSON, CMC, CITY CLERK

Fiscal Note: Unknown at this time. Possible staff overtime and consultant or legal fees.



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

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

## MEMORANDUM 12-056

TO: HOMER CITY COUNCIL

FROM: JAMES C. HORNADAY, MAYOR

DATE: APRIL 4, 2012

SUBJECT: APPOINTMENTS OF KEN CASTNER, BOB HOWARD, SHARON MINSCH, LLOYD MOORE, TERRY YAGER, AND COUNCILMEMBER MARY E. (BETH) WYTHE TO THE WATER AND SEWER RATE TASK FORCE.

Ken Castner, Bob Howard, Sharon Minsch, Lloyd Moore, and Terry Yager are appointed to the Water and Sewer Rate Task Force.

Councilmember Beth Wythe is appointed to the Water and Sewer Rate Task Force.

Terms of all task force members will expire June 25, 2013 upon completion of their review of the existing water and sewer rate structure and proposed rates for 2013.

### RECOMMENDATION:

Confirm the appointments of Ken Castner, Bob Howard, Sharon Minsch, Lloyd Moore, Terry Yager, and Councilmember Mary E. (Beth) Wythe to the Water and Sewer Rate Task Force.

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





