

Session 18-12 a Special Meeting of the Homer City Council was called to order on May 14, 2018 at 3:30 p.m. by Mayor Bryan Zak at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: ADERHOLD, ERICKSON LORD, SMITH, STROOZAS, VENUTI

STAFF: CITY MANAGER KOESTER
CITY CLERK JACOBSEN
PORT DIRECTOR/HARBORMASTER HAWKINS
CITY ATTORNEY WELLS

AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)

ADERHOLD/LORD MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

NEW BUSINESS

- A. Memorandum 18-054 from City Clerk, Request for Executive Session Pursuant to AS 44.42.310(A-C)(1), Matters, the Immediate Knowledge of Which Would Clearly have an Adverse Effect Upon the Finances of the Public Entity (Lease Compliance and Enforcement Regarding Parcel Number 18103444)

ADERHOLD/VENUTI MOVED TO APPROVE THE RECOMMENDATION OF MEMORANDUM 18-054 TO ADJOURN INTO EXECUTIVE SESSION TO DISCUSS LEASE COMPLIANCE AND ENFORCEMENT REGARDING PARCEL NUMBER 18103444.

Councilmember Aderhold noted for the record that City Manager Koester, Harbormaster Hawkins, and City Attorney Wells would be participating in the session.

VOTE: YES: VENUTI, ADERHOLD, SMITH, LORD, STROOZAS, ERICKSON

Motion carried.

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- B. Memorandum 18-055, from City Clerk Re: Request for Executive Session Pursuant to AS §44.62.310(a-c)(1 & 5) Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit and Attorney Client Privilege (Legal options regarding land preservation and slope stability concerns in Homer city limits.)

ADERHOLD/LORD MOVED TO APPROVE THE RECOMMENDATION OF MEMORANDUM 18-05 TO ADJOURN INTO EXECUTIVE SESSION TO DISCUSS LEGAL OPTIONS REGARDING LAND PRESERVATION AND SLOPE STABILITY CONCERNS IN HOMER CITY LIMITS.

Councilmember Aderhold noted for the record that City Manager Koester and City Attorney Wells would be participating in the session.

VOTE: YES: ADERHOLD, VENUTI, STROOZAS, SMITH, ERICKSON, LORD

Motion carried.

Council adjourned into executive session at 3:35 and the meeting reconvened at 4:53.

Councilmember Aderhold stated Homer City Council entered into executive session at 3:35 p.m. and concluded discussion on lease compliance and enforcement regarding parcel number 1810344 at 4:20 p.m. During the session the council discussed the status of lease status for parcel number 18103444 on the Homer Spit and gave the City Attorney direction regarding negotiation of lease terms.

Councilmember Aderhold stated Homer City Council entered into conversation on legal options regarding land preservation and slope stability concerns in Homer city limits at 4:21 p.m. and concluded at 4:50 p.m. During the session Council discussed the legal options regarding land preservation and slope stability issues in the Homer area including Baycrest Subdivision. Legal considerations discussed included potential financial implications to the City of Homer of intervening in naturally occurring drainage patterns, direction was given to the City Attorney to determine the potential liability of the City.

ADJOURNMENT

There being no further business to come before the Council Mayor Zak adjourned the meeting at 4:55 p.m. The next Regular Meeting is Tuesday, May 29, 2018 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

MELISSA JACOBSEN, MMC, CITY CLERK

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Approved: _____