

City Council
February 24, 2014
Monday



Worksession 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
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February/March 2014

Monday 24 th	CITY COUNCIL Worksession 4:00 p.m., Committee of the Whole 5:00 p.m., and Regular Meeting 6:00 p.m.
Wednesday 26 th	PORT AND HARBOR ADVISORY COMMISSION Regular Meeting 5:00 p.m.
Thursday 27 th	PUBLIC ARTS COMMITTEE Special Regular Meeting 5:30 p.m.
Friday 28 th	PUBLIC SAFETY BUILDING REVIEW COMMITTEE Meeting 1:00 p.m.
Monday 3 rd	VESSEL HAUL-OUT TASK FORCE Meeting 3:30 p.m.
Tuesday 4 th	LIBRARY ADVISORY BOARD Regular Meeting 5:00 p.m.
Wednesday 5 th	PLANNING COMMISSION Worksession 5:30 p.m. and Regular Meeting 6:30 p.m.
Thursday 6 th	PARKS AND RECREATION ADVISORY COMMISSION Special Meeting 5:30 p.m.
Friday 7 th	TOWN HALL MEET & GREET – SENATOR MICCICHE 5:00 – 9:00 p.m.
Monday 10 th	CITY COUNCIL Worksession 4:00 p.m., Committee of the Whole 5:00 p.m., and Regular Meeting 6:00 p.m.

Regular Meeting Schedule

- City Council 2nd and 4th Mondays 6:00 p.m.
- Library Advisory Board 1st Tuesday 5:00 p.m.
- Economic Development Advisory Commission 2nd Tuesday 6:00 p.m.
- Parks and Recreation Advisory Commission 3rd Thursday of the month with exception of December 5:30 p.m.
- Planning Commission 1st and 3rd Wednesday 6:30 p.m.
- Port and Harbor Advisory Commission 4th Wednesday 5:00 p.m.
(May – August 6:00 p.m.)
- Transportation Advisory Committee Quarterly 3rd Tuesday 5:30 p.m.
- Public Arts Committee Quarterly 3rd Thursday 5:00 p.m.
- Lease Committee Quarterly 2nd Thursday 3:00 p.m.
- Permanent Fund Committee Quarterly 2nd 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 – 16

BEAUREGARD BURGESS, COUNCILMEMBER – 15

GUS VAN DYKE, COUNCILMEMBER - 16

**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
Clerk's office phone number: direct line 235-3130, other number 435-3106.

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



WORKSESSION
4:00 P.M. MONDAY
FEBRUARY 24, 2014
COWLES COUNCIL CHAMBERS

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

WORKSESSION AGENDA

1. CALL TO ORDER, 4:00 P.M.

Councilmember Howard has requested telephonic participation.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

3. NEW INTERGOVERNMENTAL WASTEWATER AGREEMENT BETWEEN THE CITY OF HOMER AND KACHEMAK CITY *Page 7*

4. COMMENTS OF THE AUDIENCE

5. ADJOURNMENT NO LATER THAN 4:50 P.M.

Next Regular Meeting is Monday, March 10, 2014 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

INTERGOVERNMENTAL AGREEMENT
WASTEWATER UTILITY
BETWEEN THE CITY OF HOMER AND KACHEMAK CITY
JANUARY 1, 2014

WHEREAS, Kachemak City (“Kachemak”) desires to continue to partner with the City of Homer (“Homer”) for wastewater collection and treatment to maintain the public health and safety of the greater Homer area; and

WHEREAS, Homer operates the public wastewater collection and treatment system and owns and maintains the pipes and related facilities; and

WHEREAS, Homer has the staff, equipment, and management capability to operate and maintain the wastewater collection and treatment system, involving service to Kachemak;

WHEREAS, The existing Intergovernmental Agreement, adopted by the parties in 1988, needs to be updated to reflect current conditions.

NOW THEREFORE, in consideration of the mutual covenants to be kept and performed, and other good and valuable considerations, the sufficiency of which is acknowledged, the following is agreed to between parties.

ARTICLE 1 – DEFINITIONS

- 1.1 Category (1) Improvements – Any improvements to the Wastewater Collection and Transportation System other than normal maintenance and replacement which benefit only either Kachemak or Homer. The prorata share of the local share capital costs is one hundred percent (100%) allocated to the community that receives the benefit.
- 1.2 Category (2) Improvements – Those improvements to the wastewater collection and transportation system other than normal maintenance and replacement which benefit both Kachemak and Homer such as existing and future trunk sewers in the East End area servicing both communities. The allocation of costs to Kachemak will be based on the Zone Connect Fee method (zones that are added will be paid for by the benefited community).
- 1.3 Category (3) Improvements – Those improvements to Homer’s wastewater treatment facilities required by regulatory authorities. The allocation of the local share of these

costs is based on the estimated total wastewater contributions to the facility by each community in the year the improvement is made plus a calculation of projected growth and increase in utility customers in each community for the next 20 years, prepared by a qualified third party consultant.

- 1.4 Category (4) Improvements – Those improvements to Homer’s treatment facilities required to provide additional capacity. The allocation of the local share of these costs is based on a calculation of projected growth and increase in utility customers in each community for the next 20 years, prepared by a qualified third party consultant
- 1.5 Local Share – That portion of capital costs specifically assigned to one zone or to one municipality.
- 1.6 Capital Costs – The costs associated with the installation or acquisition of improvements, equipment and property including planning, engineering and design, construction, purchase of equipment and materials, supervision of construction, reasonable administration and interest on borrowed money during construction.
- 1.7 Payments by Kachemak City – Payment of Kachemak’s prorata capital costs, as called for in this Agreement, may be either direct transactions between Kachemak and Homer or funds made available to Homer on behalf of Kachemak from third party agencies, including the Environmental Protection Agency and the State of Alaska Department of Environmental Conservation in the form of matching grants or legislative appropriations.

ARTICLE II – OBLIGATIONS OF KACHEMAK CITY

- 2.1 Kachemak shall provide capital funding for one hundred percent (100%) of the cost of all Category (1) Improvements within Kachemak.
- 2.2 Kachemak shall pay to Homer its share of the costs determined in 1.2, 1.3 and 1.4 above. These improvements should become part of the overall capital rate structure, i.e. depreciation.
- 2.3 Kachemak shall adopt as City of Kachemak ordinances, the appropriate existing and future rules and regulations relating to sewer operations and use constraints that are contained in Title 14 of the City of Homer code of ordinances.
- 2.4 Kachemak shall provide all easements and rights of way required to construct, operate, and maintain sewer improvements within Kachemak’s corporate boundaries.
- 2.5 Kachemak City will collect user fees from utility customers within its boundaries and remit payments to the City of Homer in one lump sum each month. Payment of user fees due

Homer shall be paid monthly on or before the fifteenth day of the month following the month for which service was rendered. Payment of the full amount due Homer will be made by Kachemak regardless of the fact that Kachemak may or may not have collected user fees from individual users residing within Kachemak.

2.6 At Homer's request, Kachemak shall serve as a clearinghouse for all service connection requests, collecting all appropriate fees from requesting customers and pay all fees due to Homer.

2.7 Kachemak shall coordinate all privately funded sewer improvements within Kachemak with Homer and the owner/ developer.

ARTICLE III – OBLIGATIONS OF HOMER

3.1 Homer shall provide capacity in any future improvements to Homer's collection, transportation and treatment facilities to provide continued service for the existing and future needs of Kachemak. Future needs of Kachemak City will be projected by a qualified third party consultant and be based upon a 20 year window, or expected life of the improvement.

3.2 Homer will continue to assume responsibility for ownership, maintenance, and repair of the wastewater collection system in Kachemak City and for the pumping of private septic tanks on properties connected to the wastewater system.

3.3 Homer shall conduct periodic rate studies, at the Wastewater Utility's expense, to establish fair and equitable rates for all users of Homer's Wastewater Utility. The rate study shall be performed under contract to Homer by an independent consultant that is well qualified and recognized in the field of utility rate analysis. Further, management of the consultant's engagement shall be by a management team that includes at least one representative appointed by the Kachemak City Council and no more than two individuals appointed by the Homer City Council. The group membership can be expanded by mutual consent of the parties. Included in the rate study will be an evaluation of costs for the operation and maintenance of Kachemak's Wastewater Collection System, taken as a whole. This evaluation will include, but not be limited to, in consideration of:

- 1) the periodic pumping and treatment of septage from the receiver tanks,
- 2) the routine discharge of pretreated wastewater from the system,
- 3) reduced operations and maintenance resulting from the type and nature of the Kachemak system, and
- 4) the lower than average per capita flow from Kachemak users.

3.4 The City of Homer shall establish wastewater fees for Kachemak City as part of its regular, annual, water and wastewater fee schedule approval process. The fee associated with septic tank pumping shall be based upon the bidding process provided in Homer’s procurement code. The wastewater commodity charge shall be based upon an estimated average of 2,500 gallons per month for residential use. This baseline estimated average can be adjusted as new information becomes available.

3.5 Homer shall charge to Kachemak for any customer classification user fees that are equal to the same fee charge to a Homer customer of the same class. Further, Homer shall reduce all user charges for Kachemak customers to adjust for debt service, sinking funds or any other means of financing capital improvements. The result of this requirement is to charge Kachemak customers for the administration, operation, maintenance and depreciation expense of the utility only. Kachemak will be responsible for its own capital costs as in 1.3 and 1.4.

3.6 Homer shall provide the planning, engineering, design, contract for construction, construction administration and construction surveillance for all necessary current and further improvements including those within Kachemak’s corporate boundaries.

3.7 Homer shall own, operate, maintain, repair, replace and keep whole all improvements required to service Kachemak including those located within Kachemak’s corporate boundaries.

NOTICES:

All notices shall be sent to both parties as follows:

City Manager
City of Homer
491 East Pioneer Avenue
Homer, Alaska 99603

City Mayor
Kachemak City
P.O. Box 958
Homer, Alaska 99603

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the dates hereinbelow set forth.

CITY OF HOMER

DATE:

WALT WREDE, City Manager

CITY OF KACHEMAK

DATE:

PHILEMON MORRIS, Mayor

ACKNOWLEDGMENTS

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me on the ____ day of _____,
2014, by WALT WREDE, City Manager of the City of Homer, on behalf of the City of Homer.

Notary Public in and for Alaska

My Commission Expires:_____

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me on the ____ day of _____,
2014, by PHILEMON MORRIS, Mayor of the City of Kachemak, on behalf of the City of Kachemak.

Notary Public in and for Alaska

My Commission Expires:_____

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



COMMITTEE OF THE WHOLE
5:00 P.M. MONDAY
FEBURARY 24, 2014
COWLES COUNCIL CHAMBERS

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

COMMITTEE OF THE WHOLE AGENDA

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

Councilmember Howard has requested telephonic participation.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

3. CONSENT AGENDA

4. REGULAR MEETING AGENDA

5. COMMENTS OF THE AUDIENCE

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

Next Regular Meeting is Monday, March 10, 2014 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

CALL TO ORDER
PLEDGE OF ALLEGIANCE
AGENDA APPROVAL

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



REGULAR MEETING
6:00 P.M. MONDAY
FEBRUARY 24, 2014
COWLES COUNCIL CHAMBERS

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

REGULAR MEETING AGENDA

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

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Councilmember Howard has requested telephonic participation.

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

2. AGENDA APPROVAL

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

4. RECONSIDERATION

5. CONSENT AGENDA

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

- A. Homer City Council unapproved Regular meeting minutes of February 10, 2014. City Clerk. Recommend adoption. *Page 29*
- B. **Memorandum 14-031**, from Mayor, Re: Appointment of Larry Slone to the Library Advisory Board and Glen Carroll to the Vessel Haul-out Task Force. *Page 49*

- C. **Ordinance 14-11**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Appropriating \$11,331.48 From the Homer Volunteer Fire Department Reserve Account for the Replacement of Laptop Computers Compatible With Windows 7 for Data Collection, Analysis, and Reporting Requirements. City Manager/Fire Chief. Recommended dates: Introduction February 24, 2014, Public Hearing and Second Reading March 10, 2014. **Page 55**

Memorandum 14-035 from IT Manager as backup. **Page 59**

- D. **Resolution 14-032**, A Resolution of the Homer City Council Awarding the Contract for the Airport Terminal Underground Fuel Tank Removal Project to the Firm of Paul's Service of Anchor Point, Alaska, in the Amount of \$4,700 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption. **Page 63**

Memorandum 14-032 from Project Manager as backup. **Page 65**

- E. **Resolution 14-034**, A Resolution of The Homer City Council Awarding the Contract for the Operation and Maintenance of the Port and Harbor Fish Grinding Facility to The Fish Factory of Homer, Alaska, Under the Terms Outlined in the Memorandum of Agreement for Calendar Years 2013 to 2016 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Port and Harbor Director. Recommend adoption. **Page 67**

Memorandum 14-033 from Port and Harbor Director as backup. **Page 69**

6. **VISITORS**

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

A. Borough Report

B. Commissions/Board Reports:

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

- 5. Port and Harbor Advisory Commission

- C. Lobbyist Report of February 16, 2014 *Page 85*

- 8. **PUBLIC HEARING(S)**
 - A. **Ordinance 14-08**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.71.050(d), "Commission Hearing and Procedures", to Permit Four Instead of Five Members of the Homer Advisory Planning Commission to Approve a Conditional Use Under the Homer City Code. City Manager/Planning. Introduction February 10, 2014, Public Hearing and Second Reading February 24, 2014. *Page 99*

 - B. **Ordinance 14-09**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.12.020, "Permitted Uses And Structures", to Expand the Permitted Uses in the Rural Residential District to Include the Addition of a Detached Dwelling Unit as an Accessory to a Single Family Dwelling on a Lot Serviced by City Water and Sewer Services. City Manager/Planning. Introduction February 10, 2014, Public Hearing and Second Reading February 24, 2014. *Page 113*

- 9. **ORDINANCE(S)**

- 10. **CITY MANAGER'S REPORT**
 - A. City Manager's Report *Page 129*
 - 1. Memorandum 14-034 from Port and Harbor Director, Re: Report on Alaska Abandoned and Derelict Vessel Task Force. *Page 133*

 - 2. Memorandum 14-036 from Community and Economic Development Coordinator, Re: First City of Homer Citizens Academy Underway. *Page 141*

 - B. Games Report *Page 165*
 - 1. Homer Society of Natural History, Inc. *Page 167*

- 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. Port and Harbor Building Task Force

13. PENDING BUSINESS

- A. **Resolution 14-028**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Advisory Planning Commission Policies and Procedures Manual Review Policies for Conditional Use Permits "Review Standards" and Policy for Review of Zoning Variances "Determination" to Permit Four Instead of Five Members of the Homer Advisory Planning Commission to Approve a Conditional Use Permit and a Variance. City Manager/Planning. (Postponed from February 10, 2014 to follow Ordinance 14-08.)

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14. NEW BUSINESS

15. RESOLUTIONS

- A. **Resolution 14-033**, A Resolution of the Homer City Council Disapproving the Decision to Approve the Barnett's South Slope Subdivision Quiet Creek Park Preliminary Plat by the Homer Advisory Planning Commission and Asking the Kenai Peninsula Borough Planning Commission to Reconsider the Plat to Include All Documents That Were Submitted. Roberts/Lewis.

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16. COMMENTS OF THE AUDIENCE

17. COMMENTS OF THE CITY ATTORNEY

18. COMMENTS OF THE CITY CLERK

19. COMMENTS OF THE CITY MANAGER

20. COMMENTS OF THE MAYOR

21. COMMENTS OF THE CITY COUNCIL

22. ADJOURNMENT

Next Regular Meeting is Monday, March 10, 2014 at 6:00 p.m., Committee of the Whole 5:00 p.m. and Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PUBLIC COMMENTS
UPON MATTERS
ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

Session 14-04 a Regular Meeting of the Homer City Council was called to order on February 10, 2014 at 6:00 p.m. by Mayor Mary E. Wythe at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: BURGESS, HOWARD (telephonic), LEWIS, ROBERTS, VAN DYKE, ZAK

STAFF: CITY MANAGER WREDE
CITY CLERK JOHNSON
CITY ATTORNEY KLINKNER
FINANCE DIRECTOR LI
IT MANAGER POOLOS
LIBRARY DIRECTOR DIXON
PORT AND HARBOR DIRECTOR HAWKINS
PUBLIC WORKS DIRECTOR MEYER

Councilmember Howard has requested telephonic participation.

Mayor Wythe called for a motion to allow Councilmember Howard to participate by telephone.

LEWIS/BURGESS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Council met for a Worksession from 4:02 p.m. to 4:54 p.m. to discuss Employee Compensation Package. From 5:00 p.m. to 5:49 p.m. Council met as a Committee of the Whole to discuss the Charter Commission, Consent Agenda 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 following changes were made:

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS - Memorandum 14-030, from City Clerk, Re: Quiet Creek Subdivision Preliminary Plat; Lobbyist Reports; **CITY ATTORNEY REPORT** - Memorandum from City Attorney, Re: Process for Levying Special Assessments.

Mayor Wythe called for a motion for the adoption of the agenda as amended.

LEWIS/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Ginny Espenshade, city resident, asked Council to take a hard look at the plat, the process, and missing documents on the Quiet Creek plat.

Brian Harrison, city resident, thanked Council for the resolution on the Board of Fisheries proposals for commercial drift fishing.

RECONSIDERATION

CONSENT AGENDA

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

- A. Homer City Council unapproved Special and Regular meeting minutes of January 27, 2014. City Clerk. Recommend adoption.
- B. **Memorandum 14-027**, from Mayor, Re: Appointment of Patricia Utley to the Library Advisory Board and Ralph Crane and Ken Castner to the Public Safety Building Review Committee.
- C. **Memorandum 14-028**, from Deputy City Clerk Re: Liquor License Renewals for AJ's Oldtown Steakhouse & Tavern, BPO Elks Lodge #2127, Oaken Keg, Happy Face, Finn's, and Captain Pattie's Fish House.
- D. **Ordinance 14-08**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.71.050(d), "Commission Hearing and Procedures", to Permit Four Instead of Five Members of the Homer Advisory Planning Commission to Approve a Conditional Use Under the Homer City Code. City Manager/Planning. Recommended dates: Introduction February 10, 2014, Public Hearing and Second Reading February 24, 2014.

- E. **Ordinance 14-09**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.12.020, "Permitted Uses And Structures", to Expand the Permitted Uses in the Rural Residential District to Include the Addition of a Detached Dwelling Unit as an Accessory to a Single Family Dwelling on a Lot Serviced by City Water and Sewer Services. City Manager/Planning. Recommended dates: Introduction February 10, 2014, Public Hearing and Second Reading February 24, 2014.

Moved to Ordinances.

- F. **Ordinance 14-10**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.72.040, "Terms of Commission Members", Changing the Number of Successive Unexcused Absences that Make a Commission Member Subject to Removal From Two to Three. City Manager/Planning. Recommended dates: Introduction February 10, 2014, Public Hearing and Second Reading February 24, 2014.

Moved to Ordinances.

- G. **Resolution 14-026**, A Resolution of the Homer City Council Confirming the Assessment Roll, Establishing Dates for Payment of Special Assessments and Establishing Delinquency, Penalty, and Interest Provisions for the Crittenden Drive Road Reconstruction and Paving Special Assessment District. City Clerk. Recommend adoption.
- H. **Resolution 14-027**, A Resolution of the Homer City Council Confirming the Assessment Roll, Establishing Dates for Payment of Special Assessments and Establishing Delinquency, Penalty, and Interest Provisions for the Webber Subdivision Road Reconstruction and Paving Special Assessment District. City Clerk. Recommend adoption.
- I. **Resolution 14-030**, A Resolution of the City Council of Homer, Alaska, Expressing Support for the Kachemak Bay Research Reserve and Requesting Continued Financial and Administrative Support from the State of Alaska. Lewis. Recommend adoption.
- J. **Resolution 14-031**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Apply Unallocated Municipal Harbor Grant Funds and Revenue Bond Proceeds Toward Completion of Additional Float Replacement and Improvements That Are Already Included in the Adopted Capital Improvement Program (CIP), and Further, to Issue a Change Order With the Selected Contractor and Expand the Scope of Work to Accomplish This Objective. City Manager. Recommend adoption.

Ordinance 14-09 was moved to Ordinance A. (Burgess)

Ordinance 14-10 was moved to Ordinance B. (Howard)

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

LEWIS/BURGESS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

A. Ken Castner, Charter Commission

Ken Castner started the petition for a charter commission along with Ginny Espenshade. If the voters approve, it will be a year of work to write the charter. He would like to have an open dialogue with city administration about the benefits and the costs on subjects like platting and port authority. He envisions the process will include people writing white papers describing what the benefits and changes would be. He would like the white papers to be available on the city's website and the public's ability to blog in for comments.

The people will have to say the charter is the best thing or it will not happen. Mr. Castner is committed to an open process with a lot of education. It is anticipated that people will look at Homer's charter and say that is what they need. The vote for the charter commission can take place at the regular election in October. An earlier special election is not needed.

Mr. Castner explained between now and the October election people will declare themselves as candidates and each collect 50 signatures. They will have discussions with people to say why it is worth pursuing. Those conversations will lead us into the right path; it will either be a community project that will work or won't work. There is nothing negative about this; this will make Homer a better community.

To prospective commissioners, not a lot of time would be spent revisiting city code. Mr. Castner expects to build sideboards along city government; some ideas will float or they won't. There are certain sections that will take time such as port authority, platting authority and a new tax regime. The general form of the constitution will settle up quite quickly with the collection of writers here in Homer.

After the charter commission is elected they are free to chart their own course. Once the ideas are out there, things will fall into place quickly. Very specific questions for the attorney on the charter commission's guidelines are premature.

All provisions in the charter will be heavily discussed and the voters will have a chance to vote on the charter. The constitution is the highest document, yet there are amendments done all the time. Just because it is restrictive now doesn't mean the voters can't change it later on.

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. **Mayor's Proclamation, Brother Asaiah Bates Day – February 14, 2014**

Mayor Wythe read the proclamation.

B. **Borough Report**

Kenai Peninsula Borough Assemblyman Bill Smith reported the Borough is going to Juneau and then to Washington, D.C. Federal priorities to be discussed with the delegation in Washington include:

- Elodea aridification; the infestation of an invasive weed in our lakes
- Cook Inlet Beluga Whale Endangered Species Act; funds for scientific research
- PILT and rural schools funding
- Federal fisheries management; king salmon research and by-catch reduction to protect stream site habitat
- Spruce bark beetle mitigation; to reduce fire hazards

For State priorities the Borough is requesting Tier One:

- \$900,000 for Elodea aridification
- \$1.8 M central landfill equipment maintenance building
- \$6.4M heating ventilation and air-conditioning replacement at the KPB main offices
- \$550,000 for the Tall Tree bridge rebuild and upgrade

Requests for Tier Two:

- Supporting Homer Electric's Seldovia generator replacement request
- Wild fire mitigation
- Revenue sharing
- PERS and TERS
- Educational funding

With reference to the power to plat, state law gives the borough the ability to pass platting and planning to the city. The Borough has passed planning authority to the City of Homer; platting power could be passed to the City of Homer if it wished to have it. The borough maintains a GIS division to make sure all platted parcels are accounted for. Retaining those records in a central place is highly important. Some of the platting could be done by the city to save local sub-dividers time and money. You do not have to have a new constitution to have platting powers. Home Rule cities Kenai and Seward do not exercise platting power.

C. **Commissions/Board Reports:**

1. Library Advisory Board
2. Homer Advisory Planning Commission

- a. **Memorandum 14-030**, from City Clerk, Re: Quiet Creek Subdivision Preliminary Plat
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission

Parks and Recreation Advisory Commissioner Tricia Lillibridge reported she has been reappointed to the commission. For her it has been a dynamic three years. A major accomplishment has been the Karen Hornaday Park Playground. New commissioners bring a renewed sense of energy with Matt Steffy as the chair. A new group has been formed representing recreation, parks, art, and culture. They are known as PARC and will report to the commission. PARC's mission is to create a public survey. The committee is comprised of Mike Illg, Kate Crowley, Asia Freeman, Gail Edgerly, Megan Murphy, and Corbin Arno. The commission joined the Alaska Parks and Recreation Association using their own funds to pay the dues. The statewide conference will be held in Homer the fall of 2015. The conference will bring over 100 professionals and 12 to 15 major vendors here. The commission invites Carey Meyer to their meeting on February 20th. She urged people to apply for the commission.

5. Port and Harbor Advisory Commission

E. Lobbyist Reports

PUBLIC HEARING(S)

- A. **Ordinance 14-01(A)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.76.010, Commission - Creation and Membership, to Make a Representative of the Homer Marine Trades Association and the Director of the Homer Chamber of Commerce Ex Officio, Non-Voting Members of the Economic Development Advisory Commission. City Clerk/Economic Development Advisory Commission. Introduction January 13, 2014, Public Hearings January 27 and February 10, 2014 and Second Reading February 10, 2014.

Memorandum 14-024 from Community and Economic Development Coordinator as backup.

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

Mayor Wythe called for a motion for the adoption of Ordinance 14-01(A) by reading of title only for second and final reading.

LEWIS/ZAK – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Ordinance 14-05**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Appropriating \$500,000 from the Port and Harbor Enterprise Fund Depreciation Reserves for the Purpose of Providing the City's 25% Local Match for the New Port and Harbor Building. City Manager. Introduction January 27, 2014, Public Hearing and Second Reading February 10, 2014.

Memorandum 14-003 from Project Manager as backup.

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

Mayor Wythe called for a motion for the adoption of Ordinance 14-05 by reading of title only for second and final reading.

HOWARD/LEWIS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- C. **Ordinance 14-06(A)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Appropriating Up to \$300,000 from the General Fund Balance for the Purpose of Providing a Loan to the Port and Harbor Enterprise Fund to Complete the Financing Package for the New Port and Harbor Building. City Manager. Introduction January 27, 2014, Public Hearing and Second Reading February 10, 2014.

Memorandum 14-003 from Project Manager as backup.

Memorandum 14-026 from Port and Harbor Advisory Commission as backup.

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

Mayor Wythe called for a motion for the adoption of Ordinance 14-06(A) by reading of title only for second and final reading.

HOWARD/LEWIS – SO MOVED.

Councilmember Van Dyke expressed serious concerns about taking \$300,000 from the general fund. He believes the building committee can still work on ways to decrease costs on the harbor building.

City Manager Wrede commented the general fund balance includes six months of normal annual expenditures. The funds will be coming from the general fund balance (a reserve fund) instead of the operating budget. Providing the loan means the fund will be fully restored.

Councilmember Roberts noted the entire \$300,000 may not be needed. Harbor statistics for November indicated there were sixteen different meetings held there in a month. A conference room is well needed.

City Manager Wrede commented the money would be invested in another annuity if not used for the harbor building. Councilmember Howard likened the loan to the money that was lent to the animal shelter. It is a bridge to close the financial gap. Mayor Wythe agreed on the loan over a five-year period.

Councilmember Zak asked about taking the money from port and harbor reserves. City Manager Wrede answered the port and harbor must maintain enough in reserves to make bond payments. There is a high value of infrastructure at the port and the reserves are minimal; there is not enough in depreciation accounts. He is comfortable that it is a clean separation of accounts. If the City didn't loan the money we would need to go to a private sector or a bank.

Councilmember Van Dyke reiterated his concern that the \$2M building is \$300,000 over budget. Why can't the building be built for the money that was there instead of going over budget?

Councilmember Burgess commented we work hard to set and meet budgets. Staff feels the pinch with the dedication to live within our means. The \$2M mark was not a budget item set; it was what the State was willing to give us. We tried to get as much money from the State for the building that is to serve the harbor for the next 30 years. Councilmember Lewis pointed out we first started at \$3.5M for the building and cut the plans to the bare bones. We still have a usable building for the port and harbor for the next 20 to 30 years. The building must grow and be usable or it will cost the City more by having to do it all over again at a later date.

Mayor Wythe explained it is not uncommon for decisions to be made that cost more money. Every time we put a project out and arrive at a critical point with a slight addition it makes good sense to have a better product for a longer term.

Grant monies could not be used for the harbor building; they could only be used for float infrastructure and things in the water.

VOTE: YES. LEWIS, BURGESS, ROBERTS, HOWARD, ZAK, VAN DYKE

Motion carried.

- D. **Ordinance 14-07**, An Ordinance of the City Council of Homer, Alaska, Amending the 2014 Operating Budget by Appropriating \$34,089 from the Airport Reserve Fund for the Replacement of the Boilers at the Airport Terminal and Authorizing the City Manager to Execute All Appropriate Documents. City Manager/Public Works Director. Introduction January 27, 2014, Public Hearing and Second Reading February 10, 2014.

Memorandum 14-022 from Public Works Director as backup.

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

Mayor Wythe called for a motion for the adoption of Ordinance 14-07 by reading of title only for second and final reading.

ROBERTS/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Wythe called for a recess at 7:01 p.m. and reconvened the meeting at 7:05 p.m.

ORDINANCE(S)

- A. **Ordinance 14-09**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.12.020, "Permitted Uses And Structures", to Expand the Permitted Uses in the Rural Residential District to Include the Addition of a Detached Dwelling Unit as an Accessory to a Single Family Dwelling on a Lot Serviced by City Water and Sewer Services. City Manager/Planning. Recommended dates: Introduction February 10, 2014, Public Hearing and Second Reading February 24, 2014.

Mayor Wythe called for a motion for the adoption of Ordinance 14-09 for introduction and first reading by reading of title only.

BURGESS/ZAK – SO MOVED.

Councilmember Burgess commented the amendment streamlines the process and reduces administrative costs, but gives financial, geographical, and logistical advantage to lots that

have city water and sewer. He questioned why the permitted uses should be conditional on water and sewer services.

Councilmember Zak noted a lot served with DEC approved septic could be included in the permitted use unless we were trying to give incentive for city water and sewer services.

Councilmember Lewis asked if a 10,000 sq. ft. lot would have room for DEC approved septic.

City Planner Abboud advised without city water and sewer services the lot would be subject to dimensional requirements. You would need a 20,000 sq. ft. if served by either water or sewer. If you had neither, you would need a 40,000 sq. ft. per structure. They should all have DEC approved services. The requirement helps control density to just one accessory structure.

Councilmember Burgess explained the vast majority of city residents live in rural residential. Are we giving a distinct financial advantage to a lot because it has water and sewer? There are lots of rural residential lots that are five acres that cannot have an accessory dwelling without going through the CUP process. Why wouldn't we also make it a permitted activity for a lot without water and sewer over 25,000 sq. ft.? City Planner Abboud answered that is our experience; we are getting a lot of people asking for added dwellings without piped water and sewer.

Attorney Klinkner advised the process of permitting an accessory dwelling for a lot with water and sewer is ministerial. If you have a lot served by a well and septic there is a lot more analysis to do to see whether the use would be permissible in relation to the location of the well, location of the septic, DEC approval and the like. It is a more complicated discretionary issue.

Councilmember Burgess believes zoning rules should be inclusive and not discriminatory. If you are putting up a new structure on any lot you are subject to the building permitting process. They would consider water supply and sewer disposal. Do we make this a CUP requirement or do we make it permissible? If we can save ourselves one lawsuit or one discussion by allowing it should we consider it?

City Planner Abboud commented if you have a water and sewer line you are at an advantage. That is why people are asking to put another structure on their property.

Councilmember Zak noted there are further implications that may be deeper than we are addressing tonight. It will make things easier for the Planning Commission when these permitted uses don't have to go through the CUP process. He asked if Mr. Abboud would rather have a property re-platted if there was not enough space for additional buildings.

City Planner Abboud answered the amendment will make it easier for the applicant. If you start putting a lot of buildings on one property you are going to have loan and value issues. Financially a property owner would be motivated to divide up the lot to get their financing. If you buy it out of pocket and construct a lot of buildings, the next buyer will have issues with it. Frequently people subdivide lands with a lot of structures to manipulate their finances.

Councilmember Van Dyke asked if the amendment includes additional dwellings that would hook up to water and sewer. Mr. Abboud answered yes, if it is a dwelling it is required to hook up to water and sewer. A garage with a restroom is not considered a dwelling. There is no separate sewer and water assessment to hook up the additional dwelling.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Ordinance 14-10**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.72.040, "Terms of Commission Members", Changing the Number of Successive Unexcused Absences that Make a Commission Member Subject to Removal From Two to Three. City Manager/Planning. Recommended dates: Introduction February 10, 2014, Public Hearing and Second Reading February 24, 2014.

Mayor Wythe called for a motion for the adoption of Ordinance 14-10 for introduction and first reading by reading of title only.

HOWARD/LEWIS – SO MOVED.

Councilmember Howard expressed opposition to increasing the number of allowable unexcused absences to three. The Clerk verified unexcused absence means someone did not notify the Clerk of their absence. It would encourage behavior we don't want. It makes a person totally unaccountable.

City Planner Abboud commented the commission chair would determine unexcused absences. The Planning Commission had a lively debate on the matter and decided the chair would make the call. If we have to start tossing commissioners for being absent two consecutive meetings it becomes problematic to keep the seats full. It would mean for whatever reason they didn't show up for a meeting would be up for debate.

Councilmember Burgess suggested sending the ordinance back to the Planning Commission to ask them to clarify the procedures.

VOTE: NO. ROBERTS, HOWARD, LEWIS, ZAK, BURGESS, VAN DYKE

Motion failed.

CITY MANAGER'S REPORT

A. City Manager's Report

1. Public Works Department: Carey Meyer wears many hats for the City and he juggles many important responsibilities. The Council and the Public see him and interact with him most often in his roles as Project Manager and City Engineer. In fact, that is where

he spends a great deal of time and where his work is most visible. However, Carey is also the Public Works Director and the head of the City's largest department, with the biggest budget and the most personnel. The Public Works Department has experienced a number of retirements lately and it has lost many great employees and years of experience. This was not a surprise and we knew this was coming for several years. As a result, Carey has been involved in succession planning and in looking at ways to reorganize the department with the goal of increasing efficiency, saving money, and providing an even better product to the public. Carey has a report on this for you (attached) and I would like to devote my time for the Manager's report to Carey so you can get some insight into what is happening in the City's biggest (and many in the public would say most important) department.

2. Ramp 7: As most of you probably know by now, we experienced a structural failure at Ramp 7 last weekend and the lower end of the ramp is currently sitting in the water. The ramp is blocked off so that the public cannot access it. This is the ramp constructed by the Seldovia Village Tribe (SVT) to access the Seldovia Ferry Berth. It also provides much improved access to the System 5 float. The ramp is available for public use and will become the property of the City when the lease expires. We are currently working closely with SVT to determine the cause, get the ramp out of the water, and repair the damage.
3. Board of Fisheries Testimony: I went to Anchorage last week to provide testimony at the Board of Fish meetings related to Resolution 14-019. A copy of my testimony is attached for your information. I plan to head back to Anchorage on Thursday, the 6th to provide additional testimony at committee meetings.
4. Harbor Construction Projects: The last agenda contained a resolution awarding a construction contract for the replacement of Ramp 3 and several floats in the harbor. You may recall that this work was paid for by a 4.2 Million State grant and \$4.2 Million in bond sale revenue. Here is the good news. All of the bids came in under the engineers estimate and the two lowest, from very reputable companies, came in approximately \$2 Million under the estimate. Carey has double checked the bids and he and Bryan have talked to the engineers who did the cost estimate to look for discrepancies. The Bond Bank and the State of Alaska have approved the idea (that we talked about at the last meeting) of using the unallocated funds for additional float replacement and improvements that are already on the CIP and are simply an expansion of the existing work. The Port and Harbor Commission has reviewed and endorsed this approach. This agenda contains a resolution authorizing us to proceed accordingly.
5. Parks and Recreation Needs Assessment: The second meeting of the Needs Assess Steering Committee took place on Wednesday, February 5th. The focus of this meeting was reviewing other needs assessments, reviewing draft RFPs, and talking about the kinds of questions that should be asked.
6. Citizen's Academy: Katie is working very hard on setting up the Citizens Academy. The Academy is scheduled to begin February 20. We appreciate the helpful input from Council member Howard. Attached is a memorandum from Katie on this topic. This information appeared in the last packet. Since the time is getting short and we want to get the word out to the public, I thought it would be good to include this information again.

7. Enstar Meeting: We had a meeting with Enstar officials last week to discuss the workplan for the upcoming construction season (which has already begun apparently!). In the next month we will be approving the workplan, and adjusting the assessment roll to account for decisions that were made during construction last year. Enstar's contractor, UTI is already working on the Spit, which you may have noticed. They expect to have gas to Spit business by April. Kachemak Drive will be next and then the bluff areas. Enstar projects that it could be done and construction completed by the end of August.
8. Critical Habitat Legislation: The legislation that would remove the Homer Port and Harbor from the critical habitat area is on the move. Companion bills have been read across in both the House and the Senate. Committee hearings in both Chambers are scheduled this week and I will testify, once from Homer and once from Anchorage.

City Manager Wrede announced the Citizens Academy and the February 17th deadline for signing up. Lobbyist Linda Anderson will have written report at the next meeting and will be available by Skype or teleconference. The lobbyist has been working hard on the critical habitat issue.

Mayor Wythe acknowledged eight employees with 57 years combined employment history. The City Manager is celebrating 11 years.

Public Works Director Meyer presented charts depicting the restructuring of personnel at Public Works. Due to key personnel retiring and more stringent water system regulations the department has undergone significant changes. There have been promotions from within and "new blood" has joined the department. The change of culture and improved span control means increased productivity and effectiveness of employees.

A significant change is moving the supervision of the water distribution and sewer collection unit from the Public Works Superintendent to the Water and Sewer Superintendent. A new Project Manager, an Administrative Assistant, and two Equipment Operators have been hired. It has provided an opportunity for the existing employees to play a bigger role in the operations of the department. A new position Public Works Permit Specialist is currently being advertised. Mr. Meyer is proud to lead the organization. It is made up of people who care about the community.

Port and Harbor Director Hawkins reported on Ramp 7 which broke off from the float connection system and sunk. He met with the insurance adjustor and tomorrow they plan to remove the ramp by crane. The ramp will then be hauled to the chip pad for inspection. The Seldovia Village Tribe will pay for removing the ramp from the water.

City Manager Wrede reported on the Board of Fisheries meeting he attended to provide testimony. The borough was well represented by Mayor Navarre, driftnetters, and the Homer Chamber of Commerce all testifying. Mr. Wrede's remarks were that the Board should base their decisions on good management and science instead of politics. The folks from MatSu were well organized and there in force. Today the Board passed the central management plan

that includes two additional fishing days and a new fishing area by Anchor Point as a reaction to Homer testimony. The good news is that the plan is status quo and the drifters did not lose any ground.

B. Bid Report

CITY ATTORNEY REPORT

1. City Attorney Report for January 2014
2. Memorandum from City Attorney, Re: Process for Levying Special Assessments

City Attorney Klinkner commented on the memorandum pertaining to special assessments on the natural gas district. Council selected an assessment method on a per lot basis that is still in effect. There is a lot of work to be done once the improvement is completed to bring the final assessment roll into the facts on the ground. During construction there have been deletions and additions. The condominium issue still remains to be discussed. The assessment roll needs a lot of scrubbing as it includes duplication of multiple units. Once the roll goes to Council, individual property owners are notified of the public hearing and can make objections. Council will decide if adjustments should be made. Objections need to be made at the public hearing or property owners will be excluded for future objections in court later. The public hearing process will happen in the fourth quarter. We don't have final costs from Enstar yet; the final costs will provide the baseline for the overall assessment.

Asked about the Funny River gas district being excluded from the \$1 mcf, Attorney Klinkner advised the decision to charge Homer and Kachemak City was made by the regulatory commission a few years ago. It may be problematic to open that discussion.

Attorney Holly Wells has been made shareholder of Birch Horton Bittner & Cherot.

COMMITTEE REPORT

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

Councilmember Howard reported her wildest dream came true to have extra money to get all things done.

- F. Employee Committee Report

G. Port and Harbor Building Task Force

Councilmember Howard thanked Council for their vote on the loan to complete the project.

PENDING BUSINESS

- A. **Resolution 13-116(A)**, A Resolution of the City Council of Homer, Alaska, Amending the Economic Development Advisory Commission Bylaws to Include That the Director of the Homer Chamber of Commerce and a representative of the Homer Marine Trades Association May Serve as a Non-Voting, Ex-Officio Members of the Commission. City Clerk/Economic Development Advisory Commission. (Postponed from January 27, 2014 to follow Ordinance 14-01(A).)

Memorandum 13-165 from Economic Development Advisory Commission as backup.
Memorandum 14-024 from Community and Economic Development Coordinator as backup.

Motion on the floor from January 27: MOTION FOR THE ADOPTION OF RESOLUTION 13-116(A) BY READING OF TITLE ONLY.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

- A. **Memorandum 14-029**, from City Clerk, Re: Charter Commission Election Petition.

Mayor Wythe called for a motion to discuss Memorandum 14-029.

LEWIS/HOWARD - SO MOVED.

LEWIS/ROBERTS - MOVED TO SET THE CANDIDACY FILING PERIOD TO MARCH 1ST THROUGH JULY 15TH.

There was brief discussion on the need to advance the candidacy filing period to March instead of the recommended May 1st. People may be involved in other activities or fishing in May.

VOTE: YES. ROBERTS, VAN DYKE, ZAK, BURGESS, LEWIS

VOTE: NO. HOWARD

Motion carried.

BURGESS/LEWIS - MOVED TO SET THE (CHARTER COMMISSION) ELECTION DATE FOR THE REGULAR ELECTION OF OCTOBER 7TH.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

The consensus of the Council was not to take any further action until after the election. Council does not want to meddle in the procedures or define the process prematurely. A council member could file candidacy for the charter commission and serve on it if elected.

RESOLUTIONS

- A. **Resolution 14-028**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Advisory Planning Commission Policies and Procedures Manual Review Policies for Conditional Use Permits "Review Standards" and Policy for Review of Zoning Variances "Determination" to Permit Four Instead of Five Members of the Homer Advisory Planning Commission to Approve a Conditional Use Permit and a Variance. City Manager/Planning.

ROBERTS/BURGESS - MOVED TO ADOPT RESOLUTION 14-028.

ROBERTS/LEWIS - MOVED TO POSTPONE TO FEBRUARY 24TH TO FOLLOW ORDINANCE 14-08.

There was no discussion.

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

Motion carried.

- B. **Resolution 14-029**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Advisory Planning Commission Bylaws "Quorum; Voting" to Permit Four Instead of Five Members to Approve a Conditional Use Permit or a Variance; and "Vacancies" to Change the Number of Successive Unexcused Absences that Make a Commission Member Subject to Removal From Two to Three. City Manager/Planning.

Mayor Wythe called for a motion to postpone to February 24th to follow Ordinances 14-08 and 14-10.

Failed for lack of a motion.

COMMENTS OF THE AUDIENCE

Kathy Hill, city resident, commented on Councilmember Burgess' unreturned calls and his remark of it costing \$250,000 to keep the HERC building running.

Barb Brodowski, city resident, asked for an update on employee healthcare costs for the February 24th meeting. Council will be starting the 2015 budget process soon.

Ken Castner, city resident and petitioner for the charter commission, concurs with the process Council has decided on. He questioned the assessments on the natural gas project after the judicial review on condominiums.

Larry Slone, city resident, commended Councilmember Van Dyke for his inquiry on Ordinance 14-06(A) to contain costs on the new harbor building.

Ginny Espenshade, city resident, commended Police Sergeant Ryan Browning for his willingness to work with her schedule on the criminal justice program. The police department reflects well on the city government with an attitude that people who live outside city limits can still be served.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner commented there are a number of measures changing the rules for city boards and commissions. They have been on a dual track with amendments to the proposed bylaws and city code addressing the same issues. Council may want to consider if this is the best way to address the issues. Should some of the things be the decision of the board or commission, or are they things the Council wants a say on through a code amendment?

In response to Mr. Castner's remarks about the procedure for reassessing properties if a court finds an assessment is incorrect, he quoted a paraphrase of the state statutes on the subject.

COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comment.

COMMENTS OF THE CITY MANAGER

City Manager Wrede had no comment.

COMMENTS OF THE MAYOR

Mayor Wythe commented the operating expenses for the HERC were about \$250,000 a year three to four years ago. Over time, with less use, the costs have gone down. Council is talking about employee total compensation in worksessions. While it may seem like city employees are compensated a lot, compensation is substantially lower than other communities. There is a

lot more discussion and work to do. She had the opportunity to ride in the parade in a Bay Weld boat and it was great. She was approached by a member of community that thanked Public Works for getting the snow removed before the festivities.

COMMENTS OF THE CITY COUNCIL

Councilmember Howard thanked the mayor for running another great meeting. It is tough to participate by phone and she is looking forward to returning to Homer.

Councilmember Burgess commented there is a vast discrepancy between the borough's platting and the city process. He would like to see something from staff to bring those more into alignment for people having platting concerns. He apologized to Kathy Hill for not returning her phone calls about the HERC building. When the HERC was in an operational state it cost over \$200,000 per year. The building in a cold status reduces the operating costs closer to \$75,000 per year. Everyone wants to see community recreation and a facility for it. He would ask for a little more patience and understanding for the vast amount of information received. There are other options and the HERC building may not be the best long term choice. Council is trying to do their best with the information they have.

Councilmember Zak expressed appreciation for the public input and Council's discussion this evening. He thanked Walt for testifying before the Board of Fisheries.

Councilmember Roberts asked if the PARC committee was noticed publicly. She would like to sponsor a resolution on the Quiet Creek Subdivision decision for the next meeting. She thanked the people that organized the Winter Carnival considering we had real winter the day before it began.

Councilmember Van Dyke thanked all the concerned citizens who bring a tremendous amount of information to us. People have spent hours bringing Council information so they can make an informed decision. He thanked all the committees and apologized as he did not mean to belittle any committee. He also apologized for his use of the expletive.

Councilmember Lewis reminded people on Thursday (February 27) at 5:00 p.m. the Public Arts Commission will be discussing a home for Brother Asaiah Bates statue. He offered support for Francie's resolution to send the Quiet Creek Subdivision matter back to the Planning Commission so that all of the information is seen by the Planning Commission.

ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 8:16 p.m. The next Regular Meeting is Monday, February 24, 2014 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession at 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

JO JOHNSON, MMC, CITY CLERK

Approved: _____

Memorandum 14-031

TO: HOMER CITY COUNCIL

FROM: MARY E. WYTHE, MAYOR

DATE: FEBRUARY 18, 2014

SUBJECT: APPOINTMENT OF LARRY SLONE TO THE LIBRARY ADVISORY BOARD AND GLEN CARROLL TO THE VESSEL HAUL-OUT TASK FORCE.

Larry Slone is appointed to the Library Advisory Board to replace outgoing member Naomi Klouda. His term will expire April 1, 2015.

Glen Carroll is appointed to the Vessel Haul-Out Task Force.

RECOMMENDATION:

Confirm the appointment of Larry Slone to the Library Advisory Board and Glen Carroll to the Vessel Haul-Out Task Force.

Fiscal Note: N/A



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

FEB 05 2014 PM 05:02 *PK*

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 Larry Stone Date 2/6/11

Physical Address 152 W. DANNEN City HOMER

Mailing Address POB 2761 Zip Code 99603

Phone 399-7170 Work # Cell #

Email Address larrystone222@yahoo.com

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 checked="" type="checkbox"/>	<i>For the term ending 2015</i> 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 type="checkbox"/>	OTHER - PLEASE ENTER THE COMMITTEE/TASK FORCE	51

I have been a resident of the City for 10 mos. yrs I have been a resident of the area for 10 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:

Regular library patron

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

If so when and where? *Planning Commission*

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

I am interested in serving on the above because: *1) Interested in learning more about library operations. 2) Help maintain a quorum*

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: *In applying with the understanding that I may not be able to attend some summer meetings due to work, + I may also not be in Homer next winter, in which case I would resign.*

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

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	Large vessel haul out

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:

Appointment from Port & Harbor Question

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.

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-11

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Appropriating \$11,331.48 From the Homer Volunteer Fire Department Reserve Account for the Replacement of Laptop Computers Compatible With Windows 7 for Data Collection, Analysis, and Reporting Requirements.

Sponsor: City Manager/Fire Chief

1. City Council Regular Meeting February 24, 2014 Introduction
 - a. Memorandum 14-035 from IT Manager as backup
 - b. Quote from CDW Government Inc.

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/Fire Chief

4 ORDINANCE 14-11
5

6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING THE FY 2014 OPERATING BUDGET BY
8 APPROPRIATING \$11,331.48 FROM THE HOMER VOLUNTEER
9 FIRE DEPARTMENT RESERVE ACCOUNT FOR THE
10 REPLACEMENT OF LAPTOP COMPUTERS COMPATIBLE WITH
11 WINDOWS 7 FOR DATA COLLECTION, ANALYSIS, AND
12 REPORTING REQUIREMENTS.
13

14 WHEREAS, The Homer Volunteer Fire Department uses a computerized information
15 management system to collect data and comply with reporting requirements of protected
16 data; and
17

18 WHEREAS, Effective April 2014 Microsoft will stop supporting the Windows XP
19 operating system, eliminating security patches and fixes, making the laptops vulnerable to
20 hardware failures and security breaches; and
21

22 WHEREAS, Microsoft will replace the Windows XP operating system to Windows 7
23 necessitating the replacement of three rugged laptops with new models that will run Windows
24 7 to allow for the secure collection of data, analysis, and reporting of protected data.
25

26 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
27

28 Section 1. The City Council hereby amends the FY 2014 Operating Budget by
29 appropriating \$11,331.48 from the Homer Volunteer Fire Department Reserve Account for the
30 replacement of laptop computers compatible with Windows 7 for secure data collection,
31 analysis, and reporting requirements as follows:
32

33 Transfer From:
34

<u>Account</u>	<u>Description</u>	<u>Amount</u>
156-393	Homer Volunteer Fire Department Depreciation Reserves	\$11,331.48

35
36
37
38

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

41
42 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____
43 2014.

44
45 CITY OF HOMER

46
47
48 _____
49 MARY E. WYTHE, MAYOR

50
51 ATTEST:

52
53
54 _____
55 JO JOHNSON, MMC, CITY CLERK

56
57
58 YES:
59 NO:
60 ABSTAIN:
61 ABSENT:

62
63
64 First Reading:
65 Public Hearing:
66 Second Reading:
67 Effective Date:

68
69
70
71 Reviewed and approved as to form.

72
73 _____
74 Walt Wrede, City Manager

75 _____
76 Thomas F. Klinkner, City Attorney

77 Date: _____

78 Date: _____

79 Fiscal Note: Noted within ordinance.

80



City of Homer

www.cityofhomer-ak.gov

491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-235-8121

(f) 907-235-3140

Memorandum 14-035

To: Walt Wrede, City Manager
From: Nick Poolos, IT Manager
Through: Bob Painter, Fire Chief
Date: February 18, 2014
Subject: **Homer Volunteer Fire Department Panasonic Toughbook Replacement**

The Homer Volunteer Fire Department uses a computerized information management system, Image Trend Rescue Bridge, for data collection, analysis, and reporting. Integral to this system are three rugged laptops that allow for data entry in the field. The currently used laptops are running Windows XP and have started to suffer hardware failures.

On April 7th 2014, Microsoft will stop supporting Windows XP. This means Microsoft will no longer release security patches and fixes for the Windows XP operating system. These laptops need to be running Windows 7 to receive security patches and updates. The current laptops are resource constrained and will not run Windows 7 well. These laptops are used to process HIPPA protected data and the City is required by law to secure this data.

City of Homer IT has identified a replacement configuration from the Panasonic Fully Rugged Toughbook line, CF-31XFLAXLM. This model is available at reduced cost through the State of Alaska WSCA contract. Additionally IT has included an extended service plan that covers hardware failures and damage for 3 years, including damage that may occur in the field.

Recommendation:

City Council pass an ordinance allocating \$11,331.48 from the Homer Volunteer Fire Department Reserve Account for this replacement.

Fiscal Note: Account 156-393 Homer Volunteer Fire Department Depreciation Reserves.



Thank You

Your quote has been submitted successfully.
A copy has been sent to: npoolos@ci.homer.ak.us


Quote Details


Quote Number: 1BFC5H2
Ordered By: Nick Poolos
Quote Placed: February 18, 2014
Billed From: CDW Government Inc., 230 N. Milwaukee Ave, , Vernon Hills, IL - 60061 (800) 594-4239

Thank you for your online quote request. Prior to converting this quote to an order, please contact your account manager for configuration, pricing, and contract verification. Should you choose to convert this quote to an order without verification, you may be contacted by your account manager to confirm the details of your order.

Shipping Address	Shipping Method	Billing Address
City of Homer Attn To: Nick Poolos 491 E. Pioneer Ave Homer, AK - 99603	Carrier UPS Ground AK & HI	City Of Homer Attn To:Accounts Payable 491 E Pioneer Ave Homer, AK - 99603-7645

Quote Reference	
Quote Description: Fire Dept ToughBooks	Notes to Account Manager:
Cost Center Code:	

Product	CDW Part #	Availability	Qty	Unit Price	Extended Price
 Panasonic Toughbook 31 - 13.1" - Core i5 3380M - Windows 8 Pro / 7 Pro down	3134246	In Stock	3	\$3,527.16	\$10,581.48

 <p>Panasonic Protection Plus - extended service agreement - 3 years</p>	2050624	In Stock	3	\$250.00	\$750.00
<p>ATTENTION NEW FEDERAL CUSTOMERS: If tax appears on your order, it will be deleted when the order is processed. No tax will be charged. Grand Total reflects your organization's tax-exempt status based upon the shipping address.</p>				Subtotal	\$11,331.48
				Shipping	\$0.00
				Sales Tax	\$0.00
				Grand Total	\$11,331.48

This page was printed on 2/18/2014 7:54:04 PM.

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/
4 Public Works Director

5 RESOLUTION 14-032
6

7 A RESOLUTION OF THE HOMER CITY COUNCIL AWARDING
8 THE CONTRACT FOR THE AIRPORT TERMINAL
9 UNDERGROUND FUEL TANK REMOVAL PROJECT TO THE FIRM
10 OF PAUL'S SERVICE OF ANCHOR POINT, ALASKA, IN THE
11 AMOUNT OF \$4,700 AND AUTHORIZING THE CITY MANAGER
12 TO EXECUTE THE APPROPRIATE DOCUMENTS.
13

14 WHEREAS, The 2014 Operating Budget appropriates \$12,000 for the removal of the
15 underground fuel tank at the Airport Terminal in conjunction with the conversion of the
16 building to natural gas; and
17

18 WHEREAS, The removal of this tank will significantly reduce the City's potential liability
19 associated with the underground fuel tank; and
20

21 WHEREAS, In accordance with the Procurement Policy, quotes were solicited from
22 twelve firms and six quotes were received (see Memorandum 14-XXX); and
23

24 WHEREAS, Quotes were compared and the firm of Paul's Service was determined to be
25 the low responsive bidder and found to be qualified to complete the work; and
26

27 WHEREAS, This award is not final until written notification is received by the firm from
28 the City of Homer.
29

30 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves
31 the contract award for the Airport Terminal Underground Fuel Tank Removal Project to the
32 firm of Paul's Service of Anchor Point, Alaska, in the amount of \$4,700 and authorizes the City
33 Manager to execute the appropriate documents.
34

35 PASSED AND ADOPTED by the Homer City Council this 24nd day of February, 2014.
36

37 CITY OF HOMER
38

39
40 _____
41 MARY E. WYTHE, MAYOR
42
43
44

45 ATTEST:

46

47

48

49 _____
JO JOHNSON, MMC, CITY CLERK

50

51 Fiscal Note: Airport Reserve 156-0388.

Memorandum 14-032

To: Walt Wrede, City Manager
From: Dan Nelsen, Project Manager
Through: Carey Meyer, PW Director
Date: February 14, 2014
Subject: **Award of Construction Contract Homer Airport Underground Fuel Tank Removal**

On February 13, 2014 bids were received for the Homer Airport Underground Fuel Tank Removal project. This work was advertised via email/fax to 12 area contractors.

This project will consist of removing the underground fuel oil tank and capping all pipes and conduits that supply it along with backfilling and re-seeding the removal area. The removal of this tank will significantly reduce the City's potential liability associated with the underground fuel tank.

Six responsive bids were received from qualified firms. The bid results were evaluated and the results are as follows.

Responsive Bidder's Names	Location	Amount
Paul's Service	Anchor Point	\$ 4,700.00
Gregoire Construction	Homer	\$ 5,550.00
Property Improvements, LLC	Homer	\$ 5,712.00
Cornerstone Construction Alaska, LLC	Homer	\$ 6,950.00
Collins Excavation and Services	Homer	\$ 7,994.99
Arno Construction, Inc.	Homer	\$ 9,275.00
Engineer's Estimate		\$ 7,500.00

The only local bidder was more than 5% of the lowest bid received, therefore the City's local bidder's preference does not apply.

Recommendation:

City Council pass a resolution awarding the construction contract for the Homer Airport Underground Fuel Tank Removal project in the amount of \$4,700.00 to Paul's Service of Anchor Point, Alaska, and authorizing the City Manager to execute all appropriate documents necessary to complete this project.

Fiscal Note - Homer Airport Fuel Tank Removal: 156-0388

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Clerk/
4 Port and Harbor Director

5 RESOLUTION 14-034
6

7 A RESOLUTION OF THE HOMER CITY COUNCIL AWARDING
8 THE CONTRACT FOR THE OPERATION AND MAINTENANCE OF
9 THE PORT AND HARBOR FISH GRINDING FACILITY TO THE
10 FISH FACTORY OF HOMER, ALASKA, UNDER THE TERMS
11 OUTLINED IN THE MEMORANDUM OF AGREEMENT FOR
12 CALENDAR YEARS 2013 TO 2016 AND AUTHORIZING THE CITY
13 MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.
14

15 WHEREAS, The Request for Proposals was advertised in the Homer Tribune on January
16 29 and February 5, 2014 and posted on the City's website; and
17

18 WHEREAS, Proposals were due by 4:30 p.m. on Thursday, February 13, 2014 and one
19 proposal was received by the City Clerk's Office; and
20

21 WHEREAS, The sole proposal from The Fish Factory, LLC submitted through a
22 Memorandum of Agreement was reviewed and was found to meet the requirements as
23 outlined in the Request for Proposals.
24

25 WHEREAS, The harbor staff recommends the contract for the operation and
26 maintenance of the Port and Harbor Fish Grinding Facility be awarded to The Fish Factory, LLC
27 of Homer, Alaska, under the terms outlined in the Memorandum of Agreement for Calendar
28 Years 2013 to 2016.
29

30 WHEREAS, This award is not final until written notification is received from The Fish
31 Factory, LLC from the City of Homer.
32

33 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, awards
34 the contract for the operation and maintenance of the Port and Harbor Fish Grinding Facility to
35 The Fish Factory, LLC of Homer, Alaska, under the terms outlined in Attachment A -
36 Memorandum of Agreement for Calendar Years 2013 to 2016 and authorizes the City Manager
37 to execute the appropriate documents.
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39 PASSED AND ADOPTED by the Homer City Council this 24nd day of February, 2014.
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CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: Outlined in Attachment A - Memorandum of Agreement.



City of Homer

www.cityofhomer-ak.gov

Port and Harbor

4350 Homer Spit Road
Homer, AK 99603

port@cityofhomer-ak.gov

(p) 907-235-3160

(f) 907-235-3152

Memorandum 14-033

TO: MAYOR BETH WYTHER & HOMER CITY COUNCIL
CC: WALT WREDE, CITY MANAGER
FROM: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER
DATE: FEBRUARY 18, 2014
SUBJECT: RESULTS OF THE PORT & HARBOR FISH GRINDING FACILITY OPERATION & MAINTENANCE CONTRACT REQUEST FOR PROPOSAL

The Port and Harbor advertised for proposals for the seasonal operation of the Fish Grinding Facility. The successful proposer would be contracted to operate and maintain the Fish Waste Grinding Facility during sport/commercial fishing seasons, May 1 to October 20, for a consecutive three years, 2013 to 2016. We also invited alternative proposals from firms or individuals seeking to use fish carcasses that are collected at the Fish Grinding Facility, in more useful ways than what our current program is performing.

The request for proposal closed on Thursday, February 13, 2014 at 4:30 pm. One bid was received from The Fish Factory, LLC.

Staff reviewed the single proposal and is in favor of awarding the contract to The Fish Factory, LLC, Fish Dock Road, Homer, Alaska 99603 for the operation and maintenance of the Fish Grinding Facility for CY 2013 to 2016.

Recommendation

Staff recommends City Council award the contract for the operation and maintenance of the Fish Grinding Facility for CY 2013 to 2016 per the Memorandum of Agreement between the City of Homer and The Fish Factory for calendar years 2013 to 2016.

Fiscal Note: Port and Harbor – Fish Grinder: Equipment Maintenance 400-0606-5208

Attached: Request for Proposal Requirements for an Operation & Maintenance Contract of the Port & Harbor Fish Grinding Facility
Winning Bid from The Fish Factory

REQUEST FOR PROPOSALS

By the City of Homer, Alaska

For an Operation & Maintenance Contract of the Port & Harbor Fish Grinding Facility

City of Homer's Port and Harbor is requesting proposals from qualified firms for the seasonal operation of the Fish Grinding Facility. Successful proposer will be contracted to operate and maintain the Fish Waste Grinding Facility during sport/commercial fishing seasons, May 1 to October 20, for a consecutive three years, 2013 to 2016. Operation and maintenance tasks include, but are not limited to the following: provide labor to grind the fish waste that is delivered to the fish grinder; provide routine maintenance on the fish grinder equipment and the tote dump system; provide 20 non-insulated fish totes with lids and a forklift capable of lifting 1,500 pounds; verify the documented deliveries, collect samples required by ADEC, and submit findings and delivery record book to the Port and Harbor.

The City also invites alternative proposals from firms or individuals seeking to use fish carcasses that are collected at the Fish Grinding Facility, in more useful ways than what our current program is performing. In pursuit of a more useful way, though, the City is not interested in incurring more costs to the Port and Harbor Enterprise, nor of proposals that would cause more congestion to the high-traffic area surrounding Fish Dock Road. The City reserves the right to accept or reject any or all proposals, to waive irregularities or informalities in the proposals, and to award a contract to the respondent that best meets the selection criteria and the City's needs.

SCOPE OF WORK:

The City estimates approximately 1,500,000 pounds of sport/commercial fish waste are processed per season. The Fish Grinding Facility's objective is to grind up to 6,000 lbs/hour of fish carcasses, heads, and viscera through the grinder system. These ½" particles then discharge with salt water into the outfall line vault; the outfall system pumps the fish particle/salt water through the outfall line, and is then discharged in 28' MLLW south of the Pioneer Dock. The City of Homer holds the permit for this process and is responsible for its management.

Fish carcasses are delivered to the fish grinder facility by three user groups:

1. Port staff – Fish carcass trailers are collected from the fish cleaning tables, located around the harbor, and emptied into totes at the Fish Grinder Facility every morning.
2. Sport charter fishing companies – Sport fish carcasses are delivered to the grinder facility every evening. Deliveries are required to be documented in a record book.
3. Sport/commercial fish processors – Processors deliver carcasses to the grinder facility every evening. Deliveries are required to be documented in a record book.

TERM OF CONTRACT:

Successful proposer will be required to enter into a contract with the City of Homer to operate and maintain the Fish Waste Grinding Facility during sport fishing seasons, May 1 to October 20, for a consecutive three years, 2013 to 2016. This contract will expire December 31, 2016.

FUNCTIONAL REQUIREMENTS:

Successful proposer is required to oversee the following:

- Operate the fish grinding and disposal system on a daily basis. The time required to process the waste each day is approximately 5 to 10 man hours per day.
- Be responsible for routine maintenance of the fish grinder and the attached tote dump system.
- Be responsible for running a safe and clean operation.
- Verify the documented deliveries and periodically submit the record book to the Port and Harbor for billing purposes. This information is critical for billing purposes as well as the mandatory APDES permit annual reporting.

- Be responsible for collecting samples required by ADEC and record/report findings to the Port and Harbor for the mandatory APDES permit annual reporting.
- Submit monthly invoices to the Port and Harbor for labor and maintenance costs. The Port and Harbor will review the invoices and submit them to the City's Finance Department for payment.

INSURANCE:

Prior to commencement of work, the Proposer shall be required to provide proof of insurance and to keep it in full force and effect, at its own expense, the following minimum policy limits. Also, the City of Homer shall be named as additional insured during the project's duration.

1. General Liability Insurance in the minimum amount of \$500,000.00 for any one person and not less than \$1,000,000.00 for any one accident or occurrence, for death, bodily injury, personal injury, and/or property damage.
2. Worker's Compensation in accordance with the laws of the State of Alaska, and Employer's Liability Insurance with minimum limits of \$1,000,000/\$1,000,000/\$1,000,000.
3. Property damage liability which shall include any and all property whether or not in control, custody or care of the contractor, in an amount of not less than \$1,000,000.00 on account of any one accident.
4. Automobile Liability Insurance covering owned, non-owned, or hired vehicles used by the firm, with limits not less than \$1,000,000 combined single limit for bodily injury and property damage.

RFP GENERAL REQUIREMENTS:

To achieve a uniform review process and obtain the maximum degree of comparability, it is required that the proposals be organized in the manner specified below. Proposals that do not address the items listed in this request may be considered incomplete and may be deemed non-responsive by the City. Interested firms should submit the completed proposal using the following instructions:

One original and two copies of the completed proposal in an opaque envelope marked as follows:

FISH GRINDING FACILITY OPERATION & MAINTENANCE CONTRACT RFP

Homer, Alaska

PROPOSAL DATED: _____

Hard copy Proposal submittals shall be addressed to:

City of Homer, City Clerk

491 E. Pioneer Ave.

Homer, Alaska 99603

Proposals shall be received at the Office of the City Clerk **no later than 4:30 pm, Thursday, February 13, 2014.** Please direct technical questions regarding this proposal in writing to Bryan Hawkins, City of Homer, Port Director/Harbormaster at bhawkins@ci.homer.ak.us or to 4350 Homer Spit Road, Homer, AK 99603. Direct proposal submission questions to Jo Johnson, City Clerk, at (907) 235-3130.

There will be a mandatory meeting held prior to the closure of the RFP. This will give all proposers involved the opportunity for questions/answers with Bryan Hawkins to ensure all information is open and concise. **The Pre-Close RFP meeting will be held Tuesday, February 11, 2014 at 2:00 pm at the Fish Grinder Facility located on Fish Dock Road on the Homer Spit.**

PROPOSAL FORMAT AND CONTENT:

Letter of Transmittal (one page maximum): The transmittal letter shall briefly state the firm's understanding of the City's request, make a positive commitment to provide the professional services specified, and give the name, title, address, and phone number of the person(s) authorized to make representations for the firm. The letter shall be signed by a corporate officer or other individual who has the authority to bind the firm.

Proposal Narrative (five pages maximum): The proposal narrative shall provide the following information:

1. Proposed Project Manager and Team Members: This section shall introduce the project manager (Single Point of Contact) and members of the firm that will be performing the work for this project and

their experience with similar projects. Full resumes are not needed, one or two paragraphs on each member of the team will be sufficient. Note which members are licensed and qualified to operate the firm's forklift and the City's equipment.

2. Proposed Contract/Costs: Specify in detail the firm's ability to fulfill the Scope of Work, Functional Requirements, Contract Term, and Insurance, that has been outlined in this RFP, including any additional contractual requirements the firm chooses to propose. Each Proposer shall submit a standard, all-inclusive cost schedule that they propose to use in this contract; most importantly, the rate per man-hour or per season that the successful Proposer will charge the City.
3. Required Equipment: This section shall list the necessary equipment the firm must provide, including 20 non-insulated fish totes with lids and a forklift capable of lifting 1,500 pounds.

References: List the names, titles, and phone numbers of at least three businesses that are familiar with your firm's experience in maintenance and knowledge in the specified field.

EVALUATION CRITERIA AND SELECTION PROCESS:

The City of Homer reserves the right to reject any and all proposals submitted and shall not be liable for any costs incurred by any proposer in response to this solicitation or for any work done prior to the issuance of a notice to proceed or signed contract.

A selection committee will evaluate the proposals and make a recommendation to the City Manager. Evaluators may discuss factual knowledge of, and may investigate proposer's prior work experience and performance. This includes information referenced in the proposal, available written evaluations, and contacted references that were listed or other persons knowledgeable of a proposer's past performance. Factors such as overall experience relative to the proposed contract, quality of work, cost control, and the ability to meet schedules may be addressed during the evaluation. Submittals will be evaluated and scored in accordance with the following criteria:

1. Proposed Project Manager & Team	30 points
2. Experience & Knowledge	30 points
3. Proposed Contract/Costs	20 points
4. Insurance	10 Points
5. Required Equipment	<u>10 Points</u>
Maximum Score	100 points

This request for proposals is designed to be qualifications based, with cost playing a secondary role in the selection process. The City of Homer reserves the right to award a contract to the highest ranked firm based solely on the written proposal or request oral interviews with a "short list" of the highest ranked firms. The highest ranked proposer will be invited to enter into negotiations with the City of Homer for the purposes of contract award. If an agreement with any proposer cannot be reached, the next highest ranked proposer may be contacted for negotiations. The City of Homer reserves the right to terminate negotiations with any proposer should it be in the City of Homer's best interest.

PROPOSED TERM CONTRACT AWARD SCHEDULE:

RFP Advertisement	January 29 & February 5, 2014 – Homer Tribune February 2, 2014 – Peninsula Clarion
Mandatory Pre-Closing Meeting	February 11, 2014 at 2:00 pm
Proposals Due	February 13, 2014 at 4:30 pm
Review of Proposals & Choosing of Firm	February 14 – 18, 2014
City Council Award	February 24, 2014
Initial Overview Meeting/Notice to Proceed	March 2014



800 Fish Dock Road, Homer, AK 99603 • tel 907 235-1300 • fax 907 235-1350

City of Homer
491 E. Pioneer Avenue
Homer, AK 99603

13 February 2014

Re: Fish Grinding Facility, Letter of Transmittal

The Fish Factory, LLC (FF) has reviewed the City of Homer's (COH) "Request for Proposals for Operation and Maintenance of the Port & Harbor Fish Grinding Facility" and has an interest to provide the service.

Questions regarding our interest can be directed to

Mike McCune
800 Fish Dock Road
Homer, Alaska 99603

Phone:
Office 907.235.1300
Cell 907.398.7749

Respectfully submitted:

2-13-14

Mike McCune
Managing Member

1. Proposed Project Manager and Team Members:

Mike McCune

Owner/operator of The Fish Factory, LLC.

38 years in the fish processing business, from slime line to present position.

William Lancaster

Production/Plant Manager of The Fish Factory, LLC

34 years in the fish processing business, from slime line to present position.

As in the past 13 years of operating the Fish Grinding facility for the COH, Mike will be responsible for the admin requirements, William for the manning, training and maintenance. Other individuals have and will continue to receive special training prior to operating related equipment.

Both parties are qualified to operate the firm's forklift and City equipment.

2. Proposed Contract/Cost

The FF has operated the Fish Grinder since it's inception in 2000. We have aided in the design, construction and maintaince of the equipment used.

Other than the changed Term of Contract dates, The FF will provided the services requested for the same rates and stipulations outlined in the 2013 "Memorandum of Agreement" between the COH and FF. (See attached copy)

Additionally, we will collaborate with the COH in regards to operation and feasibility of alternative means (non-grinding) of fish waste disposal.

3. Required Equipment:

The FF will provide a forklift capable of lifting 1500 lbs, minimum 20 totes with lids, and upon discretion, a pressure washer to aide in tote cleaning.

In the event alternative means of fish waste disposal are considered and employed, It would be mutually agreed upon by all parties the responsibilities to provide additional or specialized equipment for such disposal means.

MEMORANDUM OF AGREEMENT

Operation, Maintenance, Repairs, Clean-Up Of City of Homer Fish Waste Grinding Equipment and System during the Calendar Year 2013

1. PARTIES TO THE AGREEMENT

This Memorandum of Agreement (MOA) is made and entered into between the City of Homer, Port and Harbor Department (hereinafter referred to as COH) and The Fish Factory, LLC (hereinafter referred to as TFF).

2. PURPOSE AND OBJECTIVE

This MOA is made for the following purposes and objectives:

- The operation, clean-up, and maintenance of COH's Fish Waste Grinding Equipment and System;
- Recording and reporting to COH, the required data and information to enable COH to prepare invoices for fish waste grinding and disposal services to the commercial fish charter businesses and commercial fish buying/fish packing businesses which elect to utilize this COH provided service;
- Recording and reporting to COH, the data required by EPA for submitting the annual reports of total weight of fish carcasses/fish waste processed through COH's Fish Waste Grinding Equipment;
- For the period May 1, 2013 through September 30, 2013, submitting itemized invoices, pursuant to work orders and/or purchase orders, to COH for providing the services of operation, clean-up, and maintenance of the system; with man hours, materials, supplies detailed sufficiently to enable COH to gather cost data to be utilized for the purpose of developing an RFP to bid these services.

3. AGREEMENT DURING THE PERIODS JANUARY 1, 2013 through APRIL 30, 2013 and OCTOBER 1, 2013 through DECEMBER 31, 2013

Specific obligations of the parties are:

City of Homer (COH)

- a) Will not be delivering sport caught fish carcasses to the grinder location.
- b) Will pay for the electricity and water meter/service monthly fee.
- c) Will not charge TFF for any work by COH Public Works Department to clear blockages of the pipe from the grinder building sump to the vault, to clear blockages of the pumps in the vault, or to maintain outfall line vault as it is agreed that the annual outfall vault hook up/maintenance fee that TFF pays to COH covers this.

The Fish Factory (TFF)

- a) Will handle its own fish carcasses/wastes and/or other commercial enterprises fish carcasses/wastes at no labor cost to COH during the period (man hours not to be billed by TFF).

b) Will be allowed to use the COH's fish grinding equipment and building free of charges during this period provided that:

- TFF will be allowed to charge for grinding other commercial enterprises fish carcasses/wastes from fish processed on the Homer Spit only at a rate to be worked out between TFF and these commercial enterprises and to be approved by COH.
- TFF will maintain/repair the grinder system and building and will not charge COH for labor or parts used.
- TFF will continue reporting to COH, quantities (weight) processed through the grinder, for use in making the required year-end report to EPA.

4. AGREEMENT DURING THE PERIOD MAY 1, 2013 and SEPTEMBER 30, 2013

Specific obligations of the parties are:

City of Homer (COH)

- a) Will oversee the required record keeping, reporting and invoicing as indicated in No. 2 above.
- b) Upon receipt of an itemized invoice from TFF will verify the invoice for payment and will process for payment for these services rendered, and to be mailed to TFF within 21 days of receipt of valid and correct invoice.
- c) Will provide the Fish Waste Grinding System equipment, building, electricity, water, and connection to the COH outfall line which are required to enable TFF to provide service under this MOA.
- d) Will order materials, supplies, repair parts and other necessities for operation of the system, upon receipt of request from TFF, but when such items are needed by TFF more quickly than this ordering system by COH can reasonable provide them, TFF will be reimbursed at cost, plus 5%, for providing these items itself, based on documentation of such expenses submitted as part of the invoice for the services provided under this MOA.

The Fish Factory (TFF)

- a) Will operate, clean-up, and maintain and repair the COH Fish Waste Grinding System and Building per this MOA to grind the following categories of fish carcasses/fish waste:
 - Sport-caught fish waste brought to the fish waste grinder building in fish carcass trailers by COH employees, and dumped by COH employees into TFF totes with lids;
 - Commercial charter boat fish waste brought to the fish waste grinder building in fish totes or tubs by these businesses;
 - Commercial fish buyer/fish packer fish waste brought to the fish waste grinder building in fish totes by these businesses.
- b) Will keep necessary records as requested by COH to enable COH to bill the commercial charter boat businesses and commercial fish buyers/fish packer businesses for these fish grinding and disposal services provided to them under this MOA.

- c) Will keep necessary records as requested by COH and as required by EPA for preparation by COH of the annual report of fish waste poundage processed through the COH fish waste grinding and disposal system, broken out by the three categories shown in "a)" above.
- d) Will invoice COH for this service provided as per this MOA, prior to the total invoiced amount exceeding the "not to exceed" quantity specified in the work order or purchase order. Such invoice to provide detailed information of man hours charged and what category of service (per "a)" above) the man hours were associated with, materials, supplies, repairs, parts, etc. then will continue providing this service until termination of this MOA by either party as per the Termination section of this agreement.

5. TERMINATION

This agreement is effective through December 31, 2013 or until earlier terminated in writing by 30-day written notice from either party to this agreement, hand-delivered or mailed to the party at the address indicated in the Notification section of this agreement. Both parties agree that termination must be based on just cause.

6. NOTIFICATION

The following addresses are to be used for issuance of work orders or purchase orders, for delivery of required records and reports, for submittal of invoices, and for any notification of termination, under the provisions of the MOA.

- For COH – Port and Harbor of Homer, 4350 Homer Spit Road, Homer, Alaska 99603;
- For TFF – The Fish Factory LLC, 800 Fish Dock Road, Homer, Alaska 99603.

7. HOURLY RATE FOR PAYMENT FOR INVOICED MAN HOURS

Unless amended as shown in the Amendment section below, the hourly rate per man hour billed by TFF to COH for services provided under this agreement by TFF employees shall be \$32.00 per man hour. This is an all inclusive rate, regardless of whether the hours of provided services include overtime payments to employees of TFF, and this rate also includes TFF's forklift when needed.

8. INSURANCE

- a) While providing service under this MOA, TFF shall maintain in good standing insurance described in this section.
- b) TFF shall obtain and keep in force at all times while providing service under this MOA:
 - General liability insurance providing coverage for bodily injury, including death, in an amount not less than \$500,000 for any one person and not less than \$1,000,000 for any one accident or occurrence.
 - Worker's Compensation or Longshoremen's and Harbor Workers' Compensation Insurance as may be required by state or federal law and Employer's Liability Insurance.
 - Property damage liability, which shall include any and all property whether or not in the care, custody or control of the Permittee, in an amount of not less than \$1,000,000 on account of any one accident.


c) The insurance obtained pursuant to this section shall name COH, its officers, and employees as additional insured. Such policies must be endorsed to permit COH, its officers and employees to recover on the insurance for damages and injuries suffered by them that are caused by TFF or any other insured under the policy. Such policies must provide that a termination, cancellation or expiration of the policy is ineffective until 30 days after written notice of the termination, cancellation or expiration has been delivered to the City Manager.

9. AMENDMENTS

Amendments to this agreement may be proposed by either party and shall become executed upon being reduced to a written instrument executed by both parties.

IN WITNESS WHEREOF, each party hereto has caused this MOA to be executed by an authorized official on the day and year set forth below his/her signature.

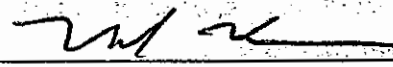
City of Homer:



Bryan Hawkins, Port and Harbor Director

12-28-12
Date

The Fish Factory:



Mike McCune, Managing Member

12-28-12
Date

VISITORS

ANNOUNCEMENTS
PRESENTATIONS
BOROUGH REPORT
COMMISSION REPORTS

City of Homer

Hearing	Bill No.	Short Title	Prime Sponsor	Status	Status Date	Bill Summary
	HB 28	Fire and Emergency Medical Services	Feige	(S)L&C	3/13/13	Exempts solicitations or voluntary agreements to provide ambulance, emergency, or fire department services from regulation as insurance.
H-FIN Mon 2/17 13:30	HB 32	Lines of Business on Business License	Costello	(H)FIN	4/6/13	Allows one business license to cover multiple lines of business and provides for the reissuance of a business license to correct an error.
	HB 35	Home Heating Conversion Loans	T. Wilson	(H)FIN	2/13/13	Creates a low-interest loan program under AHFC for homeowners who improve or replace their home heating systems; loan terms: interest rate = 1%; term = 10 years; not subject to income limitations; loan amount = lesser of cost of materials and labor or \$15K.
	HB 77	Land Use/Disposals/Exchanges; Water Rights	Governor	(S)RLS	4/14/13	Gives the Commissioner the ability to issue a general permit for activity on state land; provides the Division more flexibility in its authority to exchange land; allows land and property to be purchased by contract vs payment up-front; provides Division to extend existing land/tideland leases; allows Division to renew an existing aquatic farm lease.
	HB 116	PERS Credit for Military Service	Millett	(H)L&C	2/13/13	Allows a peace officer or firefighter who retires from PERS to apply up to 5 years of military service toward major medical insurance coverage.
	HB 122	Transportation Infrastructure Fund Appropriation	P. Wilson	(H)FIN	2/15/13	Appropriates \$2 billion from the general fund to the transportation infrastructure fund, contingent on AK voters amending the Alaska Constitution by 1/10/15.
	HB 123	Dedicated Transportation Fund/Public Transportation	P. Wilson	(H)FIN	3/20/13	Provides for a Transportation and Infrastructure Fund to be established in the amount of \$2 billion with additional funding from the studded tire, vehicle rental, motor fuel taxes as well as vehicle registration, drivers license and ID card fees.

City of Homer

Hearing	Bill No.	Short Title	Prime Sponsor	Status	Status Date	Bill Summary
	HB 140	Notice for Regulation Adoption	Reinbold	(H)FIN	4/9/13	Relating to the information that must accompany certain notices provided for the proposed adoption, amendment or repeal of a regulation, including identification of federal law/order/decision/action, estimated costs to individuals, state agencies and municipalities in complying with proposed action.
	HB 141	Workers' Compensation Medical Fees	(H)L&C	(S)L&C	2/12/14	Sets the fee for medical treatment/services performed outside of the state under the AK Workers' Compensation Act; requires a provider of medical treatment/services under the Act to submit bills for treatment/services to employers within 180 days after the date treatment/services are rendered; limits the time for appealing an employer's denial or reduction of
	HB 149	Workers' Compensation for State Firefighters	Ledoux	(H)L&C	3/1/13	Makes firefighters employed by the municipality/state eligible for the presumption of coverage under workers' compensation for disability due to certain diseases.
	HB 152	PERS Termination Costs	Thompson	(H)L&C	3/4/13	Provides PERS employers the needed flexibility to operate and efficiently manage staffing levels; replaces the requirement for actuarially determined termination studies and related costs with termination costs determined by a formula using readily available data; establishes thresholds for categories of employers based on employer salary base level; maintains the 6/30/08 salary base "floor" as the minimum amount on which the 22% PERS employer contribution rate is applied.
	HB 164	Property Tax Exemption/Military Widow(er)	Millett	(H)CRA	3/13/13	Authorizes municipalities to exempt from taxation by ordinance primary residences of residents who are at least 60 years of age and are the widow/widower of a person who was killed while in the US military service.

Hearing	Bill No.	Short Title	Prime Sponsor	Status	Status Date	Bill Summary
	HB 174	PERS Contributions by Municipalities	(S)CRA	(H)L&C	4/4/13	Exempts municipal employers whose communities' populations have decreased greater than 25% between 2000 and 2010 from having to pay annual PERS contributions based on the 6/30/2012 salary "floor".
	HB 181	Mining License Revenue; Revenue Sharing	Foster	(H)FIN	1/30/14	Requires the state to make available 50% of state mineral lease and royalty revenues to municipalities affected by mining. CS clarifies these payments are for mining on state tide and submerged land "within" a municipality and not "seaward" of a municipality.
	HB 192	Payment of Fishery Resource Landing Tax	Millett	(H)FIN	4/11/13	Changes the return and payment due date of Fishery Resource Landing Tax returns to 30 days after the Department publishes the statewide average price list; changes the timing of estimated tax payments needed to avoid estimated tax penalties.
	HB 193	Municipal Taxation of Tobacco Products	Pruitt	(S)FIN- Heard & Held	2/11/14	Allows a municipality to inspect tax returns or reports filed with the State; allows municipalities to enter into agreements with the state to jointly share administration of auditing and collection of tax on cigarettes.
S-CRA Thurs 2/20 13:30	HB 223	Muni Tax Exemption: Military Facility Zones	Thompson	(S) CRA	2/10/14	Authorizes municipalities by ordinance to exempt or partially exempt from taxation for up to 10 years property in a military facility zone that creates or supports industry, development, or educational or training opportunities beneficial to a facility. Requires ordinances adopted to include specific eligibility requirements and a written application for each exemption.

City of Homer

Hearing	Bill No.	Short Title	Prime Sponsor	Status	Status Date	Bill Summary
	HB 227	Paid Sick Leave	Tarr	(H) L&C	1/21/14	Requires employers not subject to collective bargaining agreements to provide a minimum of 1 hour of paid sick leave for every 40 hours worked; establishes conditions for use of sick leave and allows employees to recover damages if an employer is non-compliant. Applies to work performed after September 30, 2014.
	HB 247	Peace Officer/Firefighter Retirement	Holmes	(H) L&C	1/21/14	Establishes an advisory board to the ARM Board concerning retirement benefits for protective occupation employees. Establishes a new DB retirement plan for employees joining after 7/1/06; provides for adjustments to employee contribution rates; adjusts retirement benefits depending on years of service; provides stipends to employees for purchase of major medical insurance; allows protective occupation employees hired after 7/1/06 who are part of the DC plan to make a one time irrevocable decision to participate in the DB plan.
	HB 264	Solid Fuel Burning Heating Devices	Isaacson	(H)C&RA	1/21/14	Limits local air quality control programs by prohibiting the state or a municipality from banning the use of wood or coal as heat sources for interior buildings. Provides repeal date of December 31, 2023 or when the legislature determines the availability of sufficient alternative fuel sources.
	HB 274	Hearings on Referenda	(S)RLS	(H)JUD	2/12/14	Requires Lt. Gov to hold at least two public hearings on referendum in each judicial district at least 30 days before the election which a referendum is to appear on the ballot.

Hearing	Bill No.	Short Title	Prime Sponsor	Status	Status Date	Bill Summary
	HB 275	Electronic Distribution of Reports/Notices	Hawker	(H) CAL	2/14/14	Allows municipalities to post tax millage information, foreclosure lists and redemption notices on municipal web sites as an alternative to requiring publication in a newspaper. Requires state agencies to produce reports electronically rather than by print and requires state agency reports to be posted on the state online public notice system.
	HB 283	Telephone Records and Electronic Data	Kawasaki	(H) C&RA	1/29/14	Prohibits municipalities from collecting or using electronic data or telephone records obtained without a search warrant. Prohibits state agencies from cooperating with federal agencies in collection or use of electronic data or telephone records without a search warrant.
	HB 285	Kachemak Bay Critical Habitat Area	Chenault	(H) RLS	2/10/14	Exempts the Homer Port and Harbor from the Kachemak Bay Critical Habitat Area (KBCHA)
H-MLV Tue 2/18 13:00	HB 286	Veterans' Retirement/Loans/Housing/ Employment	RLS by GOV	(H) MLV	1/29/14	Enables families to receive survivor benefits for deceased veterans eligible for PERS, TERS, JERS retirement plans by requiring employers to treat workers as if they were rehired the day before their death, thereby ensuring veterans are covered at the time of death. Extends preferential loan, housing and employment to broader range of veterans by expanding the definition of veteran to include veterans who served in the Gulf War and Iraq wars.

City of Homer

Hearing	Bill No.	Short Title	Prime Sponsor	Status	Status Date	Bill Summary
	HB 294	Worker's Compensation: Death Benefits	Josephson	(H) L&C	2/3/14	Increases the permanent total disability benefit for those injured on the job from \$177,000 to \$252,420. For employees whose injury results in death, requires employers to notify personal representative of the estate or specified relatives. Increases the maximum allowable death benefit for specified relatives dependent on the deceased for support up to \$252,420 with annual increases based on the Anchorage CPI and allows for a lump sum payment to the estate of the deceased if there are no dependent relatives.
	HB 295	PERS Credit/Injured Police & Firefighters	Josephson	(H)L&C	2/3/14	Allows peace officers and firefighters unable to work due to an on the job injury or occupational illness to receive credited service to PERS defined contribution plan and requires the state to make payments to PERS on behalf of these employees during this period even if the firefighter or peace officer does not work for the state.
	HJR 10	Const. Amend: Transportation Fund	P. Wilson	(H)FIN	4/6/13	Proposes amendments to the Constitution of the State of Alaska creating a transportation infrastructure fund.
	SB 35	Workers Comp: Coll Bargaining/Mediation	Egan	(S)L&C	1/25/13	Authorizes employers and employees to mediate disputed workers' compensation claims and to negotiate a collective bargaining agreement that offers mediation and mandates arbitration of disputed workers' compensation claims by a hearing officer, and allows collective bargaining agreements to supersede certain provisions of the Alaska Workers' Compensation Act.
	SB 48	PERS Contributions by Municipalities	D. Olson	(S)FIN	4/8/13	Exempts municipal employers whose communities' populations have decreased greater than 25% between 2000 and 2010 from having to pay annual PERS contributions based on the 6/30/2012 salary "floor".

City of Homer

Hearing	Bill No.	Short Title	Prime Sponsor	Status	Status Date	Bill Summary
	SB 68	Mining License Revenue; Revenue Sharing	D. Olson	(S)CRA	2/27/13	Requires the state to make available 50% of state mineral lease and royalty revenues to municipalities affected by mining.
	SB 71	Payment of Fishery Resource Landing Tax	Micciche	(S)CAL	2/14/14	Changes the return and payment due date of Fishery Resource Landing Tax returns to 30 days after the Department publishes the statewide average price list; changes the timing of estimated tax payments needed to avoid estimated tax penalties.
	SB 92	Municipal Tax Credit For Tuition	Coghill	(S)EDC	3/29/13	Provides municipalities with the option of providing a property tax credit for private school tuition.
	SB 116	Service of Citations	Egan	(S) STA	1/22/14	Waives the requirement that service of a citation be done in person and allows the citation to be left on a vehicle or other property that is the subject of the violation. Does not apply to violations involving minor consuming or possession of alcohol.
	SB 126	Paid Sick Leave	Wielechowski	(S)L&C	1/22/14	Requires employers not subject to collective bargaining agreements to provide a minimum of 1 hour of paid sick leave for every 40 hours worked; establishes conditions for use of sick leave and allows employees to recover damages if an employer is non-compliant. Applies to work performed after September 30, 2014.
	SB 134	Muni Tax Exemption: Military Facility Zones	Kelly	(S)C&RA	1/24/14	Authorizes municipalities by ordinance to exempt or partially exempt from taxation for up to 10 years property in a military facility zone that creates or supports industry, development, or educational or training opportunities beneficial to a facility. Requires ordinances adopted to include specific eligibility requirements and a written application for each exemption.

Hearing	Bill No.	Short Title	Prime Sponsor	Status	Status Date	Bill Summary
S-RES Fri,Wed,Thur,Fri,Fri 2/14, 2/19, 2/20, 2/21, 2/21 15:30,15:30,8:00, 8:00,15:30	SB 138	Large Diameter Natural Gas Pipeline project	RLS by GOV	(S) RES	1/24/14	Expands AGDC, creates separate subsidiary and natural gas pipeline project fund to pursue state's equity position in a large diameter natural gas pipeline including treatment and liquefaction facilities. Authorizes DNR Commissioner to negotiate contracts for project services related to NS natural gas projects subject to legislative approval, enter confidentiality agreements and take custody of in-kind gas delivered to the state as in-kind payment for oil and gas production taxes. Authorizes DNR Commissioner to modify certain lease terms on existing oil and gas leases on property that commits gas to a natural gas project; subjects gas committed from these leases to current standards for sale, exchange, or disposal of gas taken in-kind by the State as its royalty share. Changes tax levy on gas produced after 2021 from a net tax to 10.5% of annual gross value while keeping oil tax at 35% of net annual production tax value and specifies how producers will pay monthly tax installments. Allows producers of modified leases to pay gas production tax in-kind and directs revenue from gas sales to the General fund.
S-STA Thurs 2/20 0900	SB 145	Veterans' Retirement/Loans/Housing/ Employment	Wielechowski	(S) STA- Heard & Held	2/13/14	Enables families to receive survivor benefits for deceased veterans eligible for PERS, TERS, JERS retirement plans by requiring employers to treat workers as if they were rehired the day before their death, thereby ensuring veterans are covered at the time of death. Extends preferential loan, housing and employment to broader range of veterans by expanding the definition of veteran to include veterans who served in the Gulf War and Iraq wars.
H-RLS Tues 2/18 17:00	SB 148	Kachemak Bay Critical Habitat Area	Micciche	(H) RLS	2/12/14	Exempts the Homer Port and Harbor from the Kachemak Bay Critical Habitat Area (KBCHA)

City of Homer

Hearing	Bill No.	Short Title	Prime Sponsor	Status	Status Date	Bill Summary
	SB 149	Hearings on Referenda	(S) JUD	(S)JUD	1/31/14	Requires Lt. Gov to hold at least two public hearings on referendum in each judicial district at least 30 days before the election which a referendum is to appear on the ballot.
	SB 165	PERS Credit for Military Service	McGuire	(S)L&C	2/7/14	Allows retired peace officers and firefighters to obtain credit for up to five years of military service for purposes of establishing eligibility for state health insurance benefits and specifies method of determining indebtedness for years of military service used.

PUBLIC HEARING(S)

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

Ordinances 14-08 and 14-09

A public hearing is scheduled for **Monday, February 24, 2014** during a Regular City Council Meeting. The meeting begins at 6:00 p.m. in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Ordinances 14-08 and 14-09 internet address:

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

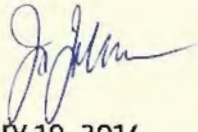
Ordinance 14-08, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.71.050(d), "Commission Hearing and Procedures", to Permit Four Instead of Five Members of the Homer Advisory Planning Commission to Approve a Conditional Use Under the Homer City Code. City Manager/Planning.

Ordinance 14-09, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.12.020, "Permitted Uses And Structures", to Expand the Permitted Uses in the Rural Residential District to Include the Addition of a Detached Dwelling Unit as an Accessory to a Single Family Dwelling on a Lot Serviced by City Water and Sewer Services. City Manager/Planning.



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

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

Jo Johnson, MMC, City Clerk 
Publish: Homer Tribune: February 19, 2014

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 14-08, Amending Homer City Code 21.71.050(d), "Commission Hearing and Procedures" to Permit Four instead of Five Members of the Homer Advisory Planning Commission to Approve a Conditional Use Under the Homer City Code; Ordinance 14-09, Amending Homer City Code 21.12.020, "Permitted Uses and Structures", to Expand the permitted Uses in the Rural Residential District to Include the Addition of a Detached Dwelling Unit as an Accessory to a Single Family Dwelling on a Lot Serviced by City Water and Sewer Services at the City of Homer kiosks located at the City Clerk's Office, Captain's Coffee Roasting Co., Harbormaster's Office and Redden Marine on February 14, 2014 and that the City Clerk posted same on City of Homer Homepage on February 12, 2014.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 12th day of February, 2014

Renee Krause

Renee Krause, CMC, Deputy City Clerk I



ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-08

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.71.050(d), "Commission Hearing and Procedures", to Permit Four Instead of Five Members of the Homer Advisory Planning Commission to Approve a Conditional Use Under the Homer City Code.

Sponsor: City Manager/Planning

1. City Council Regular Meeting February 10, 2014 Introduction
 - a. Planner Staff Reports 13-93, 14-01, and 14-02
 - b. Excerpt from Planning Commission minutes of November 6, 2013 and January 2, 2014

2. City Council Regular Meeting February 24, 2014 Public Hearing and Second Reading
 - a. Planner Staff Reports 13-93, 14-01, and 14-02
 - b. Excerpt from Planning Commission minutes of November 6, 2013 and January 2, 2014

CITY OF HOMER
HOMER, ALASKA

City Manager/Planning

ORDINANCE 14-08

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.71.050(d), "COMMISSION HEARING AND PROCEDURES", TO PERMIT FOUR INSTEAD OF FIVE MEMBERS OF THE HOMER ADVISORY PLANNING COMMISSION TO APPROVE A CONDITIONAL USE UNDER THE HOMER CITY CODE.

WHEREAS, The Homer Advisory Planning Commission ("Commission") is comprised of appointed members who cannot all attend every Commission meeting despite the best efforts of each of the Commission members; and

WHEREAS, Requiring a supermajority to approve all conditional use permits interferes with the Commission's ability to conduct hearings and issue decisions on conditional use permits since a supermajority is not always present at each Commission meeting; and

WHEREAS, It is in the City's best interest to expand the Commission's authority to approve a conditional use permit with four members, which is a majority of the Commission, rather than a supermajority, which is five members.

THE CITY OF HOMER HEREBY ORDAINS:

Section 1. Homer City Code 21.71.050(d) is amended to read as follows:

(d) Approval of the conditional use shall require the affirmative vote of ~~five~~ **four** members of the Commission.

Section 2. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this _____ day of _____, 2014.

CITY OF HOMER

MARY E. WYTHE, MAYOR

43 ATTEST:

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47 _____
JO JOHNSON, MMC, CITY CLERK

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54 YES:

55 NO:

56 ABSTAIN:

57 ABSENT:

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59 First Reading:

60 Public Hearing:

61 Second Reading:

62 Effective Date:

63

64 Reviewed and approved as to form:

65

66

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68 _____
Walt Wrede, City Manager

69

70 Date: _____

71

72

73

74 Fiscal Note: N/A

Thomas F. Klinkner, City Attorney

Date: _____



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report 13-93

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: December 4, 2013 **postponed to Jan 2, 2014**
SUBJECT: Amending the HAPC Bylaws & Policies and Procedures

At the November 6, 2013 meeting, the Planning Commission directed staff to bring forth amendments to the HAPC Bylaws and Policies and Procedures Manual. The changes to the documents are listed below. Final action on these amendments will be at the January 2nd meeting. Amendments must be presented in writing at one meeting, and may be acted upon at the next meeting. This meeting is the first where the proposed amendments are provided in writing. A separate staff report will introduce an accompanying ordinance at the January 2nd meeting to provide needed code amendments to Title 21 and Title 1.

1. Remove the majority plus one vote needed for Conditional Use Permits and Variances.

a. From HAPC Bylaws, pg 4, Section K. Quorum; Voting:

"Four Commission members shall constitute a quorum. Four affirmative votes are required for the passage of a ~~an ordinance, resolution or motion. Conditional use permits and zoning variances require a majority plus one vote.~~ Voting will be by verbal vote, the order to be rotated. The final vote on each resolution or motion is a recorded roll call vote or may be done in accordance with J. Consensus. For purposes of notification to parties of interest in a matter brought before the Commission, the Chair may enter for the record the vote and basis for determination."

From the HAPC Policies and Procedures Manual:

b. Page 4 of 8, Conditional Use Permits, delete text stating "~~Approval of a conditional use permit requires five yes votes.~~"

c. Page 8 of 8, Variances, delete text stating "~~Approval of a variance requires five yes votes.~~"

2. Amend the number of times a Commissioner may miss meetings from three consecutive or six regular meetings in a calendar year; to three consecutive unexcused absences, with the Chair approving absences or six regular meetings in a calendar year.

a. From HAPC Bylaws, pg 5, Section O. Vacancies:

"A Commission appointment is vacated under the following conditions and upon the declaration of vacancy by the Commission. **The Chair shall determine excused absences.** The Commission shall declare a vacancy when the person appointed:

1. Fails to qualify;
2. Fails to take office within thirty days after his/her appointment;
3. Resigns and the resignation is accepted;
4. Is physically or mentally unable to perform the duties of his/her office;
5. Misses three consecutive **unexcused** or six regular meetings in a calendar year; or
6. Is convicted of a felony or of an offense involving a violation of his/her oath of office."

Requested action:

The HAPC review and move to amend the bylaws and policies and procedures manual.

Attachments:

1. Draft minutes excerpt from 11/6/2013 meeting
2. Draft Bylaws
3. Draft Policy and Procedures



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Memorandum PL 14-01

TO: Homer Advisory Planning Commission

THROUGH: Rick Abboud, City Planner

FROM: Julie Engebretsen, Planning Technician

DATE: December 20, 2014

SUBJECT: Draft Ordinance 14-XX Amending HCC 21.71.050(d) to allow a simple majority vote for approval of Conditional Use Permits

This memo contains the planning staff review of the zoning code amendment as required by HCC 21.95.040.

21.95.040 Planning Department review of code amendment. The Planning Department shall evaluate each amendment to this title that is initiated in accordance with HCC 21.95.010 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

a. Is consistent with the comprehensive plan and will further specific goals and objectives of the plan.

Discussion: Comprehensive Plan Chapter 4 Goal 3 Object A states: "Create a clear, coordinated regulatory framework that guides development." One of the implementation strategies states: "Provide a clear and predictable approval process for every development including organizing project review and permitting and providing appropriate staff review."

This proposed amendment will allow a decision on a conditional use permit at any meeting with a quorum of Homer Advisory Commission members. This will give applicants greater certainty as to when their application will be heard by the Commission, and a decision rendered.

Staff response: This amendment is consistent with the Comprehensive Plan.

b. Will be reasonable to implement and enforce.

Staff response: This code amendment will be reasonable to implement and enforce. The amendment relaxes a more stringent code requirement.

c. Will promote the present and future public health, safety and welfare.

Staff response: A vote of four Commissioners will still be required to approve a conditional use permit, thus protecting the present and future public health, safety and welfare.

d. Is consistent with the intent and wording of the other provisions of this title.

Staff response: This amendment is consistent with the intent and wording of other provisions of this title. Within Homer City Code, only Conditional Use Permits require a vote of a supermajority, or five Commissioners. All other business, such as variances, nonconforming reviews, conditional fence permits, public signs and Bridge Creek Watershed mitigation plans only require four affirmative votes for approval. The amendments have been reviewed by the City Attorney and are deemed consistent with the intent and wording of the other provision of this title.

21.95.010 Initiating a code amendment.

Staff response: The Planning Commission initiated the code amendment at the November 6th, 2013 Work Session, per 21.95.010(b).

21.95.030 Restriction on repeating failed amendment proposals.

Staff response: This section of code is found to be not applicable.



City of Homer

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(f) 907-235-3118

STAFF REPORT PL 14-02

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Planning Technician
MEETING: January 2, 2014
SUBJECT: Draft Ordinance 14-XX Amending HCC 21.71.050(d) to allow a simple majority vote for approval of Conditional Use Permits

Requested Action: Conduct a public hearing and forward a recommendation to the City Council.

GENERAL INFORMATION

Under Homer City Code 21.71.050(d), approval of a conditional use permit requires five affirmative votes by the Commission. The Commission consists of citizen volunteers with busy lives. Most of the time, there are five Commissioners at every meeting to hear and make decisions upon conditional use applications, but not always. Reducing the number of yes votes to four will allow the Commission to make a decision at any meeting for which there is a quorum. No other matter the Commission decides upon requires a supermajority.

STAFF COMMENTS/RECOMMENDATIONS:

Conduct a public hearing, consider testimony, and make a recommendation to the City Council.

ATTACHMENTS

1. Draft Ordinance 14-xx Amending HCC 21.71.050(d)
2. Memorandum PL 14-01 Staff Review

Plat Consideration

None

Pending Business

None

New Business

A. Staff Report PL 13-86 Review of Bylaws

Acting City Planner Engebretsen briefly reviewed the staff report and noted discussion during the worksession about the Commissioner absences as outlined in the bylaws, and also changing the voting requirements to a simple majority regarding CUP's and variances. She noted that staff doesn't have a recommendation at this time regarding the simple majority issue.

Commissioner Highland expressed interest in Commissioners being allowed to participate telephonically. She understands that it couldn't be done for the quasi-judicial actions of the meeting, but for the other parts it would be helpful when people are ill or travelling.

Acting City Planner Engebretsen noted that because of the actions the Commission addresses, it would significantly limit what the person on the phone could speak to. She also explained her experience has been that some people do well at participating telephonically but many don't.

SONNEBORN/HIGHLAND MOVED TO AMEND BYLAWS TO ENABLE A SIMPLE MAJORITY TO APPROVE A CONDITIONAL USE PERMIT OR VARIANCE.

Commissioner Slone noted that during the worksession they discussed and agreed that because staff clearly does a more than adequate job of reviewing criteria for CUP and variances to verify compliance with the ordinances. Generally very little discussion necessary by the Commissioners and four would be adequate from his perspective.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

HIGHLAND/SLONE MOVED TO ALLOW TELEPHONIC PARTICIPATION EXCEPT FOR PARTICIPATION ON ANY QUASI JUDICIAL MATTERS.

Commissioner Sonneborn commented she isn't sure they need that complication in their meetings. By addressing the voting, they won't have the problem of not enough Commissioners in the future. She thinks it is really important to be here in person. There are times when it is challenging to follow things when you're here in person, and being home with distractions she wouldn't trust that the group is getting full attention. It's only a couple times a month and people just need to plan to be here. If people are ill, their minds aren't up to it, so they should be home taking care of themselves. It is okay to miss a meeting sometimes.

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
NOVEMBER 6, 2013

Chair Venuti agreed with Ms. Sonneborn, but said it would be nice to call in and listen. Deputy City Clerk Jacobsen noted that if a Commissioner is absent and would like to hear the discussion, they can request a copy of the recording from the City Clerk's office.

Commissioner Highland reiterated that it is another possibility for Commissioners to participate if they have already missed some meetings.

VOTE: YES: HIGHLAND, SLONE
NO: SONNEBORN, VENUTI

Motion failed.

SLONE/HIGHLAND MOVED TO AMEND CITY CODE 1.76.040 C ANY COMMISSIONER WHO SHALL HAVE ~~TWO~~ **THREE** SUCCESSIVE UNEXCUSED ABSENCES SHALL BE SUBJECT TO REMOVAL BY THE COMMISSION BY A MAJORITY VOTE OF THE MEMBERS PRESENT; BYLAWS SECTION 0.5, THREE CONSECUTIVE **UNEXCUSED** OR SIX REGULAR MEETINGS IN A CALENDAR YEAR; AND REFINE THE WORD UNEXCUSED TO DEFINE THAT UNEXCUSED REQUIRES APPROVAL BY THE CHAIR.

Commissioner Slone explained that it gives a little more flexibility for extenuating circumstances they might miss more than three meetings, but requires them to be accountable for their time if the situation arises.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Commissioner Slone also noted a section of the policy manual that needs clarification under item U. It states "The policy and procedure manual will be endorsed by resolution of the City Council and may be amended at any meeting of the Commission by a majority plus one of the members,". He suggested changing it to "The amended policy and procedure manual must subsequently be endorsed by a resolution of the City Council." Acting City Planner Engebretsen recognized it as a grammatical change that staff can take care of.

B. Staff Report PL 13-87 Draft Ordinance 13-42 Amending the Definition of "Discontinued" in Homer City Code 21.61.015, Definitions, to Extend Time Required to Discontinue a Nonconforming Uses from 12 to 24 Months

Chair Venuti advised the Commission that he has a conflict of interest on this matter because he is involved with the Bayview Inn property.

There was discussion that with only 3 Commissioners in attendance to address the conflict it was recommended that this matter be postponed to the next meeting.

SLONE/SONNEBORN MOVED TO POSTPONE TO THE NEXT MEETING.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

Reports

- A. Staff Report PL 14-01, City Planner's Report

City Planner Abboud reviewed his staff report.

Public Hearings

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

- A. Staff Report PL 14-02, Draft Ordinance 14-XX Amending HCC 21.71.050(d) to allow a simple majority vote for approval of Conditional Use Permits

City Planner Abboud reviewed the staff report.

Chair Venuti opened the public hearing and there were no public comments.

BOS/HIGHLAND MOVED THAT THE PLANNING COMMISSION APPROVES THE DRAFT ORDINANCE AMENDING HOMER CITY CODE TO ALLOW A SIMPLE MAJORITY VOTE FOR THE APPROVAL OF CONDITIONAL USE PERMITS AND RECOMMENDS ADOPTION BY CITY COUNCIL.

There were comments in support of the draft ordinance noting that this change will improve the way the commission does business for the public and that staff does an exemplary job of reviewing and providing information for their review.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- B. Staff Report PL 14-04, Draft Ordinance 14-XX Amending HCC 21.12.020 and 21.12.030 to allow one accessory dwelling unit as a permitted use on a lot served by city water and sewer

City Planner Abboud reviewed the staff report.

Chair Venuti opened the public hearing.

Ken Castner, city resident, asked for clarification regarding the process for water and sewer hookups relating to the accessory dwellings. City Planner Abboud explained that the accessory dwelling would be hooked up to water and sewer as required by Public Works and as outlined in code.

BOS/HIGHLAND MOVED THAT THE PLANNING COMMISSION APPROVES THE DRAFT ORDINANCE AMENDING HOMER CITY CODE 21.12.020 AND 21.12.030 TO ALLOW AN ACCESSORY DWELLING UNIT AS A PERMITTED USE AND RECOMMENDS ADOPTION BY CITY COUNCIL.

Commissioner Slone commented that it brings up a good point whether the accessory dwelling will be put on a separate meter. It would be a significant consideration with respect to the income the city derives of the water and sewer system. It isn't a major consideration relating to this action, but is something to think about. Another point is that we are doing some infilling based on infrastructure and additional usage of water and sewer would be beneficial to the city.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Plat Consideration

A. Staff Report PL 14-05, Barnett's South Slope Subdivision Quiet Creek Park Preliminary Plat

City Planner Abboud reviewed the Commission's role in plat consideration and the staff report that includes the following recommendations:

- Planning Commission recommends approval of the preliminary plat, with the following comments:
 1. Increase the size of lot 2 to meet the dimensional size requirement of 10,000 square feet. Elimination or reduction in size of Park A to meet this requirement is acceptable.
 2. A development agreement is required.
 3. The shared driveways shall meet fire department access requirements.
 4. The developer shall clarify with Public Works prior to final platting which creeks shown on the plat have a drainage easement and the width of the easements.
 5. Continue the 15 foot utility easement around the bulb of Sophie Court
 6. Work with the City of Homer and the Kenai Peninsula Borough address officer on E911 compliant street names
 7. During the first phase of construction, build Nelson Ave and Ronda Street from East End Road all the way to the intersection with South Slope Drive, and that portion of South Slope Drive within the subdivision.
 8. Construct fire hydrants as part of the subdivision.
 9. Dedicate the area shown as Park "A" as future right of way providing access to the south of the subdivision.
 10. A fire department accessible shared driveway provides reasonable access to lot 8, and Tract A, AA Mattox Sub 1958 Addn, in lieu of a full right of way dedication to these lots.

Chair Venuti asked Commissioners who visited the site prior to the meeting to report to the Commission.

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-09

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.12.020, "Permitted Uses And Structures", to Expand the Permitted Uses in the Rural Residential District to Include the Addition of a Detached Dwelling Unit as an Accessory to a Single Family Dwelling on a Lot Serviced by City Water and Sewer Services.

Sponsor: City Manager/Planning

1. City Council Regular Meeting February 10, 2014 Introduction
 - a. Planner Staff Reports PL 14-02 and 14-04
 - b. Excerpt of Planning Commission minutes of January 2, 2014

1. City Council Regular Meeting February 24, 2014 Public Hearing and Second Reading
 - a. Planner Staff Reports PL 14-02 and 14-04
 - b. Excerpt of Planning Commission minutes of January 2, 2014

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/Planning

4 ORDINANCE 14-09

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING HOMER CITY CODE 21.12.020, "PERMITTED USES
8 AND STRUCTURES", TO EXPAND THE PERMITTED USES IN
9 THE RURAL RESIDENTIAL DISTRICT TO INCLUDE THE
10 ADDITION OF A DETACHED DWELLING UNIT AS AN
11 ACCESSORY TO A SINGLE FAMILY DWELLING ON A LOT
12 SERVICED BY CITY WATER AND SEWER SERVICES.

13
14 WHEREAS, The City of Homer, Alaska, permits the addition of a detached dwelling unit
15 as an accessory to a single family dwelling in other districts, including but not limited to the
16 urban residential district; and

17
18 WHEREAS, It is in the City's best interest to permit the addition of detached dwelling
19 units as an accessory to a single family dwelling in the rural residential district so long as the
20 property at issue is serviced by the City of Homer water and sewer system.

21
22 THE CITY OF HOMER HEREBY ORDAINS:

23
24 Section 1. Homer City Code 21.12.020 is amended to read as follows:

25
26 The following uses are permitted outright in the Rural Residential District:

- 27
28 a. Single-family dwelling;
29 b. Duplex dwelling;
30 c. Multiple-family dwelling, only if the structure conforms to HCC 21.14.040(a)(2);
31 d. Public parks and playgrounds;
32 e. Rooming house, bed and breakfast and hostel;
33 f. Home occupations, provided they conform to the requirements of HCC 21.51.010;
34 g. Agricultural activities, including general farming, truck farming, livestock farming,
35 nurseries, and greenhouses; provided, that:
36 1. Other than normal household pets, no poultry or livestock may be housed and
37 no fenced runs may be located within 100 feet of any residence other than
38 the dwelling on the same lot;
39 2. No retail or wholesale business sales office is maintained on the premises;
40 h. Private stables;
41 i. Private floatplane tie-down as an accessory use incidental to residential use;

- 42 j. Storage of personal commercial fishing gear in a safe and orderly manner and
- 43 separated by at least five feet from any property line as an accessory use incidental to
- 44 residential use;
- 45 k. As an accessory use incidental to residential use, the private outdoor storage of
- 46 noncommercial equipment, including noncommercial trucks, boats, and not more than
- 47 one recreational vehicle in a safe and orderly manner and separated by at least five feet
- 48 from any property line, provided no stored equipment, boat or vehicle exceeds 36 feet
- 49 in length;
- 50 l. Other customary accessory uses incidental to any of the permitted uses listed in the
- 51 RR district; provided, that no separate permit shall be issued for the construction of any
- 52 detached accessory building prior to that of the main building;
- 53 m. Temporary (seasonal) roadside stands for the sale of produce grown on the
- 54 premises;
- 55 n. Mobile homes, subject to the requirements of HCC 21.54.100;
- 56 o. Day care homes; provided, however, that outdoor play areas must be fenced;
- 57 p. Recreational vehicles, subject to the requirements of HCC 21.54.320;
- 58 q. Open space, but not including outdoor recreational facilities described in
- 59 HCC 21.12.030;
- 60 r. As an accessory use, one small wind energy system per lot having a rated capacity not
- 61 exceeding 10 kilowatts;
- 62 **s. One detached dwelling unit, excluding mobile homes, as an accessory building to**
- 63 **a principal single family dwelling on a lot serviced by City water and sewer services**
- 64 **in compliance with Title 14 of this code.**

65
 66 Section 2. This Ordinance is of a permanent and general character and shall be
 67 included in the City Code.

68
 69 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
 70 _____, 2014.

71
 72 CITY OF HOMER

73
 74
 75 _____
 76 MARY E. WYTHE, MAYOR

77
 78 ATTEST:

79
 80
 81 _____
 82 JO JOHNSON, MMC, CITY CLERK

83 YES:
84 NO:
85 ABSTAIN:
86 ABSENT:

87
88

89 First Reading:
90 Public Hearing:
91 Second Reading:
92 Effective Date:

93
94

95 Reviewed and approved as to form.

96
97

98 _____
Walt Wrede, City Manager

Thomas F. Klinkner, City Attorney

99

100 Date: _____

Date: _____

101

102

103 Fiscal Note: N/A

104

105



City of Homer

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(f) 907-235-3118

Memorandum PL 14-02

TO: Homer Advisory Planning Commission

THROUGH: Rick Abboud, City Planner

FROM: Julie Engebretsen, Planning Technician

DATE: December 20, 2014

SUBJECT: Draft Ordinance 14-XX Amending HCC 21.12.020 to allow an accessory dwelling unit in the Rural Residential District

This memo contains the planning staff review of the zoning code amendment as required by HCC 21.95.040.

21.95.040 Planning Department review of code amendment. The Planning Department shall evaluate each amendment to this title that is initiated in accordance with HCC 21.95.010 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

a. Is consistent with the comprehensive plan and will further specific goals and objectives of the plan.

Discussion: Comprehensive Plan Chapter 4, Goal 3 Object A states: "Create a clear, coordinated regulatory framework that guides development." One of the implementation strategies states: "Provide a clear and predictable approval process for every development including organizing project review and permitting and providing appropriate staff review."

Staff response: This amendment is consistent with the Comprehensive Plan.

b. Will be reasonable to implement and enforce.

Staff response: This code amendment will be reasonable to implement and enforce. The amendment relaxes a more stringent code requirement.

c. Will promote the present and future public health, safety and welfare.

Staff response: A Conditional Use Permit will still be required for more than one dwelling unit that is not connected to City Water and Sewer.

d. Is consistent with the intent and wording of the other provisions of this title.

Staff response: This amendment is consistent with the intent and wording of other provisions of this title. All other residential zoning districts, as well as the Central Business District contain a provision allowing an accessory dwelling unit as a permitted use. The amendments have been reviewed by the City Attorney and are deemed consistent with the intent and wording of the other provision of this title.

21.95.010 Initiating a code amendment.

Staff response: The Planning Commission initiated the code amendment at the October 2nd, 2013 Work Session, per 21.95.010(b).

21.95.030 Restriction on repeating failed amendment proposals.

Staff response: This section of code is found to be not applicable.

STAFF REPORT PL 14-04

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Planning Technician
MEETING: January 2, 2014
SUBJECT: Draft Ordinance 14-XX Amending HCC 21.12.020 to allow an accessory dwelling unit as a permitted use

Requested Action: Conduct a public hearing and forward a recommendation to the City Council.

GENERAL INFORMATION

In 2011, the City Council adopted Ordinance 11-44(s), which allowed a single accessory dwelling unit on a lot as a permitted use. Previously, a conditional use permit was required if a homeowner wanted to build a cabin, or other detached dwelling unit, on the same lot as a primary single family home. Duplexes, or a single structure with two dwelling units, were allowed as a permitted use. The result of these regulations was the increased cost and regulatory process requirements for the applicant to build a detached dwelling opposed to an attached dwelling. The Commission considered many such conditional uses over the years, with few if any denials, and few conditions. It was not a productive use of Commission time, or the applicant's money. Ordinance 2011-44(s) allowed these accessory dwellings as a permitted use, with the issuance of a zoning permit.

At the time, the Commission did not allow this use in the Rural Residential District. It was felt with the prevalence of onsite wells and septic systems, greater oversight for public health concerns was warranted. In the past few years, several water and sewer line extensions have been completed in the rural district. This has allowed land owners to apply for conditional use permits, because their land now meets the dimensional requirements for more than one dwelling unit per acre. Staff recommended the Commission allow these accessory dwelling units as a permitted use, where both city water and sewer serve the property. This allows rural residential land owners with city water and sewer to enjoy the same rights as those in other residential districts, and also continues to provide Commission review for those applications not served by city utilities.

STAFF COMMENTS/RECOMMENDATIONS:

Conduct a public hearing, consider testimony, and make a recommendation to the City Council.

ATTACHMENTS

1. Draft Ordinance 14-xx Amending HCC 21.12.020
2. Memorandum PL 14-02 Staff Review

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

Reports

- A. Staff Report PL 14-01, City Planner's Report

City Planner Abboud reviewed his staff report.

Public Hearings

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

- A. Staff Report PL 14-02, Draft Ordinance 14-XX Amending HCC 21.71.050(d) to allow a simple majority vote for approval of Conditional Use Permits

City Planner Abboud reviewed the staff report.

Chair Venuti opened the public hearing and there were no public comments.

BOS/HIGHLAND MOVED THAT THE PLANNING COMMISSION APPROVES THE DRAFT ORDINANCE AMENDING HOMER CITY CODE TO ALLOW A SIMPLE MAJORITY VOTE FOR THE APPROVAL OF CONDITIONAL USE PERMITS AND RECOMMENDS ADOPTION BY CITY COUNCIL.

There were comments in support of the draft ordinance noting that this change will improve the way the commission does business for the public and that staff does an exemplary job of reviewing and providing information for their review.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- B. Staff Report PL 14-04, Draft Ordinance 14-XX Amending HCC 21.12.020 and 21.12.030 to allow one accessory dwelling unit as a permitted use on a lot served by city water and sewer

City Planner Abboud reviewed the staff report.

Chair Venuti opened the public hearing.

Ken Castner, city resident, asked for clarification regarding the process for water and sewer hookups relating to the accessory dwellings. City Planner Abboud explained that the accessory dwelling would be hooked up to water and sewer as required by Public Works and as outlined in code.

BOS/HIGHLAND MOVED THAT THE PLANNING COMMISSION APPROVES THE DRAFT ORDINANCE AMENDING HOMER CITY CODE 21.12.020 AND 21.12.030 TO ALLOW AN ACCESSORY DWELLING UNIT AS A PERMITTED USE AND RECOMMENDS ADOPTION BY CITY COUNCIL.

Commissioner Slone commented that it brings up a good point whether the accessory dwelling will be put on a separate meter. It would be a significant consideration with respect to the income the city derives of the water and sewer system. It isn't a major consideration relating to this action, but is something to think about. Another point is that we are doing some infilling based on infrastructure and additional usage of water and sewer would be beneficial to the city.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Plat Consideration

A. Staff Report PL 14-05, Barnett's South Slope Subdivision Quiet Creek Park Preliminary Plat

City Planner Abboud reviewed the Commission's role in plat consideration and the staff report that includes the following recommendations:

- Planning Commission recommends approval of the preliminary plat, with the following comments:
 1. Increase the size of lot 2 to meet the dimensional size requirement of 10,000 square feet. Elimination or reduction in size of Park A to meet this requirement is acceptable.
 2. A development agreement is required.
 3. The shared driveways shall meet fire department access requirements.
 4. The developer shall clarify with Public Works prior to final platting which creeks shown on the plat have a drainage easement and the width of the easements.
 5. Continue the 15 foot utility easement around the bulb of Sophie Court
 6. Work with the City of Homer and the Kenai Peninsula Borough address officer on E911 compliant street names
 7. During the first phase of construction, build Nelson Ave and Ronda Street from East End Road all the way to the intersection with South Slope Drive, and that portion of South Slope Drive within the subdivision.
 8. Construct fire hydrants as part of the subdivision.
 9. Dedicate the area shown as Park "A" as future right of way providing access to the south of the subdivision.
 10. A fire department accessible shared driveway provides reasonable access to lot 8, and Tract A, AA Mattox Sub 1958 Addn, in lieu of a full right of way dedication to these lots.

Chair Venuti asked Commissioners who visited the site prior to the meeting to report to the Commission.

ORDINANCE(S)

CITY MANAGER'S REPORT



City of Homer

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MANAGER'S REPORT

February 24, 2014

TO: MAYOR WYTHE / HOMER CITY COUNCIL

FROM: WALT WREDE

UPDATES / FOLLOW-UP

NOTE: Some of these items appeared in the last report. I have updated them and brought them back in case the Council wanted to discuss.

1. Ramp 7: The Seldovia Village Tribe has paid a contractor to remove the ramp from the water. City Port and Harbor Staff provided an assist by removing the damaged section of the float extension so that the ramp could be lifted cleanly. It was quite an operation. This takes care of the immediate safety concerns and prevents further damage to the ramp and float system. Analysis and discussion on why there was a failure and who is responsible for fixing it is on-going.
2. Parks and Recreation Needs Assessment: The third meeting of the Needs Assessment Steering Committee took place on Thursday evening, February 13th. The focus of this meeting was discussion regarding the questions the consultant should ask and what he or she should attempt to measure in terms of public attitudes on funding, public desires and use patterns with respect to parks, recreation, and culture, and a 'gap analysis'. There was a lot of discussion about how much background and qualitative information can be gathered internally and when to engage the Parks Commission. Also, there were several items which the group asked me to make you aware of so Council can weigh in if necessary. First, the committee is going to recommend that the surveys and other research methods include people from outside of the City limits. A service area that ran basically from Anchor Point to McNeil Canyon was suggested. The Committee is aware that this might be controversial. The reason for doing this is twofold. First, many of the users of City parks and recreation facilities and programs are from outside the City limits. Including them and measuring their willing to contribute financially could result in better overall facilities and programs for all, including Homer residents. Second, this information could be very useful if the effort to create a broader Borough Service Area gains traction. At the Last Council meeting, a member of the Parks and Recreation Commission reported that the committee was reviewing the Soldotna Parks and Recreation Needs Assessment and Master Plan. The Committee wanted to clarify for Council that what they are working on is a Needs Assessment only. There is no master plan component. A master plan would be very premature at this point and it is not what Council provided funding for. Please let me know if there are further questions about this process.

3. Citizens Academy: The Citizens Academy is scheduled to begin this week, on February 20. An overview of the program and a focus on the City Manager's office, the City Clerk's office, and a presentation by City Attorney Holly Wells will comprise the first session. We were a little disappointed with the low enrollment but are looking forward to the opportunity and a successful academy. A memorandum from Katie on this topic is attached.
4. Critical Habitat Legislation: The legislation that would remove the Homer Port and Harbor from the critical habitat area is on the move. It has already passed the Senate and has been referred to the House. House Rules Committee had a hearing on it yesterday, (February 18) and then voted to send it to the floor. I testified at hearings before House Resources, Senate Resources, and was available for questions yesterday. Thanks to Speaker Chenault, Senator Micciche, and Representative Seaton for their effort and strong support. Also, thanks to Katie for all of her background work and coordination and to Linda Anderson for all of her important work in Juneau on this legislation.
5. Traffic Calming: As you know, there is great interest in some neighborhoods about traffic calming. As I reported earlier, the Planning Commission has taken a real interest in this topic and has agreed to take it on as a project. The Commission has begun its work. For those folks in the community who want to get involved, now is the time to get in on the ground level. Contact Planning staff if you want more information about the Commission work schedule on this topic.
6. Lake Clark National Park Management Plan. Many Homer residents have long standing ties to the Lake Clerk Area. Lake Clark National Park is of interest to many for historical, family, recreation, economic, or other reasons. Lake Clark NP is amending its Management Plan. Attached is a notice about a public meeting in Homer on this topic on February 24.
7. Loss Control Award. The City has been working very hard to control or limit its insurance losses. I would be happy to talk about some of those efforts if you are interested. Attached is a notice that the City received a Loss Control Award (Gold Status) for fiscal year 2012. Gold status means that the City kept its losses to less than ten percent of the insurance premium. AML/JIA covers general liability, property, vehicles, professional liability, and workers comp.
8. Intergovernmental Agreement with Kachemak City. This meeting contains a workshop on the Intergovernmental Agreement for Wastewater Services between Homer and Kachemak City. The Council requested that Mayor Morris be invited and we expect him to be present unless he is called for jury duty in Anchorage. If that happens, other members of the City Council will attend on his behalf. We had a consultation meeting with Mayor Morris on February 13 to review options as requested by the Council.
9. Library/ Youth Service Outreach Activities. Recently, KBBI did a story on the Library Youth Service Outreach Program. Part of the story was that the Children's Librarian was making trips to locations outside of the City to conduct story time and other children's library activities. This story generated some questions so attached is a report and other information from Ann Dixon, the City Librarian on this program. I hope you find it informative. Ann will be at the Committee of the Whole and possibly the regular meeting if you have questions.

ATTACHMENTS

1. Memorandum 14-034 from Port and Harbor Director Re: Report on Alaska Abandoned and Derelict Vessel Task Force
2. Memorandum 14-036 from Community and Economic Development Coordinator Re: Homer Citizens Academy
3. Letter from Lake Clark National Park re: Public Meeting on General management Plan
4. Letter from AML/JIA regarding loss control award.
5. Memorandum from Library Director RE: Youth Services Outreach Activities



City of Homer

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Port and Harbor

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Memorandum 14-034

TO: MAYOR BETH WYTHER & HOMER CITY COUNCIL

CC: PORT & HARBOR ADVISORY COMMISSION & WALT WREDE, CITY MANAGER

FROM: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER

DATE: FEBRUARY 18, 2014

SUBJECT: ALASKA ABANDONED & DERELICT VESSEL TASK FORCE

On February 6, 2014, I attended the first Ad-Hoc meeting of the Alaska Abandoned and Derelict Vessel Task Force (ADV), located in the Atwood building in Anchorage. I was asked by involved members to represent the Alaska Association of Harbormasters and Port Administrators, and the City of Homer in this effort. Rachel Lord of Cook Inletkeepers worked to organize the meeting; pulling all the background information together, setting the agenda, and running the meeting.

There were several agencies represented at the meeting:

- Alaska Department of Environmental Conservation (ADEC): Spill Prevention and Response
- Alaska Department of Natural Resources (ADNR): Division of Mining Land and Water
- Alaska Department of Transportation and Public Facilities (ADOT&PF): Ports and Harbors
- Alaska Department of Fish and Game (ADF&G): Habitat Anchorage
- Alaska Association of Harbormasters and Port Administrators (AAHPA)
- U.S. Coast Guard (USCG)
- U.S. Environmental Protection Agency (EPA)
- National Oceanic and Atmospheric Administration (NOAA): Marine Debris and Fisheries Restoration Center
- U.S. Army Corps of Engineers (USACE)
- Cook Inletkeeper
- Alaska Clean Harbors
- Birch, Horton, Bittner & Cherot

The attorney office offered the ADV Task Force legal advice pro-bono. Holly Wells, Mitchi McNabb, and Adam Cook were available at the meeting to help the group with any legal advice that came up throughout the day.

There was an aggressive schedule set for the day, and Rachel Lord did a great job of keeping us to the agenda. It was very interesting to hear the attendees explain their roles and responsibilities when it comes to ADV's. I thought it particularly interesting to see the

interchange of responsibilities that occurs between USCG and ADNR after a vessel has been determined to be free of hazardous material and or pollutants; I recognized it as another version of the "ADV hot potato" management plan that harbormasters play all around the coast.

Alaska has a thinking error when it comes to boats. We act as though they will last forever knowing full well they do not. For vessels, there is no end-of-life plan, no approved method of disposal. The harbors in this state are organizing, sharing information, and working to address the ADV problem. Many cities in the Alaska Central Gulf use the same attorneys that Homer uses.

As part of my role in this meeting, I described the roles and responsibilities of Alaska Harbormasters in regards to ADV's. I explained how we as harbormasters and port administrators manage space that is used for mooring boats, how that space was expensive to create, and how that space is expensive to maintain. A harbor is not a museum or a warehouse for get-to-it-someday projects, and harbors are not the solution to the ADV problem. I further explained that, as harbormasters, we are lucky to have a clearly defined space to watch over and the ability to work with our councils to establish laws to protect our communities from the burdens of ADV's. Harbor staff is constantly challenged by this issue throughout the state. I see it as a real threat to our communities from both an environmental and financial standpoint.

I shared with the task force what Homer's experience with this subject has been, and how we worked to create new code and policies to give the harbor staff the tools they need to help address this threat. Tools such as the title for the tidelands that clearly defines our boundaries, an underway policy, a denial of access policy, and a supplemental moorage agreement for vessels of concern: all of these plus trained staff to watch over our interests 24/7.

From what I gathered from this meeting, as of yet, neither the State nor the Federal Government have taken proactive steps towards this problem. I feel a bit more appreciative of our situation when comparatively shown the ADV challenges certain agencies face who are tasked with keeping watch over thousands of miles of Alaskan coastline, are understaffed, have no access control, and are a very low priority from a budget standpoint. To date, the response to ADV problems is only reactionary, and the different agency representatives voiced frustration over how millions of dollars are spent after an incident involving just one ADV. These agencies see how a proactive approach would spare the taxpayers and prevent the resulting environmental damage from an avoidable ADV causality incident.

The take-away action item is that ADNR will work with their IT staff to create a database for ADV's in Alaska. They will use the Washington ADV reporting form that Rachel Lord provided them as a template.

A tentative meeting was scheduled for some time in May. We will have an agenda-setting teleconference prior to the agreed meeting date.

Recommendation

Informational item

Attached: Alaska Ad-Hoc Abandoned & Derelict Vessel Task Force Meeting Agenda

Alaksa Ad-Hoc Abandoned & Derelict Vessel Task Force

February 6, 2014

Atwood Building
550 W 7th Ave
Anchorage, AK

Room: TBA

Call-in information TBA

Invited Participants:

Steve Russell	ADEC Spill Prevention & Response
Jade Gamble	ADEC Spill Prevention & Response
Sarah Moore	ADEC Spill Prevention & Response
Crystal Smith	ADEC Spill Prevention & Response
Emily Haynes	ADNR Division of Mining Land & Water
Clark Cox	ADNR Division of Mining Land & Water
Doug Sanvik	ADNR Division of Mining Land & Water
Mike Lukshin	ADOT Ports & Harbors
Brad Dunker	ADF&G Habitat - Anchorage
Bryan Hawkins	Alaska Assoc. of Harbormasters & Port Administrators, Homer Harbormaster/Port Director
Tony McDade	Senior Chief, U.S. Coast Guard
Bob Whittier	Region 10 Emergency Response Unit, EPA
Peter Murphy	NOAA Marine Debris
Erika Amman	NOAA Fisheries Restoration Center
Terri Stinnett-Herczeg	USACE, Elmendorf AFB/Anchorage
Holly Wells	Birch, Horton Bittner & Cherot
Mitchi McNabb	Birch, Horton Bittner & Cherot
Rachel Lord	Cook Inletkeeper/Alaska Clean Harbors

Resources included as background for the meeting are in *italics*. Please review all of the materials prior to the meeting.

Additional materials, including the complete documents from which several of the above resources were excerpted, can be found at the bottom of the page on the Alaska Clean Harbors website:

<http://alaskacleanharbors.org/resources/harbor-management/derelict-vessels/>

Also on this page you can find a sample of recent newspaper articles regarding ADV in Alaska and Outside

Contact Rachel with any questions, concerns, corrections or additions to the agenda. rachel@inletkeeper.org/907.235.4068 x29



Session Overview		Materials/Preparation	Medium-Term Products
8-8:45AM	Welcome (Rachel), short introductions around the table, review objectives and products	Each participant will be asked their top 3-5 priorities regarding ADV in Alaska	Working objective(s) and product list for the ADV Task Force
8:45 - 11AM	Roles & Responsibilities	Each participant will be asked to share their roles & responsibilities, consistent with the included authorities matrix from OR/WA; <i>Authorities Matrix NW Area Contingency Plan</i>	Summary paper and/or table
11 - 11:10	BREAK		
11:10 - 12:45PM	Inventory, Reporting & Tracking ADV Efforts to date (Jade G); Review other states (Rachel); Discussion of AK development (everyone)	<i>Joint Agency Vessel of Concern Reporting form, Database Recommendations</i>	Database action plan, AK Joint Agency Reporting Form
12:45 - 1:15	LUNCH		

Session Overview	Materials/Preparation	Medium-Term Products
1:15 - 2:45	<p>Custody, Removal & Disposal Municipal Guidance (Holly/Mitchi), State/Federal (Steve/Tony), Discussion of needs (everyone)</p>	<p><i>Dealing with Derelict Vessels_City of Homer Manual; WA Derelict Vessel Program Guidelines; WA Chapter 79.100, WA Law Recent Changes Overview, OR Chapter 830_Excerpts.</i> A review of additional state laws concerning ADV from 2009 can be found online: http://alaskacleanharbors.org/resources/harbor-management/derelict-vessels/</p>
2:45 - 4:15	<p>Enforcement & Prevention Review current options, Vessels of Concern discussion, Discuss other options (everyone)</p>	<p><i>WA Chapter 79.100, WA Law Recent Changes Overview, OR Chapter 830_Excerpts, Vessels of Concern NW Area Contingency Plan</i> A A review of additional state laws concerning ADV from 2009 can be found online: http://alaskacleanharbors.org/resources/harbor-management/derelict-vessels/</p>
4:15 - 5:00	<p>Wrap Up and Next Steps Review the day & action plans (Rachel); Additional topics to cover: funding & cost recovery, outreach, ? (everyone)</p>	<p>Please bring calendars for scheduling subsequent meetings</p> <p>Timeline and action plan; list of additional topics/holes to cover</p>



City of Homer

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Administration

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Memorandum 14-036

TO: Honorable Mayor Wythe and Homer City Council
THROUGH: Walt Wrede, City Manager
FROM: Katie Koester, Community and Economic Development Coordinator
DATE: February 19, 2014
SUBJECT: First City of Homer Citizens Academy Underway

The purpose of this memo is to update Council on the City of Homer Citizens Academy.

The first day of the Academy falls just after packet deadline, Thursday February 20. Twelve people are registered, 10 of them City of Homer residents. Three of the attendees will not make the minimum requirement to certificate (5 out of 6 classes), but because there is space they are welcome to participate in the classes they can make.

The agenda for February 20th includes:

- 5:30 – Overview and Welcome
- 5:45 – Office of the City Manager
- 6:15 – City Attorney
- 6:45 – Break/Dinner
- 7:00 – Office of the City Clerk
- 8:00 – End of Day. Submit Evaluation

The next class will be this Thursday, February 27th and will be a grand tour of the Homer Port and Harbor.

The Academy will continue every Thursday evening 5:30-8:00pm from until March 27th with a certification ceremony at City Council on April 14. More detailed information about the Academy, including agenda and frequently asked questions, can be found on the City website.



United States Department of the Interior National Park Service



Lake Clark National Park and Preserve
Admin/HQ Office
240 W. 5th Avenue, Suite 236, Anchorage, AK 99501
Phone (907) 644-3634 Fax (907) 644-3810
Field Office
General Delivery, Port Alsworth, AK 99653
Phone (907) 781-2218 Fax (907) 781-2119

LACL I.A-2

January 22, 2014

Dear Friends and Interested Parties:

The National Park Service (NPS) has released a plan that updates and replaces the 1984 *General Management Plan* and guides the future of Lake Clark National Park and Preserve. This plan will guide management of park resources, visitors uses, and facilities for the next 15 to 20 years. It also provides direction for stewardship of park wilderness and backcountry recreation. During the planning process, we involved federal, state, and local agencies, tribes and villages, corporations, other interested parties, and the general public.

The *General Management Plan Amendment / Environmental Assessment* identifies and evaluates three management alternatives and their environmental impacts to natural and cultural resources, wilderness character, and visitor experiences. The NPS preferred alternative would expand visitor opportunities while protecting wilderness character and park resources. Under all of the alternatives, the wild and undeveloped character would be maintained, and subsistence use in the park and preserve would continue to be a priority and supported in accordance with the Alaska National Interest Lands Conservation Act.

Please share your ideas about the plan at one of our open houses, and/or by submitting written comments. The plan will be available for public review from January 22, 2014 – March 26, 2014 at the NPS Planning, Environment, and Public Comment (PEPC) website: <http://parkplanning.nps.gov/lacl> (click GMP Amendment). Comments may be submitted electronically on the website above, or by regular mail to: Zachary Babb, National Park Service, 240 W. 5th Ave., Anchorage, AK 99501.

Three public meetings are currently scheduled, and others will be announced in the media and on the park's internet website at <http://www.nps.gov/lacl>.

Tuesday February 25 4:00 – 7:00 p.m. Alaska Islands & Ocean Visitor Center 95 Sterling Highway Homer, AK 99603	Wednesday, February 26 4:00 – 7:00 p.m. Soldotna Public Library 235 N. Binkley St. Soldotna, AK 99669	Thursday, February 27 4:00 – 7:00 p.m. Campbell Creek Science Center 5600 Science Center Dr. Anchorage, AK 99507
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Thank you for your interest in Lake Clark National Park and Preserve.

Sincerely,

Margaret L. Goodro, Superintendent



807 G Street, Suite 356 Anchorage, Alaska 99501

907.258.2625

907.279.3615

1.800.337.3682

January 21, 2014

Walt Wrede, Manager
City of Homer
491 East Pioneer Ave.
Homer, Alaska 99603

Dear Mr. Wrede:

Enclosed is an award certificate that the City of Homer has earned for outstanding loss control efforts. You are to be commended for a job well done!

Every year we take time to recognize our members who are effectively reducing risks and maintaining a safe environment for their citizens and employees. The AMLJIA awards members with a Platinum, Gold, Silver or Bronze award for loss ratios below 25 percent of their deposit contribution. This is quite an accomplishment and is key to keeping the pool strong and your rates stable. Should you need a frame for your certificate, please contact us and we will send one to you.

Since we began business in 1988, the AMLJIA has become the leading provider of risk management training, services and coverage for Alaska's local government entities. The AMLJIA is the strongest pool in Alaska, both financially and in terms of membership. Your pool is considered to be one of the best in the nation by other state municipal league-sponsored pools and is recognized by the Association of Governmental Risk Pools for meeting their advisory standards. You should be proud of the success of your program. When communities and schools take full advantage of the training and services provided for AMLJIA members, it ensures you as a member have all the tools necessary to keep losses to a minimum.

The AMLJIA could not have achieved this success without the commitment and dedication of members like you. The City of Homer is an important member of the AMLJIA program. On behalf of the board and the rest of the membership, I want to thank you for your commitment. Together, we are making a difference!

Sincerely,

Kevin Smith
Executive Director




LOSS CONTROL AWARD



This is to recognize that the

City of Homer

achieved Gold status in loss control for keeping losses to less than ten percent of contribution during Fiscal Year 2012.



AMLJIA Executive Director



AMLJIA Board of Trustees Chair

From: Ann Dixon
Sent: Wednesday, February 12, 2014 9:30 AM
To: Walt Wrede
Subject: Youth Service Outreach Activities

Dear Walt,

Our Youth Services Librarian, Claudia Haines, is repeating an outreach program that began last year as a grant-funded activity in partnership with Best Beginnings Homer. As background, we have been working for some time with the Language and Literacy Work Group of Best Beginnings Homer to improve access to early learning literacy opportunities for families and young children in the Homer area. This fulfills part of our mission "to promote literacy, learning, and enrichment...for our community."

Last year's grant-funded project lasted 10 weeks. Ms. Haines conducted preschool story times and early learning activities at McNeil Canyon Fire Hall during January, February, and March, when it can be difficult for families with young children to get to town. Every other week she also visited Razdolna School to conduct a story time for kindergarten children and their younger siblings. (Razdolna School has no librarian and at that time did not have access to a school library.) The project was very well received and succeeded in introducing 278 children, ages six months to seven years, and their parents to the early learning programs available at Homer Public Library. As well, at least two school visits from Razdolna took place at the library later that spring. Summer Reading Program participation was also up, possibly due in part to the outreach program.

We decided to continue the program this year in an abbreviated form for the following reasons:

- It was very popular with families;
- It meets our goals of reaching more families with early literacy activities and of raising awareness of existing in-library services for youth;
- McNeil Canyon is well within our service area. (Our library service area includes not just the City of Homer but also the communities of the Southern Kenai Peninsula from Ninilchik south to Kachemak Selo and west to Port Graham);
- Two hours per week for seven weeks was a reasonable amount of time that Ms. Haines could, at this time of year, work into her schedule. (This year's program is running only in February and March, with only one or two visits to Razdolna; after that, Ms. Haines' main focus, in addition to her usual duties, will be on preparing and delivering the Summer Reading Program.)
- The small amount of library time invested yields community benefits that extend even beyond literacy and language development. For example, McNeil Canyon Fire Hall will use part of an upcoming story time to teach young children about fire safety.

Since coming on board full-time in January, Ms. Haines has added a second preschool story time at the library on Tuesdays. She now spends afternoon hours in the children's library to assist (and monitor) the after-school crowd. She has also taken over all selecting, ordering, and cataloging of children's materials. The cataloging is of particular importance because we were down to one cataloger following Sue Gibson's retirement.

Other outreach activities Ms. Haines is involved with include:

- Twice-monthly story times at Kachemak Kids Early Learning Center.
- Occasional school visits to promote the Summer Reading Program and offer instruction on resources available through the public library.
- Occasional visits to other preschool facilities to provide story times, early learning activities, and model literacy-development behaviors for staff and parents.
- Occasional participation in community events such as the Rotary Health Fair and PTA Summer Activities Night to demonstrate early learning/brain development activities and distribute information about library programs.

Literacy is a goal that libraries in Alaska take very seriously. As was recently reported in numerous news sources, a study by the Annie E. Casey Foundation finds Alaska children rank 46th out of 50 states in 4th grade reading achievement levels. The data show 42% of Alaska children reading “below basic” levels for their age. (<http://datacenter.kidscount.org/data/tables/5116-4th-grade-reading-achievement-levels?loc=1&loc=2#ranking/2/any/true/14/1185/11560>) The data also show no improvement in the past decade.

Research confirms and reconfirms the vital importance of early literacy skills and language development in young children. Public libraries have a unique and potentially powerful role to play in their communities to educate, model positive literacy behaviors, provide materials, and partner with community groups to improve literacy in our areas. Starting children and families on a solid path to literacy benefits the entire community. In ten years those preschoolers will be attending middle school and high school in Homer, hopefully with a firm foundation in reading -- and literacy skills that reach well beyond “basic.”

As always, I’m happy to answer any questions you or anyone else may have.

Regards,

Ann

Ann Dixon, Director
Homer Public Library
500 Hazel Avenue
Homer, AK 99603
907-435-3151
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**Early Literacy Community Outreach Project
Mind and Body for 5 and Under
Assessment, April 2013
Claudia Haines, Homer Public Library**

Introduction

During the months of January, February, and March of 2013, a time of year when weather combined with distance from the town of Homer can often hinder families' abilities to participate in many community activities, the Homer Public Library (HPL) took one of its popular programs "on the road." Claudia Haines, HPL's youth service coordinator, traveled more than 50 miles round trip on Fridays¹ to bring storytime to families in the McNeil Canyon area and in the community of Razdolna. The pilot outreach project was a first for Homer and represented the commitment of many area organizations to collaborate in the name of *early literacy*. The impacts on the families that attended were positive and immediately recognizable, as where the impacts on the Homer Public Library.



Photo courtesy of Meg Lyon

Early Literacy and Library Storytime

"Early literacy refers to what children know about reading and writing before they actually learn to read and write. It is not the teaching of reading but instead involves the building of a foundation for reading so when children are taught to read, they will be ready (Ghoting, 2006)." Early literacy skills identified by the Every Child Ready to Read Initiative include (ECRR):

- *Print Motivation* (a child's interest in and enjoyment of books)
- *Phonological awareness* (the ability to hear and play with similar sounds in words)
- *Vocabulary* (knowing the names of things)
- *Narrative Skills* (the ability to describe things and event and to tell stories)
- *Print Awareness* (noticing print, knowing how to handle a book, and understanding how to follow the written words on a page)
- *Letter Knowledge* (knowing that letters are different than each other, the same letter can look different, and that each letter has a name and is related to sounds)

Since the late 1940s, even before these skills were articulated, libraries have been offering engaging, stimulating, and fun storytimes with early literacy concepts in mind (Albright, 2009). Using books, stories, songs, fingerplays, rhymes, puppets, crafts, flannelboard presentations, simple musical instruments, imaginative play, and games,

¹ Storytimes were held in McNeil Canyon each week and in Razdolna every other week. An additional storytime was held at Head Start in Homer.



librarians introduce children and their caregivers to these early literacy skills during library storytimes. These programs provide free access to a variety of high quality books and other materials, involve children in storytelling and vocabulary-building discussion, and introduce and reinforce basic literacy, math, and science concepts. In Homer, storytimes also offer children an opportunity for vital social interaction not necessarily abundant in rural communities because of widely separated homes and few public spaces.

Early Literacy in Homer

In Homer, library storytimes have been a vital part of many families' weekly experience for years. The popular Preschool Story Hour is offered every Wednesday, year round, as is the Smallfry Toddler Storytime which began after the library moved to the Hazel Ave. location and children's programs could be better accommodated in the Joy Griffin Children's Library. Unfortunately for families who live outside the Homer city limits, particularly those who live at the outer edges of the library's service area, or whose children are enrolled in childcare, attending storytime is made difficult by travel distance, winter weather, or the storytime schedule. Other families may not attend because they are not aware of the programs and/or their impact on early literacy. In an effort to connect with families who do not already attend storytimes the pilot outreach project was launched.

out-reach /'out,rēCH/ Noun: The extent or length of reaching out. Verb: Reach further than. Synonyms: transcend.

Outreach, going out into the community to share library services, is not a new concept for Homer Public Library staff or for the partnering organizations. HPL staff regularly visit a homebound community members to provide books and other materials for checkout and Claudia visits Kachemak Kids Early Learning Center to share books, speaks with classes at area schools to talk about age-related programs, and represents the library at public events when possible. Because of budgetary constraints significant youth outreach efforts, however, are not possible.



Photo courtesy of Meg Lyon

What *is* new about this outreach project is the opportunity opened up by the partnership and grant funding for HPL to share the traveling storytimes with more families both beyond the physical walls of the library and beyond the area regularly served by local organizations involved with early literacy.

Storytime on the Road

Objective

The purpose of the traveling storytimes was to offer language and literacy skills to underserved populations outside the City of Homer as well as opportunities for families to create and strengthen social networks, crucial to early development.

McNeil Canyon

On Fridays² from January 11-March 29, 2013 (twelve weeks), Claudia visited families living near McNeil Canyon (approximately 13 miles East of Homer) at the McNeil Canyon Fire Station operated by Kachemak Emergency Services. Each storytime lasted about an hour and included these tools used to provide a fun experience for kids and to promote the early literacy skills discussed above:

- theme-related, age-appropriate books read aloud using “dialogic reading”³
- fingerplays and children’s songs using a flannelboard, musical instruments (shakers or rhythm sticks), and/or puppets
- literacy games
- vocabulary-building conversation with children
- storytelling
- theme-related crafts completed onsite by children and their caregivers
- early literacy education for parents

Themes included: weather, Lunar New Year, things that go, Easter and bunnies, the jungle, dogs, artists and illustrators, fire safety, and dinosaurs.

Families were also able to:

- learn about early literacy
- apply for a HPL library card
- check in/out books and children’s materials remotely (at storytimes)
- share and receive parenting advice
- learn about community resources
- receive information about area children’s activities
- get reading recommendations for both kids and adults
- learn about digital resources like Tumblebooks and Listen Alaska



² Claudia offered the traveling storytimes on Fridays so she could continue to offer the regular youth programs at the library and to perform other tasks as part of her part-time job at HPL Monday through Thursday.

³ Dialogic reading actively engages children in the reading of a book and involves the adult asking questions, prompting the child to say something about the book, evaluating and expanding on what s/he says, and repeating what the child said to insure the child has learned from the repetition. The reading of the book becomes a discussion. (Whitehurst)

- tour the McNeil Canyon Fire Station thanks to Kachemak Emergency Services staff who also discussed fire safety while demonstrating firefighter equipment during storytime (Families checked out chimney sweeps and inquired about EMT course during storytime also)
- receive information about services provided by Kachemak Family Planning Clinic
- register children under 5 to receive free books from Homer Imagination Library



Each visit to McNeil required one hour of set up, a 1-1 ½ hour storytime program, and 1/2 - 3/4 hour clean up. Families with children ranging in age from six months to seven years participated. Some attended weekly, and some on occasion. The older children accompanied younger children on school closure days. On two occasions, representatives from community organizations accompanied Claudia to talk to the families about their services and answered questions.

Razdolna School

Every other Friday (a total of five visits due to Russian holiday), Claudia visited the kindergarten class at Razdolna School in the Russian Old Believer community of Razdolna, approximately 11 miles East of McNeil Canyon. The visit lasted approximately one hour and included the use of the following early literacy tools:

- theme-related, age-appropriate books read aloud using “dialogic reading”⁴
- storytelling
- fingerplays and children’s songs using a flannelboard, musical instruments (shakers or rhythm sticks), and/or puppets
- literacy games
- vocabulary-building conversation with children

No craft was incorporated into the program at Razdolna School due to time constraints.

The kindergarten class was made up of five and six year old students who were native Russian speakers and spoke English as a second language. In addition to the children in the class, two sets of caregivers and preschoolers participated on one occasion. Information about library services was



⁴ Dialogic reading actively engages children in the reading of a book and involves the adult asking questions, prompting the child to say something about the book, evaluating and expanding on what s/he says, and repeating what the child said to insure the child has learned from the repetition. The reading of the book becomes a discussion. (Whitehurst)

shared with teachers at the school, who have a collection of library materials, but have limited access to them because of space constraints.

Haven House

While project partners hoped storytimes at Haven House would be part of the project every other week (alternating with Razdolna School), no children were in residence when Claudia was able to provide the storytimes.

Homer Head Start

One visit to Head Start was included because of time available in the grant. Children in the program live in the library's service area, some outside the Homer city limits, but are unable to attend library storytimes because of childcare schedules, transportation, and, in some cases, lack of awareness about the library's services. The storytime included elements similar to those utilized at Razdolna School, but were age appropriate for the preschool's four and five year olds.

The Numbers

Planning and Assessment time

26.5 hours of planning and assessment were necessary for the project. This time included project planning (5 hours) and preparation for storytimes (14.5 hours) which included theme-related book and activity selection, craft preparation, communicating with site representatives and project partners, and advertising the program. Final assessment of the project, including compiling this report required 7 hours.

Program time

Storytime presentations accounted for the remainder of the Claudia's staff time. 61.5 hours was required for the total of 19 storytimes presented. This time included travel between the Homer Public Library and McNeil Fire Station and/or Razdolna School, travel between HPL and Homer Head Start, ½-2 hours of set-up and clean-up time at each location, and 1-1 ½ hours per program for each location.



Photo courtesy of Meg Lyon

Attendance

Children between the ages of 6 months and 7 years joined the McNeil Canyon Fire Station storytimes, along with mothers, fathers, aunts, uncles, and grandparents. At Razdolna School, children included members of the 2012-2013 kindergarten class (5 and 6 year olds) as well as preschoolers and parents who visited on one occasion. Homer Head Start's storytime included children in the onsite preschool program that were either 4 and 5 years old.

	McNeil Canyon Fire Station Attendance (every week)	Razdolna School Attendance (every other week, except for holidays)	Head Start Attendance (one time visit)
1/11/13	14	12	
1/18/13	12		
1/25/13	19	12	
2/1/13	14		
2/8/13	18	12	
2/15/13	17		
2/22/13	21	18	
3/1/13	16		
3/8/13	20		
3/15/13	7*		
3/22/13	11	13	
3/29/13	12	13	
4/25/13			17
Total number of attendees:	181	80	17

* Low attendance was primarily attributed to spring break for McNeil Canyon School (KPBSD). Many of the families have siblings in school or were associated with the school district in some way and chose not to come.

The Community Response

It is great to have a way to let my daughter meet and play with other kids. She loves it and watching Claudia communicate with the kids is a good learning tool for me. She is great and very good with the kids and parents. – storytime parent (McNeil Canyon Fire Station)

The response to the storytimes was overwhelmingly positive, as is indicated in the written parent evaluations (included as attachments to this report), email sent to HPL’s director, comments made to KBBI’s Aaron Selbig in a radio news story recorded at a McNeil storytime recorded on March 29, 2013 (Selbig, 2013), children’s participation in discussion and activities, and the regular attendance of multiple families at the programs.

Benefits cited by McNeil Canyon parents include:

- Development of social skills
- Introduction to new books
- Exposure to new art and crafts
- Learning listening skills
- Opportunity to interact with other kids

- Use of imagination
- Interaction with storyteller
- Fostering of awareness to detail
- Interactive learning
- Patience for reading
- Opportunities for parents to see other parenting techniques
- Introduction to and use of basic concepts like shapes, colors, and numbers
- Expands creativity with craft



Families also offered a few suggestions for the McNeil storytime and the space. They recommended:

- continuing the program beyond the 12 week pilot project
- including more musical instruments (with a bigger materials budget, HPL could purchase items such as music and rhythm toys for use in storytime)
- discussing topics less and reading stories as written (This comment related to a discussion about the jungle the group had before reading stories. Talking about the jungle/rain forest helps strengthen vocabulary, narrative skills, and print motivation, but for some kids it can be distracting or they can lose interest. Toddlers (2 and under) and preschool age children (3-5) have different experiences at storytime and this is why HPL offers programs for both age groups at the library. Focusing on the early literacy needs and abilities of each age group helps make the experience successful for everyone. At the McNeil storytime, the group was mixed age and Claudia attempted to meet the needs of all families.)
- blocking off areas like the fire station kitchen, so that the youngest kids won't explore too far from their parents

At both Razdolna School and Homer Head Start, children were engaged, but no parent evaluations were completed. (Letter of thanks for the visit to Homer Head Start included.) At these two locations, the children demonstrated they were interested in the stories, fingerplays, rhymes, and activities by asking questions, sharing related stories and past experiences, mentioning similar books, finishing rhymes, commenting on illustrations, asking for stories to be repeated, naming letters or reading words, and retelling read aloud stories in their own words.

Razdolna School was fortunate this year to be part of the Homer Library's Storytime Project. The Razdolna Kindergarten students loved Claudia's story hour presentations. Their love of reading received a real boost with the excellent book selections and the masterful and engaging presentations. A big cheer for "Miss Claudia"! (In our best library voices.)

- Ann Agosti-Hackett, Razdolna School

Highlights

The twelve week program was a noteworthy experience for both the participating families and HPL staff and achieved its objectives. Children and their caregivers were successfully exposed to early literacy skills, social networking opportunities with other families, and examples of how to share reading with children.

The experience of HPL staff was also positive. The effects of the outreach program on library use were felt immediately. Staff met more families living within the library's service area, shared information about library services, circulated more library materials, promoted early literacy and library related programs, and welcomed kids and teens from Razdolna, Voznesenka, and Kachemak-Silo schools to the library and provided tours and activities during class visits. These visits were planned as a result of storytimes at Razdolna School and library staff meeting teachers and staff.)



Funding

The traveling storytime outreach program was made possible with grants from Best Beginnings Homer and the Homer Foundation as well as support from the City of Homer, Kachemak Emergency Services, and Razdolna School. Contributors and community partners provided the following:

- *Homer Foundation*- provided funding for staff time (planning, implementation, and assessment).
- *Homer Best Beginnings*- provided funding for staff time (planning, implementation, and assessment).
- *City of Homer (Homer Public Library)*- provided professional staff, city car for transportation, use of copier, computer and storytime props (flannelboard, shakers, rhythm sticks, etc.), and program oversight.
- *Friends of the Homer Public Library*- provided materials for storytime crafts.
- *Kachemak Emergency Services*- provided space for McNeil Canyon storytimes January through March, a visit by Assistant Chief Steve Boyle to talk about fire safety, and a tour of the fire trucks and other equipment housed at the station.
- *Razdolna School*- hosted storytimes every other week in kindergarten classroom for kindergartners and interested family members.
- *Homer Head Start*- welcomed one storytime visit in April.
- *Homer Imagination Library (Sprout)*- one visit to storytime at McNeil Canyon and one to Razdolna School.

- *Kachemak Family Planning Clinic*- one visit by outreach manager Chris Fontaine to storytime at McNeil Canyon.

Conclusion

Storytime outreach allows libraries to provide early literacy experiences to children in the community who may not otherwise be able to visit the library. It also helps provide information about library services to families who may not be familiar with the library. This pilot project successfully demonstrated that traveling storytimes meet the early literacy and social needs of families living in the library's service area but who are unable to attend programs at the library. It also demonstrated that outreach can increase use of the physical library and its resources.



While there is demand for successful programs like the traveling storytimes at McNeil Canyon Fire Station, Razdolna School, and Homer Head Start and interest among library staff to continue outreach efforts, the Homer Public Library does not currently have the resources to do so at this time.

Works Cited

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Selbig, Aaron. Library's Popular 'StoryTime' Takes the Show On the Road. *KBBI*. <http://www.kbbi.org/content/libraris-popular-storytime-takes-show-road> Accessed May 6, 2013.



RurAL CAP Homer Head Start
1266 Ocean Drive
Homer, Alaska 99603
May 2, 2013

Claudia Haines
Youth Services
Homer Public Library
chains@cityofhomer-ak.gov

Dear Ms. Haines,

On behalf of children and families enrolled in our program, I wish to express appreciation for the outreach services provided by Homer Public Library. Your recent visit to our classroom allowed children to participate in your Preschool Story Hour. This well-loved and valuable literacy program is typically unavailable to children in our program because of schedule conflicts or lack of transportation for many families.

As an early childhood educator, I understand the importance of immersing young children in language and literacy rich environments to provide the necessary foundation for all future learning. Helping families understand their role as their child's first teacher is a crucial piece. Your visit to Head Start not only provided children with a high quality literacy experience, but also provided a link between families and literacy resources in our community. Furthermore, your engagement with children and books served as a model for staff and parent volunteers in our classroom.

I look forward to a continued partnership between RurAL CAP Head Start and Homer Public Library to support emergent literacy for all young children in our community.

Sincerely,

Terri L Mach

Terri L. Mach
Education Coordinator

Outreach Storytime Program 2013 -Parent Feedback

---- feel free to write more comments on back.

What do you feel your child gained from the storytime program?

Craft skills, Imagination

How could the storytime be improved?

Approximately how many times did you and your child attend the storytime program at McNeil (it was offered 12 times)?

3

Have you attended any programs at the Homer Public Library?

What did you think of the McNeil Firehall location? Do you have improvements/suggestions for future storytimes here or other location in this area? we love the fire hall location.

What could have made it easier for you and your child to attend (transportation, different location, different time of year or time of day, etc.)

This storytime outreach program was made possible by a collaboration between the Homer Public Library and Best Beginnings Homer with additional financial support from the Homer Foundation and Kachemak Emergency Services. Would you like to get a 1x month email update from Best Beginnings Homer about future events and programs like these for families with young children or professionals working with young children?

Email address: jwboyd10@yaho.com

Printed Name: Jason Boyd

Phone (optional):

Outreach Storytime Program 2013 -Parent Feedback

---- feel free to write more comments on back.

What do you feel your child gained from the storytime program?

INTERACTION WITH THE STORIES TELLER WAS STIMULATING AND POSTED AWARENESS TO DETAILS

How could the storytime be improved? Funding to make it a permanent program

Approximately how many times did you and your child attend the storytime program at McNeil (it was offered 12 times)?

12 Times

Have you attended any programs at the Homer Public Library?

Yes

What did you think of the McNeil Firehall location? Do you have improvements/suggestions for future storytimes here or other location in this area?

1/2 mile from my house! I thought it was great

What could have made it easier for you and your child to attend (transportation, different location, different time of year or time of day, etc.)

Everything was perfect

This storytime outreach program was made possible by a collaboration between the Homer Public Library and Best Beginnings Homer with additional financial support from the Homer Foundation and Kachemak Emergency Services. Would you like to get a 1x month email update from Best Beginnings Homer about future events and programs like these for families with young children or professionals working with young children?

Email address: RLStowe@yaho.com

Printed Name: Rod Stowe

Phone (optional): 235-2049

Outreach Storytime Program 2013 -Parent Feedback
--- feel free to write more comments on back.

What do you feel your child gained from the storytime program?

Social interaction, new books, arts and crafts... and we get to see the fire trucks when it's over!

How could the storytime be improved?

more enclosed area

Approximately how many times did you and your child attend the storytime program at McNeil (it was offered 12 times)?

8 times

Have you attended any programs at the Homer Public Library?

its far away yes but only a few

What did you think of the McNeil Firehall location? Do you have improvements/suggestions for future storytimes here or other location in this area?

Loved it! closing off some areas would be nice.

What could have made it easier for you and your child to attend (transportation, different location, different time of year or time of day, etc.)

nothing! perfect time perfect location!
Please have it again!!

This storytime outreach program was made possible by a collaboration between the Homer Public Library and Best Beginnings Homer with additional financial support from the Homer Foundation and Kachemak Emergency Services. Would you like to get a 1x month email update from Best Beginnings Homer about future events and programs like these for families with young children or professionals working with young children? yes

Email address: DylanKLyon@gmail.com

Printed Name: Dylan Lyon

Phone (optional): 226-7065

Outreach Storytime Program 2013 -Parent Feedback
--- feel free to write more comments on back.

What do you feel your child gained from the storytime program?

He's maturing in social skills!

How could the storytime be improved?

Incorporate musical instruments more! :D

Approximately how many times did you and your child attend the storytime program at McNeil (it was offered 12 times)?

2 times

Have you attended any programs at the Homer Public Library?

What did you think of the McNeil Firehall location? Do you have improvements/suggestions for future storytimes here or other location in this area?

Great location!

What could have made it easier for you and your child to attend (transportation, different location, different time of year or time of day, etc.)

It's been easy for me! Thank you!

This storytime outreach program was made possible by a collaboration between the Homer Public Library and Best Beginnings Homer with additional financial support from the Homer Foundation and Kachemak Emergency Services. Would you like to get a 1x month email update from Best Beginnings Homer about future events and programs like these for families with young children or professionals working with young children?

Email address: sweetheartbutterfly@gmail

Printed Name: Brittany Mahan

Phone (optional): _____

Outreach Storytime Program 2013 -Parent Feedback
---- feel free to write more comments on back.

What do you feel your child gained from the storytime program?

She enjoys the craft project + the interactions w/ other kids

How could the storytime be improved?

less elaborating on the stors, just read (for the younger kids esp.)

Approximately how many times did you and your child attend the storytime program at McNeil (it was offered 12 times)? 3

Have you attended any programs at the Homer Public Library? Very few

What did you think of the McNeil Firehall location? Do you have improvements/suggestions for future storytimes here or other location in this area? Great for east end people - would love to incorporate the fire trucks!

What could have made it easier for you and your child to attend (transportation, different location, different time of year or time of day, etc.) great time/location for us.

This storytime outreach program was made possible by a collaboration between the Homer Public Library and Best Beginnings Homer with additional financial support from the Homer Foundation and Kachemak Emergency Services. Would you like to get a 1x month email update from Best Beginnings Homer about future events and programs like these for families with young children or professionals working with young children? no thanks!

Email address: _____

Printed Name: _____

Phone (optional): _____

Outreach Storytime Program 2013 -Parent Feedback
---- feel free to write more comments on back.

What do you feel your child gained from the storytime program?

important interaction w/other kids of different ages, learning listening skills

How could the storytime be improved?

Nothing - its great!

Approximately how many times did you and your child attend the storytime program at McNeil (it was offered 12 times)? 10

Have you attended any programs at the Homer Public Library? Yes, Thursday Lapsit

What did you think of the McNeil Firehall location? Do you have improvements/suggestions for future storytimes here or other location in this area? The firehall location is great, especially for kids that live in the area

What could have made it easier for you and your child to attend (transportation, different location, different time of year or time of day, etc.) Nothing - its very convenient.

This storytime outreach program was made possible by a collaboration between the Homer Public Library and Best Beginnings Homer with additional financial support from the Homer Foundation and Kachemak Emergency Services. Would you like to get a 1x month email update from Best Beginnings Homer about future events and programs like these for families with young children or professionals working with young children? Yes, please

Email address: snowfish12@yahoo.com

Printed Name: Ann Crave

Phone (optional): 907-799-6103

Outreach Storytime Program 2013 -Parent Feedback

---- feel free to write more comments on back.

What do you feel your child gained from the storytime program?

she has learned shapes, and the story with crafts really opens her creativity

How could the storytime be improved?

we think it is awesome and even well balanced for the spectrum of children

Approximately how many times did you and your child attend the storytime program at McNeil (it was offered 12 times)?

5 times, would have gone more if had not been a few, but town trips usually fill up w/errands.

Have you attended any programs at the Homer Public Library?

Yes, but town trips usually fill up w/errands.

What did you think of the McNeil Firehall location? Do you have improvements/suggestions for future storytimes here or other location in this area?

I think the fire hall is a great location, the tour + fireman, fire safety day was a big hit too.

What could have made it easier for you and your child to attend (transportation, different location, different time of year or time of day, etc.)

Nothing, this place is great!

This storytime outreach program was made possible by a collaboration between the Homer Public Library and Best Beginnings Homer with additional financial support from the Homer Foundation and Kachemak Emergency Services. Would you like to get a 1x month email update from Best Beginnings Homer about future events and programs like these for families with young children or professionals working with young children?

Email address: wakenbybird@yahoo.com

Printed Name: Dianna Lockwood

Phone (optional):

Outreach Storytime Program 2013 -Parent Feedback

---- feel free to write more comments on back.

What do you feel your child gained from the storytime program?

she gets to see and interact with other kids. it helps me see how other people communicate with their kids

How could the storytime be improved?

no suggestions you have thought it out well and are prepared and have experience with kids parents

Approximately how many times did you and your child attend the storytime program at McNeil (it was offered 12 times)?

7 or 8 Yes

Have you attended any programs at the Homer Public Library?

What did you think of the McNeil Firehall location? Do you have improvements/suggestions for future storytimes here or other location in this area? great location for us. nice facility

What could have made it easier for you and your child to attend (transportation, different location, different time of year or time of day, etc.)

This storytime outreach program was made possible by a collaboration between the Homer Public Library and Best Beginnings Homer with additional financial support from the Homer Foundation and Kachemak Emergency Services. Would you like to get a 1x month email update from Best Beginnings Homer about future events and programs like these for families with young children or professionals working with young children?

Email address: youngchrisd@hotmail.com

Printed Name: Chris Young

Phone (optional): 279-4156

Great job Keep up, this is good

Outreach Storytime Program 2013 -Parent Feedback

--- feel free to write more comments on back.

What do you feel your child gained from the storytime program?

~~None~~ Being active
interaction with other kids
interactive learning
Increased in Frequency

How could the storytime be improved?

Approximately how many times did you and your child attend the storytime program at McNeil (it was offered 12 times)? 6-8

Have you attended any programs at the Homer Public Library? yes

What did you think of the McNeil Firehall location? Do you have improvements/suggestions for future storytimes here or other location in this area?

good area close proximity to most fast end homes well known location.

What could have made it easier for you and your child to attend (transportation, different location, different time of year or time of day, etc.)

6

This storytime outreach program was made possible by a collaboration between the Homer Public Library and Best Beginnings Homer with additional financial support from the Homer Foundation and Kachemak Emergency Services. Would you like to get a 1x month email update from Best Beginnings Homer about future events and programs like these for families with young children or professionals working with young children?

Email address: talleeboyd@yahoo.com

Printed Name: Tallee Boyd

Phone (optional): 907 2350584

0

Outreach Storytime Program 2013 -Parent Feedback

--- feel free to write more comments on back.

What do you feel your child gained from the storytime program?

Socializing with other kids
New experiences in art
patience for reading

How could the storytime be improved?

It's so great every week! I'm learning too - so it's difficult to think of something it needs

Approximately how many times did you and your child attend the storytime program at McNeil (it was offered 12 times)? 7

Have you attended any programs at the Homer Public Library? yes

What did you think of the McNeil Firehall location? Do you have improvements/suggestions for future storytimes here or other location in this area? So wonderful!! Nice + close to home - which means less travel time + money. The only other place I could think of would be the McNeil School library.

What could have made it easier for you and your child to attend (transportation, different location, different time of year or time of day, etc.)

This was perfect!

This storytime outreach program was made possible by a collaboration between the Homer Public Library and Best Beginnings Homer with additional financial support from the Homer Foundation and Kachemak Emergency Services. Would you like to get a 1x month email update from Best Beginnings Homer about future events and programs like these for families with young children or professionals working with young children?

Email address: meglyon-photography@yahoo.com

Printed Name: Meg Lyon

Phone (optional): 2350653

Memorandum

TO: MAYOR WYTHE AND CITY COUNCIL
FROM: JO JOHNSON, MMC, CITY CLERK
DATE: February 18, 2014
SUBJECT: GAMES REPORT

We have received notification of a 2014 Gaming Permit Application by the following entities:

Homer Society of Natural History, Inc.

RECOMMENDATION:

Informational only.

Fiscal Note: Revenues.

Alaska 2014 Gaming Permit Application



EB 18 2014

826

Organization Information

Federal EIN 92-6002856	If renewing, enter gaming permit # 0381	Phone Number (907) 235-8635	Fax Number (907) 235-2764
Organization Name Homer Society of Natural History, Inc.		Website Address www.prattmuseum.org	
Mailing Address 3779 Bartlett Street		City Homer	State AK
		Zip Code 99603	
Entity Type (check one)		Organization Type (check one) for definitions see AS 05.15.690 and 15 AAC 160.995.	
<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Association		<input type="checkbox"/> Charitable <input type="checkbox"/> Civic or service <input type="checkbox"/> Dog mushers' association <input checked="" type="checkbox"/> Educational <input type="checkbox"/> Fishing derby association <input type="checkbox"/> Fraternal <input type="checkbox"/> Labor <input type="checkbox"/> Municipality <input type="checkbox"/> Nonprofit trade association <input type="checkbox"/> Outboard motor association <input type="checkbox"/> Police or fire department <input type="checkbox"/> Political <input type="checkbox"/> Religious <input type="checkbox"/> Veterans <input type="checkbox"/> IRA/Native Village	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Does the organization have 25 or more members, as defined in your articles of incorporation or bylaws, who are Alaska residents?			

Members in Charge of Games

Members in charge must be natural persons and active members of the organization or employees of the municipality and designated by the organization. Members in charge may not be licensed as an operator, be a registered pull-tab vendor or an employee of a vendor for this organization. If more than one alternate, attach a separate sheet.

Primary Member First Name Heidi	M.I. J	Primary Member Last Name Stage	Alternate Member First Name Diane	M.I. L	Alternate Member Last Name Converse
Social Security Number 090-56-6123		Email hstage@prattmuseum.org	Social Security Number 531-64-6138		Email director@prattmuseum.org
Daytime Phone Number (907) 235-8635		Mobile Number (907) 299-2454	Daytime Phone Number (907) 235-8635		Mobile Number (907) 299-4794
Home Mailing Address PO Box 1970			Home Mailing Address PO Box 513		
City Homer	State AK	Zip Code 99603	City Homer	State AK	Zip Code 99603
Has the primary member passed the test? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Permit # under which test was taken: 0381	Has the alternate member passed the test? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Permit # under which test was taken: 0381

Legal Questions

These questions must be answered. If you answer Yes to either question, see instructions.

<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Does any member of management or any person who is responsible for gaming activities have a prohibited conflict of interest as defined by 15 AAC 160.954?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Has any member of management or any person who is responsible for gaming activities ever been convicted of a felony, extortion, or a violation of a law or ordinance of this state, or another jurisdiction, that is a crime involving theft or dishonesty, or a violation of gambling laws?
---	--

We declare, under penalty of unsworn falsification, that we have examined this application, including any attachments, and that, to the best of our knowledge and belief, it is true and complete. We understand that any false statement made on the application or any attachments is punishable by law. By our signatures below we, the primary member, the alternate member, and if applicable, the manager of games, agree to allow the Department of Revenue to review any criminal history we may have, in accordance with 15 AAC 160.934.

Primary Member In Charge's Signature <i>Heidi J. Stage</i>	Printed Name Heidi J. Stage	Date 02/10/2014
President or Other Officer's Signature (see instructions) <i>Mildred Martin</i>	Printed Name Mildred Martin	Date 02/10/2014
Alternate Member In Charge's Signature <i>Diane L. Converse</i>	Printed Name Diane L. Converse	Date 02/10/2014
Manager of Games Signature	Printed Name	Date

DEPARTMENT USE ONLY
Validation #
Date Stamp

One copy of the completed application must be sent to the nearest municipality or borough.
See instructions for mandatory attachments.

Pay online with OTIS at www.tax.alaska.gov or make check payable to State of Alaska. New applicants must pay by check.

Permit Fee

The permit fee is based on the 2013 estimated gross receipts. Check the appropriate box.

<input type="checkbox"/> New applicant	\$20
<input checked="" type="checkbox"/> \$0 - \$20,000	\$20
<input type="checkbox"/> \$20,001 - \$100,000	\$50
<input type="checkbox"/> \$100,001 or more	\$100

826

Mail to: Alaska Department of Revenue, PO Box 110420, Juneau AK 99811-0420

0405-826 Rev 03/30/13 - page 1

2014 Alaska Gaming Permit Application

826

Gaming Permit # 381	Organization Name Homer Society of Natural History, Inc.
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Facility-Based Games (self-directed) If more than two facilities, attach a separate sheet.

Facility Name Pratt Museum	Physical Address 3779 Bartlett Street	City Homer	State AK	Zip Code 99603
Facility Type (check one) <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased <input type="checkbox"/> Donated	Game Type (check all that apply) <input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Pull-tabs <input type="checkbox"/> Animal classic (chicken)* <input type="checkbox"/> Animal classic (rat race)* <input type="checkbox"/> Special draw raffle ** <input type="checkbox"/> Calcutta pool**			
Facility Name	Physical Address	City	State AK	Zip Code
Facility Type (check one) <input type="checkbox"/> Owned <input type="checkbox"/> Leased <input type="checkbox"/> Donated	Game Type (check all that apply) <input type="checkbox"/> Bingo <input type="checkbox"/> Raffle <input type="checkbox"/> Pull-tabs <input type="checkbox"/> Animal classic (chicken)* <input type="checkbox"/> Animal classic (rat race)* <input type="checkbox"/> Special draw raffle ** <input type="checkbox"/> Calcutta pool**			

Area-Based Games If more than two areas, attach a separate sheet. * restricted game type **see instructions for mandatory attachments

Area	Game type (check all that apply) <input type="checkbox"/> Raffle <input type="checkbox"/> Contest of skill <input type="checkbox"/> Fish derby <input type="checkbox"/> Dog musher' contest <input type="checkbox"/> Other (specify) _____ Classic/
Area	Game type (check all that apply) <input type="checkbox"/> Raffle <input type="checkbox"/> Contest of skill <input type="checkbox"/> Fish derby <input type="checkbox"/> Dog musher' contest <input type="checkbox"/> Other (specify) _____ Classic/

Manager of Games Required only for self-directed pull-tabs and bingo.

Manager First Name	MI	Manager Last Name	Social Security Number	Daytime Phone Number
Home Mailing Address			Email	Mobile Phone
City	State	Zip Code	Has the manager of games passed the test? <input type="checkbox"/> Yes <input type="checkbox"/> No	Permit # under which test taken

Vendor Information Attach 2013 vendor registration form(s) and fee(s) for each vendor listed below.

Bar or Liquor Store Name	Physical Address	City	State AK	Zip Code
Bar or Liquor Store Name	Physical Address	City	State AK	Zip Code
Bar or Liquor Store Name	Physical Address	City	State AK	Zip Code
Bar or Liquor Store Name	Physical Address	City	State AK	Zip Code
Bar or Liquor Store Name	Physical Address	City	State AK	Zip Code

Operator Information

Designate operator who will conduct activities on the organization's behalf. Attach signed operating contract(s). If more than one operator, attach a separate sheet.

Operator License #	Operator	Facility Name	Game Type(s)	
Physical Address		City	State	Zip Code

Multiple-Beneficiary Permittee Information (MBP)

Designate the MBP with which the organization has signed a partnership or joint venture agreement.

MBP Permit #	MBP Name	Facility Name	Game Type(s)	
Physical Address		City	State	Zip Code

Dedication of Net Proceeds Describe in detail how the organization will use the net proceeds from gaming activities.

Net proceeds will be dedicated to the educational programs of the Pratt Museum, a private non-profit museum serving the Kenai Peninsula.

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CITY ATTORNEY REPORT

COMMITTEE REPORTS

PENDING BUSINESS

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/Planning

4 RESOLUTION 14-028
5

6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING THE HOMER ADVISORY PLANNING COMMISSION
8 POLICIES AND PROCEDURES MANUAL REVIEW POLICIES FOR
9 CONDITIONAL USE PERMITS "REVIEW STANDARDS" AND
10 POLICY FOR REVIEW OF ZONING VARIANCES
11 "DETERMINATION" TO PERMIT FOUR INSTEAD OF FIVE
12 MEMBERS OF THE HOMER ADVISORY PLANNING
13 COMMISSION TO APPROVE A CONDITIONAL USE PERMIT AND
14 A VARIANCE.
15

16 WHEREAS, The Homer Advisory Planning Commission is made up of appointed
17 members who despite their best efforts cannot attend every commission meeting; and
18

19 WHEREAS, Requiring a supermajority of the commission's membership to approve a
20 conditional use permit or a variance impedes with their ability to conduct hearings and issue
21 decisions on a timely basis; and
22

23 WHEREAS, By expanding the Commission's authority to approve a conditional use
24 permit or a variance with four members instead of five members is in the City's best interest to
25 conduct business timely; and
26

27 WHEREAS, These amendments were reviewed and discussed by the Homer Advisory
28 Planning Commission at their November 6, 2013 and January 2, 2014 meetings and received
29 unanimous support from the commission.
30

31 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, hereby
32 amends the Homer Advisory Planning Commission Policies and Procedures Manual Review
33 Policies for Conditional Use Permits "Review Standards" and Policy for Review of Zoning
34 Variances "Determination" to permit four instead of five members of the Homer Advisory
35 Planning Commission to approve a conditional use permit or a variance.
36

37 PASSED AND ADOPTED by the Homer City Council on this ____ day of February, 2014.
38

39 CITY OF HOMER
40

41
42 _____
43 MARY E. WYTHE, MAYOR
44

45 ATTEST:

46

47

48

49 _____
JO JOHNSON, MMC, CITY CLERK

50

51 Fiscal Note: N/A



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Staff Report 13-93

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: December 4, 2013 **postponed to Jan 2, 2014**
SUBJECT: Amending the HAPC Bylaws & Policies and Procedures

At the November 6, 2013 meeting, the Planning Commission directed staff to bring forth amendments to the HAPC Bylaws and Policies and Procedures Manual. The changes to the documents are listed below. Final action on these amendments will be at the January 2nd meeting. Amendments must be presented in writing at one meeting, and may be acted upon at the next meeting. This meeting is the first where the proposed amendments are provided in writing. A separate staff report will introduce an accompanying ordinance at the January 2nd meeting to provide needed code amendments to Title 21 and Title 1.

1. Remove the majority plus one vote needed for Conditional Use Permits and Variances.

a. From HAPC Bylaws, pg 4, Section K. Quorum; Voting:

"Four Commission members shall constitute a quorum. Four affirmative votes are required for the passage of a ~~an ordinance, resolution or motion. Conditional use permits and zoning variances require a majority plus one vote.~~ Voting will be by verbal vote, the order to be rotated. The final vote on each resolution or motion is a recorded roll call vote or may be done in accordance with J. Consensus. For purposes of notification to parties of interest in a matter brought before the Commission, the Chair may enter for the record the vote and basis for determination."

From the HAPC Policies and Procedures Manual:

b. Page 4 of 8, Conditional Use Permits, delete text stating "~~Approval of a conditional use permit requires five yes votes.~~"

c. Page 8 of 8, Variances, delete text stating "~~Approval of a variance requires five yes votes.~~"

2. Amend the number of times a Commissioner may miss meetings from three consecutive or six regular meetings in a calendar year; to three consecutive unexcused absences, with the Chair approving absences or six regular meetings in a calendar year.

a. From HAPC Bylaws, pg 5, Section O. Vacancies:

"A Commission appointment is vacated under the following conditions and upon the declaration of vacancy by the Commission. **The Chair shall determine excused absences.** The Commission shall declare a vacancy when the person appointed:

1. Fails to qualify;
2. Fails to take office within thirty days after his/her appointment;
3. Resigns and the resignation is accepted;
4. Is physically or mentally unable to perform the duties of his/her office;
5. Misses three consecutive **unexcused** or six regular meetings in a calendar year; or
6. Is convicted of a felony or of an offense involving a violation of his/her oath of office."

Requested action:

The HAPC review and move to amend the bylaws and policies and procedures manual.

Attachments:

1. Draft minutes excerpt from 11/6/2013 meeting
2. Draft Bylaws
3. Draft Policy and Procedures



City of Homer

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Memorandum PL 14-01

TO: Homer Advisory Planning Commission

THROUGH: Rick Abboud, City Planner

FROM: Julie Engebretsen, Planning Technician

DATE: December 20, 2014

SUBJECT: Draft Ordinance 14-XX Amending HCC 21.71.050(d) to allow a simple majority vote for approval of Conditional Use Permits

This memo contains the planning staff review of the zoning code amendment as required by HCC 21.95.040.

21.95.040 Planning Department review of code amendment. The Planning Department shall evaluate each amendment to this title that is initiated in accordance with HCC 21.95.010 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

a. Is consistent with the comprehensive plan and will further specific goals and objectives of the plan.

Discussion: Comprehensive Plan Chapter 4 Goal 3 Object A states: "Create a clear, coordinated regulatory framework that guides development." One of the implementation strategies states: "Provide a clear and predictable approval process for every development including organizing project review and permitting and providing appropriate staff review."

This proposed amendment will allow a decision on a conditional use permit at any meeting with a quorum of Homer Advisory Commission members. This will give applicants greater certainty as to when their application will be heard by the Commission, and a decision rendered.

Staff response: This amendment is consistent with the Comprehensive Plan.

b. Will be reasonable to implement and enforce.

Staff response: This code amendment will be reasonable to implement and enforce. The amendment relaxes a more stringent code requirement.

c. Will promote the present and future public health, safety and welfare.

Staff response: A vote of four Commissioners will still be required to approve a conditional use permit, thus protecting the present and future public health, safety and welfare.

d. Is consistent with the intent and wording of the other provisions of this title.

Staff response: This amendment is consistent with the intent and wording of other provisions of this title. Within Homer City Code, only Conditional Use Permits require a vote of a supermajority, or five Commissioners. All other business, such as variances, nonconforming reviews, conditional fence permits, public signs and Bridge Creek Watershed mitigation plans only require four affirmative votes for approval. The amendments have been reviewed by the City Attorney and are deemed consistent with the intent and wording of the other provision of this title.

21.95.010 Initiating a code amendment.

Staff response: The Planning Commission initiated the code amendment at the November 6th, 2013 Work Session, per 21.95.010(b).

21.95.030 Restriction on repeating failed amendment proposals.

Staff response: This section of code is found to be not applicable.



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STAFF REPORT PL 14-02

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Planning Technician
MEETING: January 2, 2014
SUBJECT: Draft Ordinance 14-XX Amending HCC 21.71.050(d) to allow a simple majority vote for approval of Conditional Use Permits

Requested Action: Conduct a public hearing and forward a recommendation to the City Council.

GENERAL INFORMATION

Under Homer City Code 21.71.050(d), approval of a conditional use permit requires five affirmative votes by the Commission. The Commission consists of citizen volunteers with busy lives. Most of the time, there are five Commissioners at every meeting to hear and make decisions upon conditional use applications, but not always. Reducing the number of yes votes to four will allow the Commission to make a decision at any meeting for which there is a quorum. No other matter the Commission decides upon requires a supermajority.

STAFF COMMENTS/RECOMMENDATIONS:

Conduct a public hearing, consider testimony, and make a recommendation to the City Council.

ATTACHMENTS

1. Draft Ordinance 14-xx Amending HCC 21.71.050(d)
2. Memorandum PL 14-01 Staff Review

Plat Consideration

None

Pending Business

None

New Business

A. Staff Report PL 13-86 Review of Bylaws

Acting City Planner Engebretsen briefly reviewed the staff report and noted discussion during the worksession about the Commissioner absences as outlined in the bylaws, and also changing the voting requirements to a simple majority regarding CUP's and variances. She noted that staff doesn't have a recommendation at this time regarding the simple majority issue.

Commissioner Highland expressed interest in Commissioners being allowed to participate telephonically. She understands that it couldn't be done for the quasi-judicial actions of the meeting, but for the other parts it would be helpful when people are ill or travelling.

Acting City Planner Engebretsen noted that because of the actions the Commission addresses, it would significantly limit what the person on the phone could speak to. She also explained her experience has been that some people do well at participating telephonically but many don't.

SONNEBORN/HIGHLAND MOVED TO AMEND BYLAWS TO ENABLE A SIMPLE MAJORITY TO APPROVE A CONDITIONAL USE PERMIT OR VARIANCE.

Commissioner Slone noted that during the worksession they discussed and agreed that because staff clearly does a more than adequate job of reviewing criteria for CUP and variances to verify compliance with the ordinances. Generally very little discussion necessary by the Commissioners and four would be adequate from his perspective.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

HIGHLAND/SLONE MOVED TO ALLOW TELEPHONIC PARTICIPATION EXCEPT FOR PARTICIPATION ON ANY QUASI JUDICIAL MATTERS.

Commissioner Sonneborn commented she isn't sure they need that complication in their meetings. By addressing the voting, they won't have the problem of not enough Commissioners in the future. She thinks it is really important to be here in person. There are times when it is challenging to follow things when you're here in person, and being home with distractions she wouldn't trust that the group is getting full attention. It's only a couple times a month and people just need to plan to be here. If people are ill, their minds aren't up to it, so they should be home taking care of themselves. It is okay to miss a meeting sometimes.

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
NOVEMBER 6, 2013

Chair Venuti agreed with Ms. Sonneborn, but said it would be nice to call in and listen. Deputy City Clerk Jacobsen noted that if a Commissioner is absent and would like to hear the discussion, they can request a copy of the recording from the City Clerk's office.

Commissioner Highland reiterated that it is another possibility for Commissioners to participate if they have already missed some meetings.

VOTE: YES: HIGHLAND, SLONE
NO: SONNEBORN, VENUTI

Motion failed.

SLONE/HIGHLAND MOVED TO AMEND CITY CODE 1.76.040 C ANY COMMISSIONER WHO SHALL HAVE ~~TWO~~ **THREE** SUCCESSIVE UNEXCUSED ABSENCES SHALL BE SUBJECT TO REMOVAL BY THE COMMISSION BY A MAJORITY VOTE OF THE MEMBERS PRESENT; BYLAWS SECTION 0.5, THREE CONSECUTIVE **UNEXCUSED** OR SIX REGULAR MEETINGS IN A CALENDAR YEAR; AND REFINE THE WORD UNEXCUSED TO DEFINE THAT UNEXCUSED REQUIRES APPROVAL BY THE CHAIR.

Commissioner Slone explained that it gives a little more flexibility for extenuating circumstances they might miss more than three meetings, but requires them to be accountable for their time if the situation arises.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Commissioner Slone also noted a section of the policy manual that needs clarification under item U. It states "The policy and procedure manual will be endorsed by resolution of the City Council and may be amended at any meeting of the Commission by a majority plus one of the members,". He suggested changing it to "The amended policy and procedure manual must subsequently be endorsed by a resolution of the City Council." Acting City Planner Engebretsen recognized it as a grammatical change that staff can take care of.

B. Staff Report PL 13-87 Draft Ordinance 13-42 Amending the Definition of "Discontinued" in Homer City Code 21.61.015, Definitions, to Extend Time Required to Discontinue a Nonconforming Uses from 12 to 24 Months

Chair Venuti advised the Commission that he has a conflict of interest on this matter because he is involved with the Bayview Inn property.

There was discussion that with only 3 Commissioners in attendance to address the conflict it was recommended that this matter be postponed to the next meeting.

SLONE/SONNEBORN MOVED TO POSTPONE TO THE NEXT MEETING.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

Reports

- A. Staff Report PL 14-01, City Planner's Report

City Planner Abboud reviewed his staff report.

Public Hearings

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

- A. Staff Report PL 14-02, Draft Ordinance 14-XX Amending HCC 21.71.050(d) to allow a simple majority vote for approval of Conditional Use Permits

City Planner Abboud reviewed the staff report.

Chair Venuti opened the public hearing and there were no public comments.

BOS/HIGHLAND MOVED THAT THE PLANNING COMMISSION APPROVES THE DRAFT ORDINANCE AMENDING HOMER CITY CODE TO ALLOW A SIMPLE MAJORITY VOTE FOR THE APPROVAL OF CONDITIONAL USE PERMITS AND RECOMMENDS ADOPTION BY CITY COUNCIL.

There were comments in support of the draft ordinance noting that this change will improve the way the commission does business for the public and that staff does an exemplary job of reviewing and providing information for their review.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- B. Staff Report PL 14-04, Draft Ordinance 14-XX Amending HCC 21.12.020 and 21.12.030 to allow one accessory dwelling unit as a permitted use on a lot served by city water and sewer

City Planner Abboud reviewed the staff report.

Chair Venuti opened the public hearing.

Ken Castner, city resident, asked for clarification regarding the process for water and sewer hookups relating to the accessory dwellings. City Planner Abboud explained that the accessory dwelling would be hooked up to water and sewer as required by Public Works and as outlined in code.

BOS/HIGHLAND MOVED THAT THE PLANNING COMMISSION APPROVES THE DRAFT ORDINANCE AMENDING HOMER CITY CODE 21.12.020 AND 21.12.030 TO ALLOW AN ACCESSORY DWELLING UNIT AS A PERMITTED USE AND RECOMMENDS ADOPTION BY CITY COUNCIL.

Commissioner Slone commented that it brings up a good point whether the accessory dwelling will be put on a separate meter. It would be a significant consideration with respect to the income the city derives of the water and sewer system. It isn't a major consideration relating to this action, but is something to think about. Another point is that we are doing some infilling based on infrastructure and additional usage of water and sewer would be beneficial to the city.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Plat Consideration

A. Staff Report PL 14-05, Barnett's South Slope Subdivision Quiet Creek Park Preliminary Plat

City Planner Abboud reviewed the Commission's role in plat consideration and the staff report that includes the following recommendations:

- Planning Commission recommends approval of the preliminary plat, with the following comments:
 1. Increase the size of lot 2 to meet the dimensional size requirement of 10,000 square feet. Elimination or reduction in size of Park A to meet this requirement is acceptable.
 2. A development agreement is required.
 3. The shared driveways shall meet fire department access requirements.
 4. The developer shall clarify with Public Works prior to final platting which creeks shown on the plat have a drainage easement and the width of the easements.
 5. Continue the 15 foot utility easement around the bulb of Sophie Court
 6. Work with the City of Homer and the Kenai Peninsula Borough address officer on E911 compliant street names
 7. During the first phase of construction, build Nelson Ave and Ronda Street from East End Road all the way to the intersection with South Slope Drive, and that portion of South Slope Drive within the subdivision.
 8. Construct fire hydrants as part of the subdivision.
 9. Dedicate the area shown as Park "A" as future right of way providing access to the south of the subdivision.
 10. A fire department accessible shared driveway provides reasonable access to lot 8, and Tract A, AA Mattox Sub 1958 Addn, in lieu of a full right of way dedication to these lots.

Chair Venuti asked Commissioners who visited the site prior to the meeting to report to the Commission.

NEW BUSINESS

RESOLUTIONS

1 CITY OF HOMER
2 HOMER, ALASKA

3 Roberts/Lewis

4 RESOLUTION 14-033
5

6 A RESOLUTION OF THE HOMER CITY COUNCIL
7 DISAPPROVING THE DECISION TO APPROVE THE BARNETT'S
8 SOUTH SLOPE SUBDIVISION QUIET CREEK PARK
9 PRELIMINARY PLAT BY THE HOMER ADVISORY PLANNING
10 COMMISSION AND ASKING THE KENAI PENINSULA BOROUGH
11 PLANNING COMMISSION TO RECONSIDER THE PLAT TO
12 INCLUDE ALL DOCUMENTS THAT WERE SUBMITTED.
13

14 WHEREAS, The Homer Advisory Planning Commission considered the Barnett's South
15 Slope Subdivision Quiet Creek Park preliminary plat on December 4, 2013 and January 2, 2014;
16 and
17

18 WHEREAS, The Homer Advisory Planning Commission made a determination to
19 approve the preliminary plat on January 2, 2014; and
20

21 WHEREAS, Documents were submitted the Planning Department in a timely manner
22 before the January 2nd 2014 meeting and were not included in the packet; and
23

24 WHEREAS, Citizens have a right to due process; and
25

26 WHEREAS, A member of the Homer Advisory Planning Commission called for
27 reconsideration in a timely manner; and
28

29 WHEREAS, On January 15th, 2014, the Homer Advisory Planning Commission
30 determined not to reconsider the approval of the preliminary plat of the Barnett's South Slope
31 Subdivision Quiet Creek Park; and
32

33 WHEREAS, The Kenai Peninsula Borough Planning Commission has postponed the
34 consideration of this plat until March 10th, 2014; and
35

36 WHEREAS, The Homer City Council has the ability to disapprove the plat within 20 days
37 pursuant to Homer City Code 2.72.030(b); and
38

39 WHEREAS, The Homer City Council encourages the Kenai Peninsula Borough Planning
40 Commission to reconsider the plat to include all documents that were submitted.
41

42 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council disapproves the
43 decision to approve the Barnett's South Slope Subdivision Quiet Creek Park Preliminary Plat

44 by the Homer Advisory Planning Commission and asks the Kenai Peninsula Borough Planning
45 Commission to reconsider the plat to include all documents that were submitted.

46

47 PASSED AND ADOPTED by the Homer City Council this 24nd day of February, 2014.

48

49

CITY OF HOMER

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MARY E. WYTHER, MAYOR

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54

55 ATTEST:

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57

58

59 JO JOHNSON, MMC, CITY CLERK

60

61 Fiscal Note: N/A

62

63

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

