

City Council
Tuesday
May 27, 2014

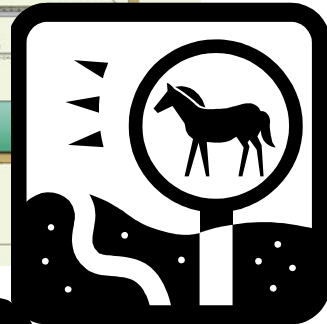
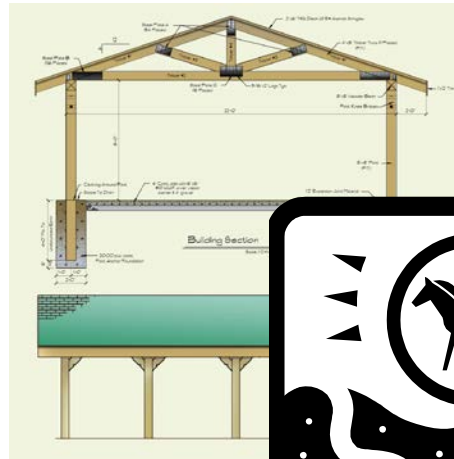


Committee of the Whole 5:00 P.M.
Regular Meeting 6:00 P.M.



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

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May/June 2014

Tuesday 27 th	CITY COUNCIL Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.
Wednesday 28 th	PORT AND HARBOR ADVISORY COMMISSION Regular Meeting 6:00 p.m.
Monday 2 nd	VESSEL HAUL-OUT TASK FORCE Meeting 3:30 p.m.
	PORT & HARBOR BUILDING TASK FORCE Meeting 5:15 p.m.
Wednesday 4 th	PLANNING COMMISSION Worksession 5:30 p.m. and Regular Meeting 6:30 p.m.
Friday 6 th	KACHEMAK BAY WATER TRAIL RIBBON CUTTING CEREMONY 5:00 p.m. – 8:00 p.m.
Monday 9 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 WYTHE, 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



COMMITTEE OF THE WHOLE
5:00 P.M. TUESDAY
MAY 27, 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.**
2. **AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)
3. **Ordinance 14-25**, An Ordinance of the City Council of Homer, Alaska, Amending the 2014 Operating Budget to Reallocate a Water Fund Capital Budget Item Expenditure at the Water Treatment Plant to Evaluate Alternatives to Reduce Disinfection By-Products in the Drinking Water. City Manager/Public Works Director. **Page 77**

Memorandum 14-087 from Public Works Director as backup. **Page 81**
4. **CONSENT AGENDA**
5. **REGULAR MEETING AGENDA**
6. **COMMENTS OF THE AUDIENCE**
7. **ADJOURNMENT NO LATER THAN 5:50 P.M.**
Next Regular Meeting is Monday, June 9, 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. TUESDAY
MAY 27, 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

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

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

2. AGENDA APPROVAL

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

4. RECONSIDERATION

5. CONSENT AGENDA

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

A. Homer City Council unapproved Special Board of Adjustment meeting minutes of April 15, 2014 and Regular meeting minutes of May 12, 2014. City Clerk. Recommend adoption.
Pages 21/37

B. **Memorandum 14-080**, from Mayor, Re: Appointment of Terry Smith to the Library Advisory Board.
Page 53

- C. **Ordinance 14-23**, An Ordinance of the City Council of Homer, Alaska, Authorizing the Conveyance of Lots 1, 2, 3, 4 and 5, Scenic View Subdivision No. 6 to Kachemak Bay Equestrian Association Inc. for Use as Part of an Equestrian Park, and Waiving the Appraisal of the Property and Sale of the Property for Fair Market Value. City Manager. Recommended dates: Introduction May 27, 2014, Public Hearing and Second Reading June 9, 2014. *Page 57*

- D. **Ordinance 14-24**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.68.030 Proceedings of Commission, to Change the Meeting Schedule of the Parks and Recreation Advisory Commission. City Manager/Parks and Recreation Advisory Commission. Recommended dates: Introduction May 27, 2014, Public Hearing and Second Reading June 9, 2014. *Page 69*

Memorandums 14-081 and 14-083 from Parks and Recreation Advisory Commission as backup. *Pages 73/75*

- E. **Ordinance 14-25**, An Ordinance of the City Council of Homer, Alaska, Amending the 2014 Operating Budget to Reallocate a Water Fund Capital Budget Item Expenditure at the Water Treatment Plant to Evaluate Alternatives to Reduce Disinfection By-Products in the Drinking Water. City Manager/Public Works Director. Recommended dates: Introduction May 27, 2014, Public Hearing and Second Reading June 9, 2014.

Page 77

Memorandum 14-087 from Public Works Director as backup. *Page 81*

- F. **Resolution 14-053**, A Resolution of the City Council of Homer, Alaska, Approving and Accepting the Renewal of the Special Services Contract for FY 2015 with the Alaska Department of Public Safety in the Amount of \$36,000.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Recommend adoption. *Page 85*

Memorandum 14-082 from Police Chief as backup. *Page 87*

- G. **Resolution 14-054**, A Resolution of the City Council of Homer, Alaska, Establishing a 2014 Mil Rate of 9.962541 Mills for the Ocean Drive Loop Special Service District. City Manager. Recommend adoption. *Page 91*

Memorandum 14-085 from City Manager as backup. *Page 93*

- H. **Resolution 14-055**, A Resolution of the Homer City Council Establishing the Property Tax Mil Levy Rate at 4.5 for 2014. City Manager. Recommend adoption.

Page 103

- I. **Resolution 14-056** , A Resolution of the Homer City Council Amending the Parks and Recreation Advisory Commission Bylaws, Regular Meetings, Establishing a Regular Meeting Schedule of February Through June and August Through November; Committees, Requiring City Council Approval to Form a Special Committee; and Special Meetings, to be Scheduled Only When Required to Complete Time Sensitive Business. City Manager/Parks and Recreation Advisory Commission. Recommend postponement to June 9, 2014 to follow Ordinance 14-24.

Page 105

Memorandums 14-081 and 14-083 from Parks and Recreation Advisory Commission as backup.

Pages 73/75

- J. **Resolution 14-057**, A Resolution of the Homer City Council Awarding the Contract for the Karen Hornaday Park Picnic Shelter Access/Foundation Improvements to the Firm of Gregoire Construction of Homer, Alaska, in the Amount of \$14,800.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Page 113

Memorandum 14-086 from Project Manager as backup.

Page 115

- K. **Memorandum 14-084**, from Community & Economic Development Coordinator, Re: Capital Improvement Plan Schedule for 2015 - 2020 & FY 2016 Legislative Requests.

Page 117

6. VISITORS

- A. Alaska Trails Conference, Robert Archibald, 10 minutes.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORTS

REPORT/COMMISSION

- A. Mayor's Proclamation - Mary Epperson Day – June 6

Page 125

- B. Mayor's Recognition – Christie Hill for Braving Frigid Alaska Waters to Fight Cancer

- C. Borough Report

- D. Commissions/Board Reports:

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

8. PUBLIC HEARING(S)

- A. **Ordinance 14-21**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Budget by Appropriating an Additional \$6,000 from the Port and Harbor Fleet Reserves to Acquire a Used, Full Size, Four Wheel Drive Pick-Up Truck for Harbor Operations. City Manager/Port and Harbor Director. Introduction May 12, 2014, Public Hearing and Second Reading May 27, 2014. *Page 131*

Memorandum 14-076 from Port and Harbor Director as backup. *Page 135*

- B. **Ordinance 14-22**, An Ordinance of the City Council of Homer, Alaska Amending the FY 2014 Operating Budget to Provide for Natural Gas Conversions to City Buildings by Appropriating \$99,274 from Various City Reserve Funds. City Manager/Public Works Director. Introduction May 12, 2014, Public Hearing and Second Reading May 27, 2014.

Page 137

Memorandum 14-077 from Public Works Director as backup. *Page 141*

9. ORDINANCE(S)

10. CITY MANAGER'S REPORT

- A. City Manager's Report *Page 147*

- B. Bid Report *Page 157*

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

- A. Public Arts Committee

- B. Permanent Fund Committee
- C. Port and Harbor Improvement Committee
- D. Employee Committee Report
- E. Port and Harbor Building Task Force
- F. Public Safety Building Review Committee
- G. Vessel Haul-Out Task Force

13. PENDING BUSINESS

14. NEW BUSINESS

15. RESOLUTIONS

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, June 9, 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 14-12 a Special Meeting of the Homer City Council was called to order on April 15, 2014 at 6:01 p.m. by Board Chair 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: BOARD MEMBERS: BURGESS, HOWARD, LEWIS, ROBERTS,
VAN DYKE, ZAK

STAFF: CITY ATTORNEY KLINKNER
CITY CLERK JOHNSON
DEPUTY CITY PLANNER ENGBRETSSEN

AGENDA APPROVAL

(Only those matters on the noticed agenda may be considered, and HCC 2.08.040(c); 2.08.040(e)(3)).

The agenda was approved by consensus of the Council

NEW BUSINESS

APPEAL TO THE BOARD OF ADJUSTMENT

- A. Appeal to the Board of Adjustment of the Homer Advisory Planning Commission Decision of December 4, 2013 for Approval of Conditional Use Permit 13-12 for a Communication Tower on a Lot at 5700 Easy Street, Homer, Alaska.

Notices of appeal were received from Appellants Joe Louis Carter, Jr., Ageya Wilderness Education, and Kevin and Kathleen Fay. Opening briefs were received from the City of Homer and Applicant Kodiak Microwave Systems, LLC and a rebuttal brief was received from Kevin M. Dee, Ageya Wilderness Education. All parties have standing pursuant to HCC 21.93.060. On April 14, 2014, Appellants Kevin and Kathleen Fay notified the City Clerk that they would be unable to attend the appeal hearing.

Appellants Kevin Dee and Joe Carter and Deputy City Planner Julie Engebretsen were present and identified themselves for the Board.

A. PRELIMINARY ISSUES

- (1) Conflicts of interest

Board Member Burgess disclosed a potential conflict as he has a previous working relationship with Mr. Dee with financial interests over \$1,000. At this time he is not engaged in any business activity with Mr. Dee.

Chair Wythe ruled Board Member Burgess had no conflict of interest and there was no objection from the Board.

- (b) Declaration of partiality
- (c) Ex Parte communications

Chair Wythe passed the gavel to Board Member Roberts and disclosed she works at Homer Electric Association as the Human Resources Manager. Mr. Dee contacted an employee at HEA and the employee approached her to seek advice on who to refer the inquiry to. Chair Wythe told the employee not to talk to her.

Board Member Roberts called for a motion to disqualify Chair Wythe. In the absence of a motion from the Board, Board Member Roberts passed the gavel back to Chair Wythe.

Board Member Roberts disclosed she attended the Planning Commission meeting on December 3, 2013. She arrived as the Planning Commission was deliberating this conditional use permit (CUP). She did not hear public testimony or the testimony of the party that applied for the CUP. She did hear deliberation and after the Planning Commission voted there was a person in the audience who asked her to go into the hallway to talk to them. They were upset about the ruling of the Planning Commission and asked Board Member Roberts what they could do to change the ruling. She told the person they could appeal and that she could not talk anymore as the appeal could come before the City Council.

Chair Wythe called for a motion to disqualify Board Member Roberts. In the absence of a motion from the Board, Chair Wythe ruled there was no disqualifying ex parte communication.

Board Member Burgess disclosed either as the Planning Commission was deliberating or after the CUP was approved, he was contacted by Mr. Dee who voiced his objection to the tower. Either Mr. Dee or Board Member Burgess realized an appeal was going to come before the Board of Adjustment and had no further contact. He also had contact with Dorothy Melambianakis, but did not communicate about this issue.

Chair Wythe called for a motion to disqualify Board Member Burgess. In the absence of a motion from the Board, Chair Wythe ruled there was no disqualifying ex parte communication.

Board Member Zak disclosed prior to the Planning Commission's ruling he received and read emails from Joe Carter on the covenants of the homeowner's association and his concern over the tower.

Chair Wythe called for a motion to disqualify Board Member Zak. In the absence of a motion from the Board, Chair Wythe ruled there was no disqualifying ex parte communication.

- (d) Other preliminary issues

Attorney Christopher Slottee with Atkinson, Conway and Gagnon, represents Kodiak Microwave System. At 4:00 p.m. today he was emailed a 56-page rebuttal brief from Mr. Carter. He is not prepared to exhaustively address the issues and objected to having the Board consider the late filed brief.

B. NEW EVIDENCE

Appellants Ageya Wilderness Education and Mr. Carter and Applicant Kodiak Microwave Systems submitted material in support of their arguments that was not in the record before the Planning Commission. **Only the Record of Appeal should be considered.** If new evidence or changed circumstances are alleged, the Board may, in its discretion, either hear the appeal without considering the allegations or may remand the matter to the Planning Commission to rehear the matter. Chair Wythe advised the Board if we are to proceed to oral argument this is not the time for offering new evidence to the Board. Anyone speaking to the Board would have to base their conversations strictly upon the record provided from the Planning Commission.

Chair Wythe advised either party that submitted material that was not in the record before the Planning Commission if they prefer that this matter be remanded to the Planning Commission for consideration of that material, to indicate that.

Kevin Dee indicated when his notice of appeal was submitted there were three attachments that were not included in the record: photograph in a much clearer format, full report from Mr. Monroe, and the scaled drawing of the proposed tower. Comments from Mr. Monroe were submitted to City Clerk Johnson yesterday. Mr. Dee indicated the material was refutation of what was presented at the Planning Commission hearing. It contained comments from Mr. Kincaid.

Chair Wythe ruled it was new information from what the Planning Commission originally heard. The Board can only move forward with items that were before the Planning Commission.

Kevin Dee requested that the matter be remanded to the Planning Commission.

Joe Carter requested that the matter be remanded to the Planning Commission since his letter was sent to the Planning Department for the hearing. He asserted it was not included in the Planning Commission's packet. Additionally, Mr. Carter noted the attachments to his notice of appeal were excluded.

Appellee Attorney Slottee indicated additional information was included in the appeal brief. It was to confirm the information testified to by Brian Kincaid and others at the hearing. He prefers to go forward since the CUP was noticed extensively and everyone had the opportunity to get information before the Planning Commission.

City Attorney Klinkner advised despite the parties preferences, it is the Board's decision whether to proceed or not.

ZAK/LEWIS – MOVED TO REMAND TO THE PLANNING COMMISSION.

Board Member Burgess inquired if items were received timely and not included in the record could they be considered by the Board.

City Attorney Klinkner referenced HCC 21.93.520(a)(1), the contents of the appeal record. If something was submitted and erroneously excluded from the Planning Commission it would not have been considered in making the original decision.

City Attorney Klinkner advised remanding to the Planning Commission is for the purpose of the commission to rehear the matter. The hearing before the Planning Commission is reopened where they will take additional evidence that is presented before them to decide the CUP.

The Board discussed setting a reasonable amount of time for the Planning Commission to hear the matter. Deputy City Planner Engebretsen indicated the agenda cutoff is tomorrow for the commission's May 7th meeting. The commission would have 49 days to make a decision. Depending on the other items on the agenda, Ms. Engebretsen cannot guarantee it would be on the May 7th agenda.

City Attorney Klinkner advised the meeting would need to be noticed in the usual manner. Given the issues raised about assembling the materials timely for the Planning Commission to hear, a date to approximate the regular packet assembly schedule would ensure the information is before the commission when it considers the matter again.

The Board discussed the need to remand it back to the Planning Commission for expediency due to the delays encountered thus far.

City Attorney advised the Board could remand back to the Planning Commission and direct the meeting schedule as long as the notice period and reasonable time to assemble the packet is allowed.

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

Chair Wythe broke the tie vote with a NO vote.

Motion failed.

Asked by the Board what date the Planning Department could have property owners noticed and proceed with the CUP before the Planning Commission, Ms. Engebretsen answered it is not realistic to meet the May 7th hearing date.

If the Board remanded to the Planning Commission for a special meeting on May 14th, the packet cutoff date would be Wednesday, April 23rd. The Board could remand the matter back to the Planning Commission for additional review and a public hearing.

City Attorney Klinkner advised only one public hearing is required for a CUP to be granted by the Planning Commission. Whether that occurs in a compressed time frame or a longer one is up to the commission. If the Board remands it directing a specific date it would go to the commission by that date. With the benefit of the additional material will the quality of the decision be enhanced, or does the Board feel that what is in the record covers everything? The purpose of a remand is for something new or different that needs to be considered that was not in the original proceeding.

Deputy City Planner Engebretsen is not sure if Mr. Carter's letter is part of the record of appeal. Reading his brief this afternoon was the first she has heard of something that might not be in the record. Both appeal parties and Kodiak Microwave have submitted new evidence; there are many new things for the Planning Commission to think about.

The Board asked for clarification on how the record of appeal is assembled. City Clerk Johnson explained the appeal record is made by the Clerk's office. It includes all the information that was submitted to the Planning Commission. The information comes directly from the Planning Department. It should include everything that the commission used to make their decision.

City Attorney Klinkner advised the argument in the briefs is what the Board is considering in the appeal. The additional evidence attached to the briefs, ie. photographs, sketches and drawings, and reports by experts that weren't before the Planning Commission are at issue.

Board Member Van Dyke asked Appellant Carter about the missing parts of the appeal record that were sent to Mr. Wrede and the clerk. He asked if those were original exhibits before the Planning Commission.

Joe Carter answered the piece he was looking for is what was sent as an appeal. There was also the problem for getting anything from 4:00 p.m. before the Planning Commission. He could depose the Planning Commission and find out that they did not regard his letter of opposition. It was not mentioned by Rick Abboud.

The Board noted on page 129 Mr. Carter's letter was received on December 4th. They questioned if the letter went before the Planning Commission.

Joe Carter complained about the record of appeal he received that was dated January 27th. It shows his appeal and Exhibit A, not Exhibit B.

Chair Wythe called for a recess at 6:52 p.m. and reconvened the meeting at 6:59 p.m.

Chair Wythe advised the Board the packet from the Planning Commission meeting of December 4, 2013 was retrieved. The letter in question from Joe Carter was included in the information and was available to the commission when they were reviewing the information. The letter was presented as a laydown.

ROBERTS/LEWIS - MOVED TO REMAND THE CUP BACK TO THE PLANNING COMMISSION AND HAVE THE PLANNING COMMISSION HEAR THIS BY MAY 25.

The Board noted there is evidence all the information that was submitted timely was provided to the Planning Commission as a laydown or in the packet.

VOTE: YES. ROBERTS, LEWIS, VAN DYKE

VOTE: NO. HOWARD, ZAK, BURGESS

Chair Wythe broke the tie with a NO vote.

Motion failed.

City Attorney Klinkner outlined the items to be considered:

- Record of Appeal
- Ageya Opening Brief – 13 pages (attachments cannot be considered)
- Kodiak Microwave Systems (Attorney Slottee) Opening Brief – pages 1-27 (Exhibits 1-5 cannot be considered)
- City of Homer Opening Brief by Mr. Abboud
- Rebuttal Brief by Appellant Joe Carter – (some material will have to be excluded upon deliberations)
- Rebuttal Brief by Kevin Dee, Ageya Wilderness Education, pages 1-11 (Exhibits A–E cannot be considered)
- PowerPoint by Kevin Dee (cannot be considered)
- Memo of objection by Kevin and Kathleen Fay

C. Oral Argument

The Board decided that it will consider only material that was in the record before the Planning Commission, and the Board will disregard any allegations of new evidence or changed circumstances. Chair Wythe recommended the Board hear oral arguments and grant each party participating in the hearing a total of 30 minutes, if they need it. There was no objection from the Board.

Kevin Dee asked that he be allowed to present on behalf of Kevin and Kathleen Fay.

Chair Wythe denied Mr. Dee's request since he is not an attorney to represent another party.

Chair Wythe outlined oral argument procedure with Mr. Carter as the first Appellant going first, followed by Ageya Wilderness Education. If desired, they may reserve some of the 30

minutes to respond to the Deputy City Planner and the Applicant. After Appellants present their arguments, then Julie Engebretsen, Deputy City Planner, will have 30 minutes to make her argument. Next, Applicant Kodiak Microwave Systems will have 30 minutes to make its argument. If either Appellant has reserved any time, he will be allowed to respond to the Deputy City Planner and the Applicant, up to the limit of his remaining time.

Joe Carter requested the evidentiary transcript of the December 4th hearing and the Homer City Code be considered.

Chair Wythe confirmed those items would be included.

Joe Carter requested Mr. Dee go first. There was no objection from the Board.

Kevin Dee asked that numerous photos in Attorney Slottee's rebuttal brief be removed.

Chair Wythe confirmed those photos will be removed as we move through the hearing. Parties may object if documents not in the record are referenced.

Kevin Dee presented his argument based on:

- an incomplete application
- Bridge Creek Watershed interpretation was in error
- Burden of proof switched to the appellants
- Applicant made misleading inaccurate statements
- Requested remedy is a need for a moratorium

Kevin Dee referenced page 94, the application that asked if there were any nonconforming use structures on the property. It was left blank. On page 100 a cartoonish drawing was presented to the Planning Commission. It is not of scale and showed a variety of things not considered in the Bridge Creek Watershed. There has been a shifting of what will go in the ground. It requires a fence and gravel driveway. Mr. Dee referenced Mr. Slottee's appeal brief on page 9 of a parking area large enough for one vehicle and four concrete pilings, the only areas that constitute impervious coverage. The Planner used a drawing with two satellite dishes, but they talked about serving Halibut Cove, Nanwalek, Port Graham, East End Road, and Nikolaevsk. The tower will have numerous 8-foot dishes and they are inviting more applicants to use their tower.

Mr. Dee was not allowed to show a larger drawing that was not in the record.

Kevin Dee was told by Mr. Kincaid that it would be at the 40 foot level in order to see the tower. The visual impact is severe and was minimized in his testimony. Mr. Dee was not noticed properly; he was only given four hours' notice of the hearing. When he asked for more time the City Planner said the meeting was noticed twice and it would set a precedent. None of the information from the tower company has been verified. Experts said there is a lot that wasn't put in the record. They will place the tower in the tree line, yet Mr. Abboud said it was

on a hardened trail. He walked the area in January and refutes it will be on impervious coverage. The City Planner is working off a 2003 map.

Mr. Dee asserted Kodiak Microwave Systems speculatively proposed to serve numerous locations, offered to locate other antennas, and locate other co-locators on the tower. They said if they don't put the tower in it could cost lives, yet they do not have a telemedicine contract. Citizens should not be harmed without a necessity.

Mr. Dee noted impervious calculations were inadequate. His own yurts and decks are considered impervious. In the drawing (page 100) the communication building and deck were not taken into effect as impervious coverage. Homer City Code says there shall be no increase in nonconforming use. The City Planner used the "there must have no researched based evidence." Mr. Dee questioned if it is up to the citizens to have research based evidence in place. The comparison of harm that was used was dog kennels. HCC 21.40.050 references no dog lots in the Bridge Creek Watershed. The comparisons of negative impact were inappropriate and contained lots of errors.

Kevin Dee agrees with some assertions by Kodiak Microwave. He likes the project and wants it to happen. They don't want it to happen unless it's absolutely necessary to harm neighbors in this location. Increased broadband across the bay is good. KMS has only one contract with ACS to deliver broadband to the school in Port Graham. It will increase their costs by more than 200%. Microwave antennas deliver broadband over distances. The tower proposes very little health hazard. The assertion is that they need a 160 ft. tower when the HEA tower shoots all the way to Bradley Lake and the ACS tower that shoots directly to Seldovia. It is inaccurate that they have to be set back from the bluff. Mr. Dee is familiar with telecom and microwave shots. Mr. Monroe, the hired expert, said there is no verified need to locate the tower in this area. He said it is specious to assert that the tower has to be set back and the applicant has overstated the public benefit while understating the harm to the neighboring properties.

Attorney Slottee voiced objection to the expert report from Mr. Monroe that was not part of the appeal record.

Kevin Dee noted page 42 of the appeal record states the technical aspects that he contests.

Chair Wythe ruled the documents from Mr. Monroe would be removed since it was new information not provided to the Planning Commission. Mr. Dee can refute but is not allowed to bring in new information.

Kevin Dee refuted the assertion the tower has to be set back. Towers along Girdwood are not set back. Mr. Slottee in his rebuttal indicated the FAA would not require lighting and indicated he received notice of no obstructions. Mr. Dee asked for a 90-day moratorium on towers to establish a task force to review and recommend more appropriate processes and that the Planning Commission decision be reversed.

11 minutes and 1 second remain for rebuttal.

Chair Wythe advised Mr. Carter only information that was provided to the Planning Commission can be presented.

Joe Carter stipulated his intent to stay with a limited amount of information and city code. He agreed with Mr. Dee on many items. His close friend with MIT and Harvard degrees referred him to his contemporaries and verified the same thing as Kevin Dee on RTs. No property owner is safe here and the remedy is to find a tower zone and a residents' zone. He agrees with Mr. Dee about the application being incomplete. The Planner presented it as complete when it was lacking. It was not just the lack of a scale drawing; it was more things in the description of Level 1 site plan (HCC 21.73.020). Mr. Carter thinks the CUP should be reversed. The scale drawing indicated the tower would have a dimension of 57 ft. It is misleading to the Planning Commission.

Joe Carter referenced page r-50, page 7, where Mr. Abboud says the proposal does little to impact drainage. He reiterated what Mr. Dee has said, that there should be a level playing field. If a rooftop, grate, catwalk, or gravel drive will count towards impervious coverage at his or Mr. Dee's house it should count here. A Level 1 site plan requires that the driveways be platted, and that the existing and changed vegetation be mapped and drawn to scale. Mr. Carter referenced line 14 that indicated it would not change drainage. HCC 21.40.135 and 21.61.040 both deal with nonconforming. HCC 21.61.040(a) says that no nonconforming use shall be enlarged to a greater extent than it was when it became nonconforming. HCC 21.61.040(c) says any new structure built in connection with the nonconforming use must be in full compliance with all applicable provisions of the zoning codes and other laws. If you need a variance you would not be in full compliance. There is argument from Kodiak Microwave Systems that this is a structure in place of a building. Anything tied to the ground is a building or a structure; if over 35 ft. it will require a variance.

Joe Carter referenced page r-50, page 9, line 15, that property value would be negatively impacted more than multi-family dwellings or kennels. Mr. Abboud stipulated this is an area in the rural residential area and also in Bridge Creek. To pass the muster you would have to comply with the codes related to rural residential and Bridge Creek. Mr. Carter referenced page 89, finding 4, that the value of adjoining property will not be negatively affected more than any other use including multi-family dwellings and kennels. HCC 21.40.055(c) prohibits dog lots or other aggregations of more than six dogs over the age of 5 months. Mr. Abboud has made repeated statements to influence the decision of the Planning Commission that do not agree with the four corners of the applicable ordinances of the City of Homer.

Joe Carter referenced page 59, subheading 43, where Mr. Abboud says we still have a heliport as a conditional use option. Commissioner Sonneborn asked if that was a threat and Mr. Abboud said he just thought he'd bring it to her attention. HCC 21.40 on the Bridge Creek Watershed Protection District lists permitted, prohibited, and conditionally permitted uses. Nowhere in there does the word *heliport* exist. Mr. Abboud made a statement in the open testimony of the hearing that does not agree with the clear meaning of the four corners of the applicable ordinances of the City of Homer. He gave it with the clear intent of influencing the decision of the Planning Commission. Line 21, page 44, references the CUP was noticed three

times and it has been since October. They are running out of time to make a decision and if they set a precedence to delay to opposition to garnish support that would be an unusual precedence. Mr. Abboud is hazing Commissioner Roberta Highland who is less tall than anyone; she is more likely to be intimidated. He is saying we need to vote; we are out of time. Mr. Carter referenced HCC 21.71.050 for public hearings. The first hearing was scheduled October 16th and was postponed due to an early winter storm, a force majeure act. It was still heard by December 4. The commission shall within 45 days of the close of the public hearing approve or disapprove the application. Mr. Abboud is supposed to support the commission with facts.

Joe Carter referenced page 61, page 50, line 20, where the vote had gone 4-2 and had not carried. There was confusion and someone said they could vote to reconsider. The four voted to reconsider and the other two had to think about it some more. The commission asked questions and the City Planner said they could put a heliport there if they didn't think the dog lot was bad enough. Mr. Abboud told Roberta Highland she needed to vote right now as they had to get this done. Commissioner Sonneborn said we can vote to pass this; there is no good evidence that it will affect the property values. An unidentified male speaker said it would affect property values. Since the commission had been told wrong what was allowed in the district how could they know they had made an accurate decision since they were looking at dog lots and heliports? Commissioner Highland's objection was hearing from other people and thinking if she was in the situation. Roberta Highland knows it is wrong. The commission was told false statements; it was fraud in the inducement.

Joe Carter referenced page 134, paragraph 3, regarding easements, restrictions, and covenants to protect the value of the real property. Mr. Carter doesn't know if it was an oversight on who was bird dogging the property, but on December 3rd he asked Mr. Kincaid if he or anyone from his company read the covenants. Mr. Kincaid did not answer the question. It may have been an oversight or the ethic of that company to move in and trespass on somebody and co-op the City to join in. The City doesn't want to enforce covenants. Mr. Carter is asking that the City not destroy covenants. Notice was sent December 4th at 4:00 p.m. They don't have plausible deniability. The violation took place in that they persisted in acquiring the CUP. Mr. Carter noted we cannot let the building type restrictions or enforcement provisions be waived or abandoned. The Planning Commission was operating with false and misleading testimony designed to influence their decision. They also had some motivation. Page 59 subpage 42, Commissioner Slone questioned our social obligation to the communities across the bay. Page 61, line 20, Commissioner Stroozas wants to help our fellow citizens across the bay since we are blessed to have this spot for a tower. Page 62, subpage 55, line 19, speaks of the greater good and improvement to the quality of life for the citizens across the bay. Page 6, line 16, speaks to the rebound back to Homer.

No reserve time remained for rebuttal.

Chair Wythe called for a recess at 8:20 p.m. and reconvened the meeting at 8:25 p.m.

Deputy City Planner Engebretsen commented the Board has three options: uphold the Planning Commission decision with findings, deny the CUP which reverses the decision, or remand to the Planning Commission to fix the deficiencies. Staff and the Planning Commission reviewed the application in relation to Homer City Code and the Planning Commission arrived at a decision. If new information or circumstances are founded it should be remanded. The two appellants have requested remand. City Planner Abboud provided a brief that she hopes the Board reviews in relation to the comments of the appellants. People have said the public notice was inadequate. The notice met the requirements of Homer City Code and questions about sufficient notification are not relevant to this application.

Attorney Christopher Slottee represents Kodiak Microwave Systems who is owned by Old Harbor Native Corporation and Ouzinkie Native Corporation. Its business is operating microwave towers to provide broadband internet service to underserved populations in Kenai and Kodiak. KMS is trying to expand their systems to provide service to Port Graham, Nanwalek, Akiak, Anchor Point, and other communities surrounding Homer. Often the communities are physically difficult to get to as they are remote, not on the road system, or there are mountains in the way. You need to find a way to shoot a microwave beam to the village for the service. KMS sells capacity on its microwave systems to other companies, ie. ACS. ACS will then provide real time broadband capacity to schools for education and to health clinics for telemedicine. It is a lot easier to get a doctor on a video conference than getting a patient out of the village to the hospital. These issues were addressed by Mr. Kincaid, the KMS representative. Mr. White from the Kenai Peninsula Borough School District testified at the Planning Commission meeting on the benefits to schools in Nanwalek, Port Graham, and other communities that KMS will be able to serve. A person from ACS also testified as to the benefit this will provide.

The tower location spot was not just picked out of random. It involves a sophisticated process that analyses the sight system. It does not make economic sense for KMS to build a single tower to provide capacity to a single village. If one tower can provide multiple services it becomes economically viable. KMS conducted a study with RF radios, blimps, and path studies and determined the Clapp parcel lets them provide access to Port Graham, Nanwalek, and the other communities. The line of sight is to Dangerous Cape where they will build an active repeater, then to Port Graham and Nanwalek. Neither Mr. Dee nor Mr. Carter provided any other viable alternative to locate the tower. The Clapp parcel is close to the fiber optic line that will funnel the internet to the microwave to beam across the water and it is close to utilities. Other locations will require more construction and are in less desirable locations to getting the system to the communities where it is needed. The appeal record contains letters of support from Port Graham and Nanwalek. Mr. Dee's assertion that it is speculative benefit is false; there has been specific evidence as to who it will benefit and why it is important. Mr. Slottee referenced Mr. Carter's reference to the commissioner's comments about the greater good. The Planning Commission was correct in their decision to benefit other communities with minimal impact on a couple Homer residents. The appellants have presented no actual evidence there will be a significant impact on them. The project is needed to benefit the public with minimal impact on the surrounding properties. All the evidence supports that.

Mr. Slottee referenced Mr. Dee's complaint of the number of dishes on the tower. There is no evidence to support that because Mr. Kincaid did not address it because it was never asked. The current design requires one dish; there is the option that one or two more dishes may be attached. There is no evidence of plans of a tower festooned with dishes.

Attorney Slottee addressed the appellants' questions of impervious coverage and nonconforming use. The CUP application specifically describes that the property is being used for storage of equipment and connex with no existing permanent structures. There was no deception and no attempt to fraudulently induce the Planning Commission to make a decision. There is currently 30% impervious coverage. The CUP can be approved as long as the impervious coverage is not increased. Based on testimony from Mr. Kincaid and staff, there will be no increase in impervious coverage. The tower will be on four pilings; the communications hut is elevated. There has been no contrary evidence produced.

Attorney Slottee addressed the appellants' questions about setback requirements. The proposed location is a 50 ft. x 50 ft. lot that is being leased by Kelly Clapp. The tower will be placed in the center with more than 800 ft. setback from the lot line. There is no evidence microwave beams will impact anybody. It is a single focused microwave beam and you would need to stand 160 ft. in the air to be affected. It is not a health issue. There were questions if the tower were to fall down and land on someone. There is nothing within 160 ft. of the tower except connexes. It is rated up to 130 mph wind speed and has survived 150 mph winds. The towers do not fall down; they will survive storms. There were questions about the requirements of FAA. Not known at the time the Planning Commission approved the CUP, the FAA will require a medium intensity strobe light during the day and a red strobe at night.

Attorney Slottee addressed the questions about KMS meeting the burden of proof. The Board reviews the staff report and minutes that reflect the evidence that was presented. Mr. Brian Kincaid testified as to why the location was selected and why it would serve multiple communities. Mr. Carter talked about subdivision covenants. It is not an issue for the Board to consider as it is a private legal matter. It is not a basis to reject the CUP. KMS is going to try to work with the surrounding land owners. Per the transcript of the hearing r53, page 18, Mr. White testified to the benefits. Safety is referenced on r55, page 29. Impervious coverage questions are addressed on r50, pages 6, 7, 8, and 9. There was and still is no evidence of the tower impacting drainage. The location is discussed on r52, pages 16 and 17, and also on r54, page 25, with testimony from Mr. Kincaid and Randy Dobbs of ACS. As to radiation issues, both appellants agree there are no health and safety issues; Mr. Kincaid testified r37, page 36. As to the 160 ft. height, it was the lowest possible height per r58, page 39. Uses allowed in the rural residential and Bridge Creek Watershed Protection District are public use facilities, including telecommunications towers. Although people disagree, they provide no actual evidence to rely on. Mr. Slottee asked the Board to look at the evidence that was presented to the Planning Commission. The CUP should be affirmed and allowed to go forward so that Port Graham and Nanwalek can get the broadband communication that they need.

D. REBUTTAL

Chair Wythe advised Mr. Dee of his 11 minutes 1 second time remaining for response.

Kevin Dee came to Homer in 1979 and his wife established a kayaking company in 1984. They have been operating a business and have invested very heavily. Ray Clapp bought land and operated his business on it. They were in support of the Bridge Creek Watershed Protection District as a way to save the water. They have always tried to build sustainably. They wanted to build a dining hall right near their house but were told by Dottie in the Planning Department that the building would exceed the impervious coverage. It was located away from the driveway and works out fine. They started building yurts that are 4 ft. off the ground due to snow melt. Mr. Slottee said the tower buildings were lifted off the ground and should not be counted. Mr. Dee questioned if he can say their yurts are no longer impervious. The calculation to Mr. Dee should be applied to KMS too. There has not been a demonstrated need other than for the school district. There has not been a demonstrated need for telemedicine or increased broadband in any of the places mentioned by Mr. Kincaid in his testimony. Mr. Kincaid buzzed Mr. Dee's place and then called him to ask how tall his tower was; he never disclosed what they would like to do. Mr. Dee would like to work with KMS. There is no verified need. Mr. Kincaid said the expert opinion was not true, although everyone will take a sending and receiving satellite dish.

Attorney Slottee objected as there was no expert testimony to the Planning Commission.

Kevin Dee noted microwave towers can beam long distances at not high off the water and it does not need to be set back off the bluff. Attorney Slottee testified that it was tested to 130 mph wind, but it was not tested with all the things hanging off it. There is no final design required or a restriction to all the things that could be put on the tower.

Chair Wythe questioned if the details provided were included in the record. Chair Wythe advised in the rebuttal new information cannot be introduced.

Kevin Dee asserted the FAA determined lighting could have been done before the hearing before the Planning Commission. It would have determined a higher level of nuisance. Mr. Kincaid was given 20 minutes at the hearing while the citizens were only given 3 minutes. He would have provided more information if he were given more time. He was only provided four hours prior notice of the commission hearing. The tower will harm his business. Their board has discussions if they should continue their business if the tower goes up. They are a longtime Homer resident and this has no benefit to Homer. It hurts them. KMS testified this is the only place for the tower and the Planning Commission took them at their word. No one in this room has technical expertise to understand where and how towers need to be placed. He requested remand or overturn to apply expertise to the project. None of KMS claims have been verified. They are a for profit company that are biased to create as much profit as possible. As to the burden of proof, KMS was taken at its word while the appellants have been tasked with the burden of proving that microwave towers can be located near water, etc. It is the applicants' burden to prove the need for a CUP.

Chair Wythe asked for questions from the Board.

Board Member Burgess asked the Planning Department if the CUP increases impervious surface at all.

Deputy City Planner Engebretsen referenced Mr. Abboud's brief (page 3, item 5) in which this application does not increase impervious surface any more than a wind generation system with windmills is increasing impervious surface.

Board Member Burgess asked if there will be new disturbed areas on the lot to complete the project.

Deputy City Planner Engebretsen answered there is a trail to the area and it is using area that is already disturbed.

Board Member Zak asked if the lot was nonconforming when it applied for the CUP.

Deputy City Planner Engebretsen answered yes, the nonconforming use has not been recognized but it has more than 4.2% of impervious coverage. It existed when it became part of the watershed district in 2003.

Board Member Roberts asked Mr. Dee to describe the foundation of the yurts.

Kevin Dee answered they put 6x6 posts down through the ground. They bored them out with an auger and raised them up 4 feet; it is all wood. Each yurt is set 8 ft. to 10 ft. They have 16 ft. and 20 ft. yurts and one 40 ft. yurt. Very little is stuck in the ground so they can pull posts if needed. The yurts are circular and a deck with 2 ft. on either side all the way around. Up front there is a sitting area with a bench. The entire area of the deck is considered impervious coverage even though it has spacing to allow the water to go through. They didn't put permanent foundations in as that changes the degree of impervious.

Board Member Roberts asked Mr. Dee about the four-hour notification.

Kevin Dee lives six months in Anchorage and six month in Homer. Joe Carter called him within 4 hours of the hearing. He immediately got on the phone and asked for more time. He is beyond the 300 ft. radius, but is affected by the visual impact.

Board Member Lewis asked what people mean by the minimal effect on property values.

Kevin Dee answered if he were given notice he would have supplied more evidence to show the harm. Dave Derry says view lots demand more price and when the view is affected it will harm the price. It will harm their business and the value of their property.

Joe Carter answered In Eker Estates there are 22 lots, but less than 22 owners. Four owners were noticed. It will affect that community immediately. People who buy view properties also choose where they will not have trespass. There will be a depreciation in value and a much longer time for a sale. There is four years of supply at that level. Time is money. When you add

that to the depreciating of the sales price it is real. Once the City decides they can take without compensation there is nothing to protect that. There will be a cascading set of circumstances and this is the beginning of it. On Kachemak Drive they put a sewer and water line in and compensated people for it because it was for the greater good. They don't want it to be taken from them separately. The consequences of this will affect the budget.

Attorney Slottee answered the location of the tower is on the back side of the subdivision. Mr. Carter's property is not between the view of the water. Mr. Dee has his own windmill and 100 ft. tower on his property. We are pretty far away, a mile or more. He objected to the blatant attempt to mislead the Board. It is an inaccurate depiction of the tower. Any type of conditional use will have some impact; this issue is if the impact is commensurate of the need to grant the CUP.

Board Member Burgess disclosed the evidence that came to light from the permittee that applied for the CUP that makes him think he may have a larger conflict.

Chair Wythe called for a recess at 9:08 p.m. to confer with the attorney and reconvened the meeting at 9:10 p.m.

Board Member Burgess asked if the line of sight denotes advantageous cause. His experience is unless you are hitting specific points there is not much need for a tower in excess of 65 ft. He asked if that data was presented.

Attorney Slottee answered they have that data. There was a specific path analysis.

Kevin Dee objected as there were no maps provided to the Planning Commission and it is new evidence.

Attorney Slottee clarified the path analysis was discussed by Mr. Kincaid. A specific path analysis was not provided as it was not requested.

Joe Carter commented all testimony is non-sworn testimony.

Chair Wythe advised this is not testimony it is inquiry of the Board and part of the Board's deliberation.

Board Member Burgess asked Deputy City Planner Engebretsen if a level one site plan is required by code.

City Planner Engebretsen answered she believes that is correct and staff accepted the application as complete.

Board Member Burgess asked if there were other structures over 36 ft. in the Bridge Creek Watershed that are noncompliant.

Deputy City Planner Engebretsen answered planning staff does not consider this a variance situation. They have issued multiple other CUPs for towers over 35 ft. Public utility facilities and structures are a conditional use in the Bridge Creek Watershed. There is no precedent for the City authorizing or enforcing covenants; easements between private parties is a different question.

Chair Wythe advised deliberation of the Board will now commence and continue from time to time as necessary until completed. Chair Wythe called for a motion from the Board to go into executive session for the purpose of deliberating and deciding this appeal.

BURGESS/LEWIS - MOVED THAT WE ADJOURN TO EXECUTIVE SESSION AND THAT OUR ATTORNEY BE ALLOWED TO BE PRESENT.

There was no discussion.

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

Motion carried.

Chair Wythe advised a written decision will be prepared and issued to the parties at a later date after deliberations are completed. Copies of the written decision of the Board will be mailed to the appellant and all other parties who entered an appearance in the appeal pursuant to Homer City Code 21.93.110(c). Once a final decision has been entered by the Board, an appeal from that decision may be taken directly to the Superior Court by a party who actively and substantively participated in the proceedings before the Board of Adjustment or by the City Manager or City Planner or any governmental official, agency, or unit. That appeal must be filed within 30 days of the date of distribution of the final decision. HCC 21.91.130(a)(b).

ADJOURNMENT

There being no further business to come before the Board, the public portion of the Board of Adjustment meeting adjourned at 9:18 p.m. Board deliberations will commence and continue in executive session as needed until completion.

JO JOHNSON, MMC, CITY CLERK

Approved: _____

Session 14-15 a Regular Meeting of the Homer City Council was called to order on May 12, 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, LEWIS, ROBERTS,
VAN DYKE, ZAK (telephonic)

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 Zak has requested telephonic participation.

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

LEWIS/BURGESS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Council met from 4:00 p.m. to 4:45 p.m. to discuss Ordinance 14-19, 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** - Letter of thanks from Ruth Dickerson, Homer

Community Food Pantry; **CITY MANAGER'S REPORT** - Games Report, Alaska Marine Conservation Council.

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

HOWARD/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Rachel Lord, city resident, spoke in support of Ordinance 14-20 to allow Farmers' Markets.

Charles Davis, city resident, spoke in opposition of Ordinances 14-19 and 14-20.

Karin Marks, city resident, spoke in favor of Ordinance 14-19.

Carolyn Norton, Homer resident, spoke in favor of Resolution 14-052.

Sierra Smith, city resident, spoke in favor of Resolution 14-052.

Tara Schmidt, Homer resident, spoke in favor of Resolution 14-052.

Mike Dye, city resident, spoke in favor of Ordinance 14-19 and Resolution 14-052.

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 April 28, 2014. City Clerk. Recommend adoption.
- B. **Ordinance 14-19**, An Ordinance of the City Council of the City of Homer, Alaska, Amending the Homer City Zoning Map to Rezone Portions of the Rural Residential (RR), Urban Residential (UR) and Residential Office (RO) Zoning Districts to East End

Mixed Use (E-MU). Van Dyke. Recommended dates: Introduction May 12, 2014, Refer to the Planning Commission.

Moved to Ordinances.

- C. **Ordinance 14-20**, An Ordinance of the Homer City Council Amending Homer City Code 21.18.030, Conditional Uses and Structures, 21.24.030, Conditional Uses and Structures, and 21.26.030, Conditional Uses and Structures, to Add Farmers' Market as a Conditional Use in the Central Business District, General Commercial 1 and General Commercial 2 Zoning Districts. Roberts. Recommended dates: Introduction May 12, 2014, Refer to the Planning Commission.

Moved to Ordinances.

- D. **Ordinance 14-21**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Budget by Appropriating an Additional \$6,000 from the Port and Harbor Fleet Reserves to Acquire a Used, Full Size, Four Wheel Drive Pick-Up Truck for Harbor Operations. City Manager/Port and Harbor Director. Recommended dates: Introduction May 12, 2014, Public Hearing and Second Reading May 27, 2014.

Memorandum 14-076 from Port and Harbor Director as backup.

- E. **Ordinance 14-22**, An Ordinance of the City Council of Homer, Alaska Amending the FY 2014 Operating Budget to Provide for Natural Gas Conversions to City Buildings by Appropriating \$99,274 from Various City Reserve Funds. City Manager/Public Works Director. Recommended dates: Introduction May 12, 2014, Public Hearing and Second Reading May 27, 2014.

Memorandum 14-077 from Public Works Director as backup.

- F. **Resolution 14-050**, A Resolution of the Homer City Council Extending the City of Homer Prisoner Meal Service Contract for One Year to the Firm of Homer Senior Citizens, Inc. of Homer, Alaska, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Recommend adoption.

Memorandum 14-078 from Police Chief as backup.

- G. **Resolution 14-051**, A Resolution of the Homer City Council Awarding the Tri-Annual Contract for Public Works Gravel Supply for 2014, 2015, and 2016 to the Firm of R/C

Land Improvement of Anchor Point, Alaska, in the Amount of \$37,682.00 for 2014 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Recommend adoption.

Memorandum 14-079 from Public Works Superintendent as backup.

H. **Resolution 14-052**, A Resolution of the Homer City Council Proclaiming Homer to be a Green Dot Community. Mayor. Recommend adoption.

Ordinance 14-19 was moved to Ordinances A. (Lewis)
Ordinance 14-20 was moved to Ordinances B. (Burgess)

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

LEWIS/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

A. Megan Murphy, Community Health Needs Assessment

Megan Murphy, Mobilizing for Action through Planning & Partnerships (MAPP) Coordinator, provided a PowerPoint on MAPP. A community health needs assessment was done to:

- Check assumptions on perceived problems, strengths, issues
- To help identify areas of overlap and cross-cutting themes
- To inform individual and organizational plans
- To develop strategies to effectively address community issues
- Community Health Improvement Plan
- To Track trends over time and evaluate progress

The priority themes from community surveys included Economics and Affordability Issues, Substance Abuse, Mental/Emotional Health, Public Transportation, Family Issues, and Teen Issues/Resources.

Results of the community health needs assessment are available online at www.mappofskp.net. On May 15th there is a Health Assessment Open House from 4:00 to 6:30 p.m. at Kachemak Bay College. A Community Meeting is scheduled for May 16th from 8:30 a.m. to 12:30 p.m. at Kachemak Bay College to select priorities for collective action. To contact MAPP Coordinator Megan Murphy email: mappofskp@gmail.com

B. Bob Letson, South Peninsula Hospital

Bob Letson, CEO of South Peninsula Hospital, provided a PowerPoint on New Services and Providers, Community Benefit, Hospital Usage, Financial Report, and On the Horizon. New services at the hospital include:

- Pediatric Therapy Department
- In-Homer Sleep Studies
- Expanded Infusion Clinic & Cancer Care
- Walk-in appointments at Homer Medical Clinic
- Diabetes & Lipids Clinic

Community Benefits that the hospital provides include a payroll over \$21M for 384 employees, free and inexpensive educational programs, health promotions, co-sponsor of the Rotary Health Fair, school programs, MAPP of Southern Kenai Peninsula, and \$1.2M written off as charity care.

Hospital use is steadily growing in inpatient, outpatient, and emergency visits. However, the FY 2014 Financial Snapshot indicates the Net Operating Revenue is \$36,651,245 with loss for Operating Expenses of \$2,358,569. The Net Income for SPH is -\$98,568.

The hospital's Five Year Strategic Plan includes:

- Meeting the needs of an aging service area
- Long range facilities plan
- Aging workforce: support & succession planning
- Affordable Care Act:
 1. Value based purchasing
 2. Patient Centered Medical Home
 3. Meaningful Use Stage II
 4. New payment models

Mr. Letson added SPH is paid 65% to 70% on the dollar for services. While a lot of the expenses are fixed, they need a certain amount of employees and services. A big issue is the contractual

adjustments of Medicare and Medicaid, as they take a forced discount that is sometimes cents on the dollar. It is a balancing act when they look at depreciation they are about breaking even. They want to do better than that; it comes about with increased volume, especially better paying insurance.

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Mayor's Proclamation – National Hospital Week, May 11-17, 2014

Mayor Wythe read and presented the proclamation to Bob Letson.

B. Borough Report

C. Commissions/Board Reports:

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

Dave Brann, Parks and Recreation Advisory Commissioner, reported a good cleanup day at Karen Hornaday Park. They got rid of some of the dangerous items that caused concerns and the white connex is now green. The group walked along Woodard Creek and Fairview Avenue to look at trail options. The commission has looked at traffic calming issues within the park to slow down traffic and to keep pedestrians separated from the roads. Carey Meyer, Public Works Director, will talk about speed bumps at the next meeting. Mr. Brann thanked the HOWL kids for cleaning up the bottom of Woodard Creek. He expressed appreciation for the trail improvements around the harbor. The park walk-thru is scheduled for May 23rd at 4:00 p.m. at Coal Point Park. Park Day is planned for August; Coal Point Park will be highlighted. Commissioner Brann thanked the Rotary Club for cleaning up the parks and city employee Angie who is ambitious and enthusiastic and responds immediately. Lastly he recognized Bike to Work Week and encouraged both bikers and drivers to be safe while sharing the road.

5. Port and Harbor Advisory Commission

D. Letter of thanks from Ruth Dickerson, Homer Community Food Pantry

PUBLIC HEARING(S)

- A. **Ordinance 14-14(S)**, An Ordinance of the Homer City Council, Enacting HCC 2.80.100, Limitation Period, Establishing a Limitation Period for Filing a Complaint of a Violation of the City Ethics Code of Five-Years or One Year After Discovery of the Violation. City Clerk. City Clerk. Introduction March 24, 2014, Public Hearings April 14, April 28, and May 12, 2014 and Second Reading May 12, 2014.

Memorandum 14-046 from City Clerk as backup.

Mayor Wythe opened the public hearing.

Mike Dye, city resident, voiced support for Ordinance 14-14(S).

Mayor Wythe closed the public hearing.

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

LEWIS/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Wythe called for a recess at 7:04 p.m. and reconvened the meeting at 7:10 p.m.

- B. **Ordinance 14-17(A)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.040.m Regarding Compensation for the Mayor and Council, and Amending the FY 2014 Operating Budget by Appropriating \$8,775.00 From the General Fund-Fund Balance for Mayor and Council Member Compensation. Burgess/Lewis/Roberts. Introduction April 28, 2014, Public Hearing and Second Reading May 12, 2014.

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 14-17(A) by reading of title only for second and final reading.

BURGESS/LEWIS - SO MOVED.

Council discussed the merits of additional compensation for the Mayor and Council. If one does not wish to receive compensation it can be given away. Increasing compensation may encourage someone with a low economic background to participate, knowing they will not have to sacrifice other necessities. The ordinance encourages younger people who make less money to run for a council seat; it is important for diversity. It is a small cost versus benefit for increased representation.

The lack of candidates can be tied to hearing that you are wrong; it takes a thick-skinned person to serve. It was suggested the stipend increase should be brought up at budget time or not at all since other things are not being funded. Although Council can contribute their stipend to a non-profit, the City should not be the bookkeeper for paying non-profits. Some folks are just too busy to devote the time that is required.

VOTE: YES. LEWIS, BURGESS, ROBERTS

VOTE: NO. HOWARD, ZAK, VAN DYKE

Mayor Wythe broke the tie with a NO vote.

Motion failed.

ORDINANCE(S)

- A. **Ordinance 14-19**, An Ordinance of the City Council of the City of Homer, Alaska, Amending the Homer City Zoning Map to Rezone Portions of the Rural Residential (RR), Urban Residential (UR) and Residential Office (RO) Zoning Districts to East End Mixed Use (E-MU). Van Dyke. Recommended dates: Introduction May 12, 2014, Refer to the Planning Commission.

Mayor Wythe called for a motion for the adoption of Ordinance 14-19 for introduction and first reading by reading of title only.

VAN DYKE/ZAK - SO MOVED.

Councilmember Van Dyke sponsored the ordinance since East End Road is one of the two primary corridors coming in and out of the city. It would be a huge benefit to landowners and the City to get more business and taxes into town.

Council discussed the East End Mixed Use District that would allow almost any kind of business to be mixed in the residential areas. Beginning at Bear Creek there are all kinds of businesses that extend to Kachemak Drive. The designation includes blanket commercial activities and residential. The intent is to expand uses along East End Road to make sure it is not strictly residential. The proposed designation is against the Comprehensive Plan. Council discussed zoning the area to a lower impact business area like Residential Office where different retail businesses could concentrate.

HOWARD/VAN DYKE - MOVED TO POSTPONE ORDINANCE 14-19 TO BE REWORKED WITH THE PLANNING DEPARTMENT SO IT IS MORE COMPLIANT WITH THE EXISTING COMPREHENSIVE PLAN.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. **Ordinance 14-20**, An Ordinance of the Homer City Council Amending Homer City Code 21.18.030, Conditional Uses and Structures, 21.24.030, Conditional Uses and Structures, and 21.26.030, Conditional Uses and Structures, to Add Farmers' Market as a Conditional Use in the Central Business District, General Commercial 1 and General Commercial 2 Zoning Districts. Roberts. Recommended dates: Introduction May 12, 2014, Refer to the Planning Commission.

Mayor Wythe called for a motion for the adoption of Ordinance 14-20 for introduction and first reading by reading of title only.

ROBERTS/BURGESS – SO MOVED.

Council discussed Ordinance 14-20 at the Committee of the Whole. The definition of a Farmer's Market is different than an Open-Air Market.

BURGESS/LEWIS - MOVED TO AMEND TO ADD OPEN-AIR BUSINESS AS A CONDITIONALLY PERMITTED USE IN THE THREE CATEGORIES WHERE COUNCILMEMBER

ROBERTS AND THIS PROPOSAL ALLOWS A FARMERS' MARKET AND REFER TO THE PLANNING COMMISSION.

Open-air businesses allow many uses. The Planning Commission may consider Open-Air instead of Farmers' Market.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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

Motion carried.

CITY MANAGER'S REPORT

A. City Manager's Report

1. Construction Update: At the time this report was written, paving was almost complete on the new trails around the harbor. Substantial work has been completed on the interpretative areas and other enhancements. The City is getting really positive feedback about the trails, the upgrades at End of the Road Park (paving, restroom, landscaping), the new trail from the Pioneer Dock to Coal Point Park, and the improvements near the load and launch ramp (lanes for through traffic).
2. More Natural Gas Conversions: This meeting agenda contains an ordinance appropriating money for additional gas conversions at City facilities, including some of the older restrooms around the harbor. The Finance Department reports significant savings so far. Right now, the heating bill at City Hall is about 70% lower each month.
3. Traffic Calming / Old Town: On Tuesday night, the 6th, I planned to attend a meeting of the Old Town Neighborhood Association. The purpose of the meeting was to talk about additional measures that could be taken to reduce speeding and reckless driving. The group planned to address the Planning Commission the next evening. You will recall that the Planning staff and Planning Commission are working on traffic calming policies and procedures. The City has completed much of what it promised to do so far in that regard including new crosswalks, additional signage, narrower driving lanes, and a lower speed limit. The Bishops Beach parking lot has been striped. The Charles Way trail is scheduled to be completed this summer.
4. Ramp 7. The Seldovia Village Tribe has decided to rebuild the damaged float and reinstall Ramp 7 this summer. The City is working with them on a temporary fix that should get us through the summer. One of the City's contract engineers reviewed the proposed plans last week to insure public safety. He recommended some changes that

- would cost additional funds. At the time this was written, we were waiting to see if SVT would approve the changes and the extra money. The Port staff are working on alternative docking sites for the ferry if this does not work out. Replacing the float and reinstalling the ramp would be temporary and the permanent fix would occur this fall when the City replaces the entire float. The new float will be designed to accommodate the ramp.
5. Pioneer Ave Upgrades: DOT/PF has issued STIP Amendment 9. This amendment calls for repaving and other upgrades for Pioneer Avenue along with Lake Street. This is a good opportunity for the public to have some input on Pioneer Avenue improvements. DOT/PF staff planners are coming down here on May 23 to discuss this with us. At that time we will learn more about the design and public participation processes.
 6. Proposed Bed Tax: A Council packet several months ago contained a flyer produced by the Kenai Peninsula Tourism Marketing Council which described its Borough-wide bed tax proposal. Since that time, I have had several conversations with the Executive Director of the organization and I think I now have a better understanding of the intent behind the proposal, how the tax would work, and what it could be used for. There are definitely advantages and disadvantages to Homer associated with the proposal and I would be happy to provide my thoughts on it if you wish. As I understand it, the Homer Chamber Board is currently neutral on the proposal. Since this proposal may end up on the ballot at some point, I invited the Director to come down and address the Council as a Visitor at a future meeting. She said she would like to do so.
 7. The Vessel Haulout Committee: This Committee is having very productive meetings. Councilmember Barbara Howard is the Chair and she may want to provide a report. The last meeting included some surprise guests who made it even more clear that there is demand, opportunity, and room for growth in the marine Industrial sector of Homer's economy.
 8. Public Safety Building Committee: This committee is also moving quickly and very productively. A contract has been signed with the GC/CM firm and we are rapidly moving into the site selection and design phase. The Mayor sits on this Committee and may want to provide further detail.
 9. New Port and Harbor Building: Another Committee doing excellent work. This week I signed the Publication Notice and we started soliciting bids for construction of the building and the overslope pathway around it.
 10. Cottonwood Horse Park: several years ago the City accepted title to a group of small lots adjacent to the Cottonwood Horse Park. The intended that the lots would eventually be added to the Horse Park complex and used to support that activity. The City agreed to hold onto the Lots until the Association obtained clear title to the parcel the Horse Park is on. That has now occurred. So, the City is in the process of preparing to transfer that land to the Cottonwood Horse Park. The Planning Department is negotiating a trail easement as part of that transaction.
 11. Summer is Here! Personnel is busy hiring temporary summer employees for Parks and the Port and Harbor. You have probably notices that things are getting busy and the visitors are rolling in. Let's hope for a good season for all.

12. Possible Ribbon Cutting: Katie and Linda Anderson are working on the idea of having a ribbon cutting ceremony this summer when the Cruise Ship Head Tax projects are completed. Potential invitees would include people from the industry, Senator Micciche, Senator Stevens, and Representative Seaton. It would be nice if this event could occur when a cruise ship was in port.
13. Possible Proclamation Presentation: I formally thanked Senator Micciche and Representative Seaton for sponsoring the legislative Proclamation honoring Homer on its 50 Year Anniversary. Senator Micciche would like to come down and formally present the proclamation to the Council. We are trying to schedule that now.
14. Lobbyist Visit: Linda Anderson would like to come down and provide the Council with an end of session recap. She is not able to do that on May 27 so we are looking at one of the meetings in June.
15. Staff Working its Way Back to Full Strength: On May 12, Council day, we expect to have two key staff members back after a long absence. You may know that Rick Abboud has been out of the office for almost six weeks for family reasons. Katie Koester has also been out for about a month due to the birth of her second child. We wish both of them the best of luck and look forward to getting there return.

City Manager Wrede recognized the 1 Million visitors that went through the library turnstile. The Friends of the Library recognized the patron and made a big deal of it. Over 100,000 people visit the library each year. Police Sgt. Ryan Browning just returned from an intensive two-month training academy for police administration.

Mayor Wythe recognized eight employees with a combined 44 years of service to the City.

The Public Safety Building Review Committee talked about razing the two buildings on the HERC site and building something different in that location. On May 22nd at 5:30 p.m. a public hearing will be held on the site selections for the building. The committee will narrow the sites down to three specific lots. On May 23rd the GCCM will be here to develop a list for reviewing the properties.

Councilmember Lewis asked for a calculation on how much the City has saved by using iPads.

The Cottonwood Horse Park is paying off the mortgage on their property and they are having a celebration over Memorial Day weekend. The Spit looks good with the new art, paving, and the restrooms. Kudos to the city staff and everyone involved in the projects.

B. Bid Report

C. Games Report

1. Alaska Marine Conservation Council

CITY ATTORNEY REPORT

- A. City Attorney Report of April 2014

COMMITTEE REPORT

- A. Public Arts Committee
- B. Permanent Fund Committee
- C. Port and Harbor Improvement Committee
- D. Employee Committee Report
- E. Port and Harbor Building Task Force

Councilmember Howard reported the harbor building design is now at 95% and is out to bid. A preconstruction meeting will be held on May 28th with the bid award before Council at their second meeting in June. On June 2nd there is a 5:00 p.m. meeting to discuss exterior colors of the building.

Councilmember Howard reported the Vessel Haul-Out Task Force has had a high level of interest from big hitters. Survey results will be forthcoming at the meeting on Friday, May 16th at 3:30 p.m. There have been several months of high paying jobs enjoyed while working on large vessels in the haul-out area.

- F. Public Safety Building Review Committee
 - 1. Minutes of April 29, 2014

Mayor Wythe encouraged the Council and the public to participate in selecting the building site for the new public safety building.

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

COMMENTS OF THE AUDIENCE

There were no comments of the audience.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner had no comments.

COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comments.

COMMENTS OF THE CITY MANAGER

City Manager Wrede had no comments.

COMMENTS OF THE MAYOR

Mayor Wythe expressed appreciation for the Green Dot people. Citizens and people willing to stand up against incidents will make it happen. Per a citizen's request to mention noxious weeds, you should pop the heads off dandelions and properly dispose of them before they go to seed.

COMMENTS OF THE CITY COUNCIL

Councilmember Van Dyke expressed appreciation for the hospital and staff and Green Dot.

Councilmember Zak acknowledged the wonderful and expert services of the hospital, Green Dot, and the mortgage pay off for the Cottonwood Horse Park.

Councilmember Burgess thanked the South Peninsula Hospital and Megan Murphy with MAPP. This week there will be meetings on Thursday and Friday to review the MAPP assessments and decide the goal in moving forward. Councilmember Burgess related the awesome experience his father has had with the hospital. He suggested painting the harbor building bright safety orange. Since the City's major asset is the harbor, we need to run and treat it as a business. The city ethics code is above and beyond the State. It provides a high degree of anonymity. He urged those that file ethics complaints as a personal vendetta to use the law for the better benefit of the community and not for personal intentions. The City budgets several hundred thousand dollars a year for legal fees and the taxpayers pay for frivolous ethics complaints.

Councilmember Howard announced the volunteer appreciation event that will be held the last Friday in September. It is to honor over 100 citizens that have helped us do our job. Mayor and Council will be asked to play a role in making the volunteers know they are appreciated. Councilmember Howard thanked the municipal clerks, Jo, Melissa, and Renee, for their work and the City Manager and City Attorney for their support to them.

Councilmember Lewis echoed Councilmember Burgess' and Van Dyke's comments on the hospital. He too has received excellent service at the hospital. He suggested a raffle for a free colonoscopy to help raise funds for the hospital. He mentioned the new trail on the Spit that passes by the ramps. He urged everyone to be careful and pay attention to the pedestrians.

Councilmember Roberts had no comments.

ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:56 p.m. The next Regular Meeting is Tuesday, May 27, 2014 at 6:00 p.m. and Committee of the Whole 5:00 p.m. A special meeting is scheduled for Monday, May 19, 2014 at 6:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

JO JOHNSON, MMC, CITY CLERK

Approved: _____



City of Homer

www.cityofhomer-ak.gov

Office of the Mayor

491 East Pioneer Avenue
Homer, Alaska 99603

mayor@ci.homer.ak.us

(p) 907-235-3130

(f) 907-235-3143

Memorandum 14-080

TO: HOMER CITY COUNCIL
FROM: MARY E. WYTHER, MAYOR
DATE: MAY 19, 2014
SUBJECT: APPOINTMENT OF TERRY SMITH TO THE LIBRARY ADVISORY BOARD

Terry Smith is appointed to the Library Advisory Board to replace outgoing member Jack Polster. Her term will expire April 1, 2016.

RECOMMENDATION:

Confirm the appointment of Terry Smith to the Library Advisory Board.

Fiscal Note: N/A



**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 checked="" 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 type="checkbox"/>	OTHER - PLEASE ENTER THE COMMITTEE/TASK FORCE	

I have been a resident of the City for mos. yrs I have been a resident of the area for mos. 26 yrs.

I am presently employed as:

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

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

If so when and where?

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

I am interested in serving on the above because:

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

Yes No If yes, please list organizations:

Questions regarding the Homer Advisory Planning Commission:

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

If yes, briefly describe the development:

Questions regarding the Port & Harbor Advisory Commission:

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

If yes, is you use primarily: Commercial Recreational Both

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

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

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-23

An Ordinance of the City Council of Homer, Alaska, Authorizing the Conveyance of Lots 1, 2, 3, 4 and 5, Scenic View Subdivision No. 6 to Kachemak Bay Equestrian Association Inc. for Use as Part of an Equestrian Park, and Waiving the Appraisal of the Property and Sale of the Property for Fair Market Value.

Sponsor: City Manager

1. City Council Regular Meeting May 27, 2014 Introduction
 - a. Quitclaim Deed Lots 1, 2, 3, 4 and 5, Scenic View Subdivision No. 6
 - b. Resolution o6-116
 - c. Map of area

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager

4 ORDINANCE 14-23
5

6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AUTHORIZING THE CONVEYANCE OF LOTS 1, 2, 3, 4 AND 5,
8 SCENIC VIEW SUBDIVISION NO. 6 TO KACHEMAK BAY
9 EQUESTRIAN ASSOCIATION. INC. FOR USE AS PART OF AN
10 EQUESTRIAN PARK, AND WAIVING THE APPRAISAL OF THE
11 PROPERTY AND SALE OF THE PROPERTY FOR FAIR MARKET
12 VALUE.
13

14 WHEREAS, In 2006, Diana Conway and Judith Miller offered to donate Lots 1, 2, 3, 4
15 and 5, Scenic View Subdivision No. 6 ("Property") to the City of Homer for public use and the
16 benefit and enjoyment of the community, including without limitation an equestrian or other
17 park, trails, playgrounds, picnic areas, or greenbelt; and
18

19 WHEREAS, The Council accepted this offer by adopting Ordinance 06-34 on June 26,
20 2006 and the donors executed deeds transferring the Property to the City; and
21

22 WHEREAS, The Council adopted Resolution 06-116 on August 28, 2006, expressing its
23 intent to donate the Property to the Kachemak Bay Equestrian Association, Inc. ("Association")
24 provided the Association raised the necessary funds to build an equestrian park on the
25 Property and adjacent property; and
26

27 WHEREAS, The Association has presented to the City satisfactory evidence that it has
28 acquired title to the adjacent property and has raised the necessary funds to build an
29 equestrian park on the Property and the adjacent property; and
30

31 WHEREAS, It is in the best interest of the City and its residents that the City convey the
32 Property to the Association for use as part of an equestrian park, while reserving for the use of
33 the general public an easement for pedestrian access across the south 30 feet of Lot 1, Scenic
34 View Subdivision No. 6; and
35

36 WHEREAS; It also is in the best interest of the City and its residents that the City waive
37 the requirements in HCC Chapter 18.12 for appraisal of the Property and sale of the Property
38 for fair market value.
39

40 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
41

42 Section 1. Notwithstanding anything to the contrary in Homer City Code Chapter
43 18.12, the City shall convey Lots 1, 2, 3, 4 and 5, Scenic View Subdivision No. 6 to Kachemak
44 Bay Equestrian Association, Inc., subject to the conditions that the Property shall be used

45 exclusively for public open space, park and recreational purposes, including without limitation
46 an equestrian park, and that the City shall reserve from the conveyance an easement for
47 pedestrian access across the south 30 feet of Lot 1, Scenic View Subdivision No. 6. Without
48 limiting the generality of the foregoing, the Property may be conveyed without an appraisal
49 and for less than fair market value.

50
51 Section 2. The City Manager hereby is authorized, empowered and directed to execute
52 and deliver on behalf of the City a quitclaim deed to the Property in substantially the form and
53 content attached to this ordinance as Exhibit A, but with such changes, modifications,
54 additions and deletions therein as he considers to be necessary, desirable or appropriate, the
55 execution thereof to constitute conclusive evidence of approval of any and all changes,
56 modifications, additions or deletions therein from the form and content of Exhibit A, and from
57 and after the execution and delivery of said document, the City Manager and City Clerk, and
58 their respective designees, each hereby is authorized, empowered and directed to do all acts
59 and things and to execute all documents as may be necessary to carry out and comply with the
60 provisions of said document as executed

61
62 Section 3. This is a non-Code ordinance of a permanent nature.

63
64 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
65 _____ 2014.

66
67 CITY OF HOMER

68
69
70
71 _____
72 MARY E. WYTHE, MAYOR

73 ATTEST:

74
75
76 _____
77 JO JOHNSON, MMC, CITY CLERK

78
79
80
81 YES:
82 NO:
83 ABSTAIN:
84 ABSENT:
85

86 First Reading:
87 Public Hearing:
88 Second Reading:
89 Effective Date:
90
91 Reviewed and approved as to form.
92
93 _____
94 Walt Wrede, City Manager
95
96 Date: _____
97
98 Fiscal Note: NA

Thomas F. Klinkner, City Attorney

Date: _____

HOMER RECORDING DISTRICT

AFTER RECORDING, RETURN TO:

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

QUITCLAIM DEED

The CITY OF HOMER, an Alaska municipal corporation (“Grantor”), whose address is 491 East Pioneer Avenue, Homer, Alaska 99603, for good and valuable consideration in hand paid, the adequacy and sufficiency of which is hereby acknowledged, conveys and quitclaims to KACHEMAK BAY EQUESTRIAN ASSOCIATION, INC., an Alaska nonprofit corporation (“Grantee”), whose address is P.O. Box 3120, Homer, Alaska 99603, all interest which Grantor has, if any, in the following described real property (“Property”):

Lots 1, 2, 3, 4 and 5, Scenic View Subdivision No. 6, according to Plat No. 82-47, Homer Recording District, Third Judicial District, State of Alaska

Grantor reserves for itself, its successors and assigns, an easement over and across the south 30 feet of Lot 1, Scenic View Subdivision No. 6, for the use of the general public for pedestrian access, and the right to enter upon such easement from time to time to construct, operate and maintain a pedestrian walkway thereon.

Grantee, for itself, its successors and assigns, covenants and agrees with Grantor, its successors and assigns, that the Property shall be used exclusively for public open space, park and recreational purposes, including without limitation an equestrian park.

DATED this ___ day of _____ 2014.

GRANTOR:

CITY OF HOMER

Walt Wrede, City Manager

GRANTEE: KACHEMAK BAY EQUESTRIAN ASSOCIATION, INC.

[name and title]

STATE OF ALASKA)
) ss:
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this ____ day of ____ 2014, by Walt Wrede, City Manager of the CITY OF HOMER, an Alaska municipal corporation, on behalf of the City.

Notary Public in and for Alaska
My commission expires:_____

STATE OF ALASKA)
) ss:
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this ____ day of ____ 2014, by [name], [title] of KACHEMAK BAY EQUESTRIAN ASSOCIATION, INC., an Alaska nonprofit corporation, on behalf of the corporation.

Notary Public in and for Alaska
My commission expires:_____

**CITY OF HOMER
HOMER, ALASKA**

CITY MANAGER

RESOLUTION 06-116

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, EXPRESSING ITS INTENT TO MAKE A DONATION OF PROPERTY, KENAI PENINSULA BOROUGH (KPB) TAX PARCEL NUMBERS 179-390-0300179-390-0700, TO THE KACHEMAK BAY EQUESTRIAN ASSOCIATION (KBEA), PROVIDED KBEA RAISES THE NECESSARY FUNDS TO BUILD AN EQUESTRIAN PARK AS PROPOSED ON THE DONATED LOTS AND ADJACENT KBEA PROPERTY.

WHEREAS, The City of Homer has long desired to create a community recreational park known as Jack Gist Park and has made substantial progress in that regard; and

WHEREAS, original plans for Jack Gist Park included an equestrian park; and

WHEREAS, the Kachemak Bay Equestrian Association (KBEA) has obtained property just north of the existing Jack Gist Park to be used for a community equestrian park; and

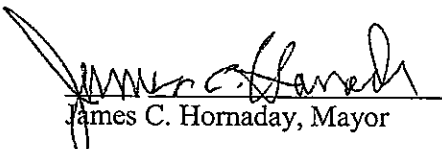
WHEREAS, the City of Homer recently accepted title to five lots immediately west of the KBEA property, with certain deed restrictions designating the property for the benefit and enjoyment of the community at large, with permissible uses specifically including an equestrian park; and

WHEREAS, the Homer City Council recently adopted Resolution 06-107 supporting KBEA's quest for grant money for the design and development of an equestrian park;

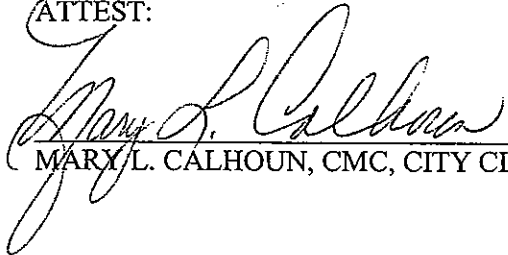
NOW, THEREFORE, BE IN RESOLVED, that the City Council of Homer, Alaska expresses its intent to make a donation of the five lots identified by KPB tax parcel numbers 179-390-0300—179-390-0700, pursuant to and in accordance with the provisions of Title 18 of the Homer Municipal Code, to the Kachemak Bay Equestrian Association, provided KBEA raises the necessary funds to build an equestrian park as proposed on the donated lots and adjacent KBEA property.

PASSED AND ADOPTED BY THE HOMER CITY COUNCIL this 28th day of August, 2006.

CITY OF HOMER


James C. Hornaday, Mayor

ATTEST:


MARY L. CALHOUN, CMC, CITY CLERK

Fiscal Impact: Assessed value \$32,000.00



IMPSON DR.

WILLIAMS PL.

Horsepark

ADAMS DR.

Subject Lots

SCENIC VIEW DR

SPRUCE LN.

SHANNON CT.

SHANNON LN

JACK GIST LN

EARLY SPRING ST.

SABRINA RD.

ROCHELLE RD

MARK WHITE AVE.

67

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-24

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.68.030 Proceedings of Commission, to Change the Meeting Schedule of the Parks and Recreation Advisory Commission.

Sponsor: City Manager/Parks and Recreation Advisory Commission

1. City Council Regular Meeting May 27, 2014 Introduction
 - a. Memorandums 14-081 and 14-083 from Parks and Recreation Advisory Commission as backup

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/Parks and Recreation
4 Advisory Commission

5 ORDINANCE 14-24

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING HOMER CITY CODE 2.68.030 PROCEEDINGS OF
9 COMMISSION, TO CHANGE THE MEETING SCHEDULE OF THE
10 PARKS AND RECREATION ADVISORY COMMISSION.

11
12 THE CITY OF HOMER ORDAINS:

13
14 Section 1. Homer City Code 2.68.030, Proceedings of Commission, is hereby amended
15 to read as follows:

16
17 2.68.030 Proceedings of commission. The Commission shall meet regularly once a
18 month in the months of February through June and August through November, with the
19 ~~exception of December there will be no regularly scheduled meeting,~~ and at the call of the
20 Chairperson or a majority of the Commission. Permanent records or minutes shall be kept of
21 the vote of each member upon every question. Every decision or finding shall immediately be
22 filed in the office of the City Clerk, and shall be a public record open to inspection by any
23 person. Every decision or finding shall be directed to the City Council at the earliest possible
24 date.

25
26 Section 2. This Ordinance is of a permanent and general character and shall be included
27 in the City Code.

28
29 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
30 _____ 2014.

31
32 CITY OF HOMER

33
34
35 _____
36 MARY E. WYTHE, MAYOR

37
38 ATTEST:

39
40
41 _____
42 JO JOHNSON, MMC, CITY CLERK

43
[Added language underlined. Deleted language stricken through.]

44 YES:
45 NO:
46 ABSTAIN:
47 ABSENT:
48
49
50
51 First Reading:
52 Public Hearing:
53 Second Reading:
54 Effective Date:

55
56
57

58 Reviewed and approved as to form.

59
60

61 _____
62 Walt Wrede, City Manager

Thomas F. Klinkner, City Attorney

63
64 Date: _____

Date: _____

65
66
67

Fiscal Note: NA

[Added language underlined. Deleted language stricken through.]



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 14-081

TO: MAYOR WYTHE AND CITY COUNCIL

FROM: PARKS AND RECREATION ADVISORY COMMISSION

THROUGH: RENEE KRAUSE, CMC, DEPUTY CITY CLERK I

DATE: FEBRUARY 26, 2014

SUBJECT: REDUCING MEETINGS OF THE BOARD, COMMISSIONS, AND COMMITTEES

The Parks and Recreation Advisory Commission discussed the Council request to reduce the number of meetings at the regular meeting on February 20, 2014. The commission agreed by consensus to reduce the number of meetings by an additional three meetings per year adding January, June and July. The commission does not have a scheduled meetings in December. The commission would still like to be able to schedule special meetings as required without permission of council.

Following is the excerpt of that discussion and subsequent motion.

B. Memorandum from City Clerk re: Reducing Meetings of the Commission

Chair Steffy read the title into the record. He questioned if they had to reduce the meeting schedule or just a suggestion from Council. Ms. Krause explained that if the commission feels strongly that a reduction in meetings would prohibit the commission accomplishing the tasks set before them they can certainly make that recommendation.

Ms. Engebretsen explained that for this year since they have the needs assessment and it has been established by the City Manager that there will be a need for a few special meetings that they can recommend that the commission will make the changes to the 2015 meeting schedule this fall. Chair Steffy read the recommendations in the memo and requested comments from the commission. He believed there may be some compromise between these recommendations.

LOWNEY/STEFFY - MOVED TO RECOMMEND MEETING EVERY MONTH EXCEPT JANUARY, JUNE, JULY, AND DECEMBER.

There was a brief discussion on the following: benefits to establishing committees, putting the onus on the commission to get their work done before summer, and if there is nothing to address

at the next meeting that they cancel the meeting ahead of time, the reasons why they are not allowed to create committees and why they must reduce the meetings.

ARCHIBALD/LOWNEY - MOVED TO AMEND THE MOTION TO ALLOW THE COMMISSION TO HOLD SPECIAL MEETINGS AS NEEDED WITHOUT PERMISSION OF COUNCIL.

Commissioner Lowney voiced concern that City Council is already perceived as not listening to the voice of the public and every step that they take to diminish their voices only adds to that perception. She noted that they already lost the ability to form and have committees she is not sure how she will vote now to reduce their abilities even more. Additional comment from staff being able to address their work requirements then also having to fulfill the thousand and one things that a committee or commission wants to have done too is some of the basis for not having committees and reducing the meetings. Commissioner Lillibridge also voiced concern on the ability to provide public input and reiterated that they are advisory to the Council and if they do reduce their meetings how can the commission advise Council in a timely manner. This effectively removes that ability and public input to council in her opinion.

VOTE.(Amendment). YES. NON-OBJECTION. UNANIMOUS CONSENT.

LOWNEY/STEFFY – MOVED TO AMEND THE MOTION TO READ MEETING EVERY MONTH WITH THE EXCEPTION OF JANUARY, JULY AND DECEMBER.

There was a brief discussion that to miss the June meeting with the Needs Assessment would not be the best thing to do this year. They can review it when the 2015 meeting schedule is being reviewed.

VOTE. (Second amendment) YES. NON-OBJECTION. UNANIMOUS CONSENT.

VOTE. (Main). YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

RECOMMENDATION: Approve the request to reduce the meeting schedule to eight meetings per year and retain the privilege to schedule special meetings as required.



City of Homer

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Office of the City Clerk

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Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 14-083

TO: MAYOR WYTHE AND CITY COUNCIL

FROM: PARKS AND RECREATION ADVISORY COMMISSION

THRU: RENEE KRAUSE, CMC, DEPUTY CITY CLERK I

DATE: APRIL 29, 2014

SUBJECT: AMENDING THE COMMISSION BYLAWS TO ADDRESS CHANGES TO ITEM C. MEETINGS, ITEM D. COMMITTEES AND ITEM F, SPECIAL MEETINGS

BACKGROUND

At the regular meeting of March 20, 2014 this item was on the agenda for introduction and was approved by the commission. These amendments to the bylaws were approved at the regular meeting on April 17, 2014. Following is the excerpt of the minutes regarding these changes to the commission bylaws.

Excerpt from the minutes of the March 20, 2014 Regular Meeting:

B. Amending the Commission Bylaws to Amend the Meeting Schedule, Establishing Committees and Holding Special Meetings

Ms. Krause explained that the commission made a motion to amend the meeting schedule and now the commission's bylaws needed to be amended which required two meetings. It is sort of like a public hearing for ordinances, introduced at one meeting and voted on at the second. Ms. Krause confirmed that a motion was required.

LILLIBRIDGE/LOWNEY - MOVE TO AMEND THE COMMISSION BYLAWS TO REFLECT THE PROPOSED CHANGES TO CREATION OF COMMITTEES ONLY WITH CITY COUNCIL APPROVAL, KEEPING THE ABILITY TO SCHEDULE SPECIAL MEETINGS AS REQUIRED AND NOT HAVING A REGULAR MEETING IN JANUARY AND JULY.

There was a brief discussion on the intended changes and whether they would apply to the meeting schedule this year.

VOTE. YES. ROEDL, LOWNEY, STEFFY, LILLIBRIDGE.

Motion carried

Excerpt from the minutes of the April 17, 2014 regular Meeting:

PENDING BUSINESS

A. *Amending the Commission Bylaws to Amend the Meeting Schedule, Establishing Committees and Holding Special Meetings.*

Chair Steffy noted that the proposed amendments are as follows:

To Reduce Commission Annual Meetings to Nine - Currently the commission does not meet in December and the months of January and July would be additional months that the commission does not meet.

To Amend the Ability of Committees to Be Formed without the Approval of City Council - Currently the commission has the ability to form committees to address issues or special projects as determined by the Commission. Due to problems with established short term committees established to address specific issues or projects going beyond their purview it has been decided that City Council must approve any requests for formation of a committee.

Commissioner Brann inquired that all they needed was to make the motion. Ms. Krause confirmed that was the action required.

BRANN/LOWNEY - MOVED TO AMEND THE PARKS AND RECREATION ADVISORY COMMISSION BYLAWS TO AMEND THE MEETING SCHEDULE AND ESTABLISHING COMMITTEES AS OUTLINED IN THE DOCUMENTS.

There was a brief discussion.

VOTE. YES. ARCHIBALD, BRANN, LOWNEY, MACCAMPBELL, STEFFY.

Motion carried.

Recommendation: Approve the request to amend the Parks and Recreation Advisory Commission Bylaws to reflect changes to the annual meeting schedule, adding the months of January and July to the months the commission will not be meeting and that committees will only be established by Council via a resolution.

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-25

An Ordinance of the City Council of Homer, Alaska, Amending the 2014 Operating Budget to Reallocate a Water Fund Capital Budget Item Expenditure at the Water Treatment Plant to Evaluate Alternatives to Reduce Disinfection By-Products in the Drinking Water.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting May 27, 2014 Introduction
 - a. Memorandum 14-087 from Public Works Director as backup
 - b. Public Works 2014 Capital Budget Items

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/
4 Public Works Director

5 ORDINANCE 14-25
6

7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE 2014 OPERATING BUDGET TO REALLOCATE A
9 WATER FUND CAPITAL BUDGET ITEM EXPENDITURE AT THE
10 WATER TREATMENT PLANT TO EVALUATE ALTERNATIVES TO
11 REDUCE DISINFECTION BY-PRODUCTS IN THE DRINKING WATER.
12

13 WHEREAS, The 2014 Operating Budget authorized the expenditure of \$29,000.00 to
14 install a mixed oxidant chlorination system at the Water Treatment Plant to reduce disinfection
15 by-products in the drinking water; and
16

17 WHEREAS, Upon further evaluation, Public Works has identified potential solutions that
18 could cost less and be more effective; and
19

20 WHEREAS, The current funds authorized would be better spent evaluating five different
21 potential solutions at a cost of \$18,459.00.
22

23 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
24

25 Section 1. The FY 2014 Operating Budget is hereby amended to reallocate Public Works
26 Line 31 Mixed Oxidant Disinfection in the amount of \$29,000.00 to Evaluate Alternatives to
27 Reduce Disinfection By-Products in the Drinking Water in the amount of \$18,459.00 at the Water
28 Treatment Plant.
29

30 From:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
256-0378 (Water Reserve)	Mixed Oxidant Disinfection at Water Treatment Plant	\$ 29,000.00

36 To:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
256-0378 (Water Reserve)	Evaluate Alternatives to Reduce Disinfection By-Products in the Drinking Water at Water Treatment Plant	\$ 18,459.00

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

46
47 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this _____ day of
48 June, 2014.

49
50 CITY OF HOMER

51
52
53 _____
54 MARY E. WYTHE, MAYOR
55

56 ATTEST:

57
58
59 _____
60 JO JOHNSON, MMC, CITY CLERK
61

- 62
- 63 AYES:
- 64 NOES:
- 65 ABSTAIN:
- 66 ABSENT:

- 67
- 68
- 69 First Reading:
- 70 Public Reading:
- 71 Second Reading:
- 72 Effective Date:

73
74 Reviewed and approved as to form:

75
76
77 _____
78 Walt Wrede, City Manager

79
80 _____
81 Thomas F. Klinkner, City Attorney

Date: _____

Date: _____



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

Memorandum 14-087

TO: Walt Wrede, City Manager
FROM: Carey Meyer, Public Works Director
DATE: May 21, 2014
SUBJECT: **Reallocation of Capital Project Funds**

The City of Homer's 2014 operating budget includes \$29,000 for the installation of a mixed oxidant disinfection equipment to reduce disinfection byproducts in our drinking water. Public Works, working with the designers of the water treatment plant, have identified other potential solutions to the disinfection byproduct problem that could be less expensive and more effective than the one authorized in the 2014 budget.

Solutions that need further evaluation include:

- Conversion from sodium hypochlorite to peracetic acid (mixed oxidant).
- Intake aeration or mixing to reduce raw water total carbon concentrations and DBP formation potential.
- Controlling water age in the distribution system.
- Reservoir mixing to increase residence time and reduced chlorine dosage (i.e. increase the "T" and lower the "C" of the CT calculation).
- Enhanced coagulation for additional total carbon removal.

Many of these potential solutions are operational adjustments that could require little capital expenditures. If a capital investment is required, the evaluation of the effectiveness of all alternatives would help secure the necessary ADEC approval to construct.

A study of these alternatives is expected to cost approximately \$18,459.

Recommendation: The City Council pass an ordinance reallocating the \$29,000 authorized for the installation of a mixed oxidant chlorination system in the 2014 operating budget to authorize the completion of a study of alternative disinfection byproduct creation solutions at a cost of \$18,459.

CITY OF HOMER
2014 OPERATING BUDGET

Line	Fund-Dept-A/C	Requests (>= \$5000) Description	BY	Requested Amount	Adopted Operating Budget	Adopted Capital Project
A	B	C	D	E	F	G
1	100-0101-5210	Service to Transition Paper to Electronic Documents	Clerk	10,000	10,000	
2	100-0100-5280	for Citizens Academy	Council	4,000	4,000	
3	100-0112-5227	Advertising for marine trades and other businesses	Council	10,000	10,000	
4	100-0112-5210	Additional allocated to Chamber of Commerce	Council	10,000	10,000	
5	100-0111-5227	Advertising for Open Positions	HR	10,000	10,000	
6	100-0113-xxxx	Server Virtualization project: Phase 1 (serv/storage)	IT	37,500	37,500	
7	100-0113-xxxx	Server Virtualization project: Phase 1 (software)	IT	30,000	30,000	
8	156-0375	Public Safety Network upgrades -Memo-13-130	IT	24,000		
9	156-0375	Server and Client Security and Automation	IT	30,000		
10	100-0145-5101/2	Youth Services Librarian from Part-time to Full-time	Library	26,788	26,788	
11	100-0145-5103/4	Temporary Summer Library Aide (3A) new position	Library	7,742		
12	100-0145-5228	Book Budget Increase from \$33,000-\$43,000)	Library	10,000	10,000	
13	100-0145-5990	Replace Public Use Technology Equipment	Library	18,453		
14	156-0393	Fire Station Exterior Paint/Stain	Fire	24,000		
15	156-0393	Floor Coverings - replacement	Fire	35,000		
16	100-0152-5103/4	Seasonal ESS (12A)	Fire	54,088	54,088	
17	156-0393	Multi - Gas Detector	Fire	10,000		10,000
18	156-0393	Fire Exit Stair Replacement	Fire	27,500		27,500
19	152-0382	New Vehicle Purchases (2)	Police	80,000		40,000
20	156-0394	Phone System Replacement	Police	40,000		40,000
21	156-0394	Air-conditioning system	Police	25,000		25,000
22	100-0171-5101/2	Building Maintenance Tech I (8A) Full-time	PW	59,858		
23	100-0175-5103/4	Parks Seasonal Temp (2A) 832 Hrs.	PW	11,596		
24	100-0178-5101/2	Building Custodian (3A) Fulltime position	PW	49,968		
25	152-0383	End Dump Truck for Roads & Drainage	PW	135,000		
26	156-0395	Expand Public Works Building	PW	425,000		
27	256-0378/0379	Mid/size pickup for W/S Maintenance	W & S	26,500		
28	256-0378/0379	Sewage Lagoon Improvements (liner, discharge rep)	W & S	16,500		
29	256-0378	Water Storage Tank -Diffuser	W & S	11,500		11,500
30	256-0378/0379	Mid 4x4 Pu	W & S	27,500		27,500
31	256-0378	Mixed Oxidant Disinfection WTP	W & S	29,000		29,000
32	156-0388	Remove underground fuel tank at Airport Terminal	PW	12,000		12,000
33	256-0379	Snowplow and flatbed	W & S	9,600		9,600
34	152-0383	Vehicle for New project Manager (split w/WS) *	PW	8,833		8,833
35	256-0378/0379	Vehicle for New Project Manager (Split w/PW fleet) *	W & S	17,667		17,667
36	156-0395	Replant 1995 JD410 Backhoe (share w/WS reserve) **	PW	3,333		3,333
37	256-0378/0379	Repaint 1995 JD410 Backhoe (share w/PW reserve) **	W & S	6,667		6,667
38	456-0380	Fish Dock Gratings	P & H	25,000		
39	456-0380	Float Sweeper	P & H	5,000		5,000
40	452-0374	Used 2 wheel-drive vehicle	P & H	12,000		12,000
41	456-0380	Black Gold Waste Oil Heater/Port Maint shop	P & H	15,000		15,000
42	456-0380	Fish Dock Cold Storage Door Replacement	P & H	15,000		15,000
43	456-0380	Maint.Cameras at Fish Dock	P & H	15,000		15,000
44	165-0375	Seafarers Memorial Parking Lot expansion	P & H	15,000		15,000
45	156-0387	(Planning Reserve) Park & Rec Needs Study	Council	25,000		25,000
46	156-0385	(Park & Rec Reserve) Park & Rec Needs Study	Council	15,000		10,000
47						
48						
49						
	Total			1,516,593	202,376	380,600

Summary: Budget Requests >=\$5000

1
2
3 **CITY OF HOMER**
4 **HOMER, ALASKA**

5 City Manager/Police Chief

6 **RESOLUTION 14-053**
7

8 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
9 APPROVING AND ACCEPTING THE RENEWAL OF THE SPECIAL
10 SERVICES CONTRACT FOR FY 2015 WITH THE ALASKA
11 DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF
12 \$36,000.00 AND AUTHORIZING THE CITY MANAGER TO
13 EXECUTE THE APPROPRIATE DOCUMENTS.
14

15 WHEREAS, The Alaska Department of Public Safety, State Troopers Special Services
16 Contract pays the City for the provision of services related to assistance in the efficient conduct
17 of the Alaska Department of Public Safety business within the general geographic region of
18 the City of Homer; and
19

20 WHEREAS, Services provided include pre-arraignment prisoner care and access to and
21 utilization of professional facilities and equipment instrumental to the overall efficient and
22 effective operation of law enforcement and emergency response component; and
23

24 WHEREAS, The Special Services Contract is an annually budgeted revenue in the
25 amount of \$36,000.00 to be paid in four payments of \$9,000.00; and
26

27 WHEREAS, The Alaska Department of Public Safety has requested renewal of the
28 contract for a one year period from July 1, 2014 through June 30, 2015.
29

30 NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Homer,
31 Alaska, hereby approves and accepts the renewal of the Special Services Contract for the FY
32 2015 with the Alaska Department of Public Safety in the amount of \$36,000.00 and authorizes
33 the City Manager to execute the appropriate documents.
34

35 PASSED AND ADOPTED by the Homer City Council this 27th day of May, 2014.
36

37 CITY OF HOMER
38

39
40
41 _____
42 MARY E. WYTHER, MAYOR

43 ATTEST:
44

45 _____
46 JO JOHNSON, MMC, CITY CLERK
47

48 Fiscal Impact: Revenues of \$36,000.00 budgeted in 100.030.4505.
49



City of Homer

www.cityofhomer-ak.gov

Police Department

4060 Heath Street
Homer, Alaska 99603

police@cityofhomer-ak.gov

(p) 907-235-3150

(f) 907-235-3151

Memorandum 14-082

TO: Walt Wrede, City Manager
THROUGH:
FROM: Mark Robl, Chief of Police
DATE: May 12, 2014
SUBJECT: FY 2015 Special Services Contract Renewal

The State Troopers have requested that we renew the special services contract we have with them. I recommend we obtain council approval to renew this contract.

We have had a special services contract with the state for over 25 years. The contract reimburses us for allowing troopers to use our facilities and equipment as needed. It also pays us for transporting state prisoners to and from arraignments and for housing their title 47 detainees. The state proposes to renew the contract at the existing rate of \$36,000 annually. I feel that this very fair compensation for the services we provide to them.

RECOMMENDATION:

Adopt the resolution renewing the Special Services Contract for FY 2015 with the Alaska Department of Public Safety.

**ALASKA DEPARTMENT OF PUBLIC SAFETY
CONTRACT FOR SPECIAL SERVICES**

July 1, 2014 to June 30, 2015

The parties. The parties to this contract are the Alaska Department of Public Safety (hereinafter referred to as the "Department") and the City of Homer (hereinafter referred to as the "City").

Sole Agreement. The City and the Department undertake this contract under the terms set forth below. This contract is the sole agreement between the parties relating to special services, and there are no other agreements, express or implied.

Effective Date/Termination/Amendments. This contract is effective July 1, 2014 and continues in force until June 30, 2015; except that it may be terminated by either party upon thirty (30) days written notification to the other. This agreement may be amended by written agreement of the parties.

1. The Department will pay the City for services provided in accordance with, and under the terms of, this contract. Payments will be made quarterly in the amount of \$9,000.00, for a total of \$36,000.00. Payment for services provided under this contract will be made in four annual payments in the amount of and covering the periods indicated below:

Period Covered	Amount	Payment Process Can Be Initiated
07/01/14 – 09/30/14	\$9,000.00	10/01/14
10/01/14 – 12/31/14	\$9,000.00	01/01/15
01/01/15 – 03/31/15	\$9,000.00	04/01/15
04/01/15 – 06/30/15	\$9,000.00	06/01/15
12 Month Total	\$36,000.00	

2. The City will provide and perform the services specified in this contract to the satisfaction of the Department, in support of Department personnel and operations.

SPECIFIC PROVISIONS

3. The City will:
 - a. permit limited but continued access to and utilization of professional facilities and equipment instrumental to the overall efficient and effective operation of law enforcement and emergency response component (i.e. squad room, temporary work desk, kitchen, weight and exercise room, locker room, interview rooms, evidence processing room and equipment, intoximeter, video and training material, and other general building facilities).

**ALASKA DEPARTMENT OF PUBLIC SAFETY
CONTRACT FOR SPECIAL SERVICES**

July 1, 2014 to June 30, 2015

- b. provide continued transport and security of prisoners from the Homer Jail to Homer Court for hearings and arraignments; persons remanded to custody by the Court from Homer Court to Homer Jail; persons in custody prior to arraignment; and persons committed under Title 47 to the South Peninsula Hospital in Homer.

IN WITNESS OF THIS AGREEMENT, the undersigned duly authorized officers have subscribed their names on behalf of the Department and the City respectively.

For the City of Homer:

By _____

Printed Name _____

Official Title _____

Date _____

For the Department of Public Safety:

By _____

Printed Name _____

Official Title _____

Date _____

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager

4 RESOLUTION 14-054

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 ESTABLISHING A 2014 MIL RATE OF 9.962541 MILS FOR THE
8 OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT.
9

10 WHEREAS, The City of Homer may by ordinance, establish, alter, and abolish
11 differential tax zones to provide and levy property taxes for services not provided generally in
12 the City, or a differential levy than that generally provided in the City; and
13

14 WHEREAS, The City Council adopted Ordinance 11-49(S) to create the Ocean Drive
15 Loop Special Service District to provide special services to the properties along the seawall to
16 include operation, maintenance, repair, reconstruction, improvement, insurance,
17 administration and other related activities conducted in the course of making and keeping the
18 seawall operational for its intended erosion control purpose; and
19

20 WHEREAS, The District is funded by a property tax levied on the properties in the
21 Special Service District; and
22

23 WHEREAS, HCC 15.10.020 provides that "The City Council shall annually set the mil
24 levy pursuant to Section 9.04.040"; and
25

26 WHEREAS, HCC 9.04.040 states that the City Council must establish a mil rate no later
27 than June 15 of each year; and
28

29 WHEREAS, The mil rate established herein is in addition to the general real property
30 tax mil rate.
31

32 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby establishes a
33 2014 mil rate of 9.962541 mils for the Ocean Drive Loop Special Service District and authorizes
34 the City Manager to so inform the Kenai Peninsula Borough.
35

36 PASSED AND ADOPTED by the Homer City Council this 27th day of May, 2014.
37
38

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CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: Revenue \$25,000 Acct. 808-375



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum 14-085

TO: Mayor Wythe and Homer City Council
FROM: Walt Wrede
DATE: May 27, 2014
SUBJECT: FY 2014 Mil Rate / Ocean Drive Loop Special Service District

The Ocean Drive Loop Special Service District property tax levy is authorized and administered under Title 15 of the Homer Municipal Code. The Code provides that the City Council must establish a property tax levy by June 15 of each year (HCC 9.04.040). The May 27, 2014 City Council meeting Agenda contains a resolution which establishes the 2014 Mil Rate for the Service District at 9.962541; the same as last year.

Even though there have been no seawall expenditures for several years, I have proposed keeping the Mil rate at the same level as last year because I think there is a need to build up the reserves. One big storm could easily wipe out both seawall reserve accounts. The fact that there is no insurance on the seawall suggests that growing the reserves is prudent. In addition to that, a larger reserve will be necessary if the property owners want to make improvements, design a longer term upgrade, provide matching money for grants, or purchase insurance on their own.

A Mil rate of 9.962541 generated \$22,078 in tax revenues last year. There is presently a combined total of \$92,811 in both seawall reserve accounts. Following is an account status report:

As of May 19, 2014:

The balance in the Ocean Drive loop Special Assessment Fund is **\$42,171**. This is the money collected from property taxes.

The balance in the Seawall Depreciation Fund is **\$50,640**. This is the money the City contributes each year in lieu of property taxes (HCC 15.10.030) and it includes the transfer of \$10,000 included in this year's (2014) Operating Budget.

RECOMMENDATION: Approve Resolution 14-054 establishing the 2014 Mil Rate for the Ocean Drive Loop Special Service District at 9.962541.

From: Jo Johnson
To: [Angie Newby](#); [Char Jump](#); [Chris Newby](#); [Homer Beach House](#); [John & Janet Szajkowski](#); [Kathy Sarns](#); [Larry Goode](#); [M Pfeffer](#); [Norm Schumacher](#); [Ocean House Inn](#); [Pat Irwin](#); [Paul & Marilyn Hueper](#); [Sunny Bourgeois](#)
Subject: FW: Ocean Drive Loop Special Service District Mil Rate
Date: Monday, May 19, 2014 4:57:00 PM

From: Walt Wrede
Sent: Monday, May 19, 2014 4:56 PM
To: Jo Johnson
Subject: Ocean Drive Loop Special Service District Mil Rate

TO: Property Owners / Ocean Drive Loop Special Service District

FROM: Walt Wrede / City Manager

DATE: May 19, 2014

Dear Property Owners:

The Ocean Drive Loop Special Service District property tax levy is authorized and administered under Title 15 of the Homer Municipal Code. The Code provides that the Homer City Council must establish a property tax levy by June 15 of each year (HCC 9.04.040). I am writing to give you advance notice that there is a Resolution for Council consideration on the Tuesday, May 27 Agenda which establishes the 2014 Mil Rate for the Special Service District. The Mil Rate proposed in the Resolution is 9.962541; the same as last year.

One property owner inquired whether the Mil Rate could be decreased this year since we have not spent any money on seawall repairs for several years. It is great that the seawall is performing well and we should all keep our fingers crossed. I almost hesitate to mention it out of fear that I might jinx us by doing so. I have given this a lot of thought and discussed it with Public Works Director Carey Meyer.

I reached the conclusion that lowering the Mil Rate this year would be risky and not a responsible course of action. Below is an accounting of the current status of seawall reserve accounts. There is a combined total of \$92,811 available right now. This might seem like a lot of money since on average, we have spent about \$20,000 to \$40,000 per repair. However, we have experienced several big repairs in the same year on several occasions. One major storm could take us through that money pretty quickly. In addition, since we have no insurance on the wall, it would be prudent to build up the account to accomplish a little more of a safety net. Finally, if the property owners want to make significant repairs or improvements, design a permanent, longer term upgrade, or provide matching money for grants, it would behoove us to grow these reserves. Last year a Mil rate of 9.962541 generated \$22,078. If it generated that amount this year, we could have close to \$110,000 by the end of this year, assuming no damage occurs this year. We would have to get through the November-December storm season for that to occur.

As of May 19, 2014:

The Balance in the Ocean Drive Loop Special Assessment fund is \$42,171. This is the money collected from property taxes.

The Balance in the Seawall Depreciation Fund is \$50,640. This is the money the City contributes each year in lieu of property tax (HCC 15.10.030). This amount includes the transfer of \$10,000 included in this year's Operating Budget.

Thanks, Please let me know if you have questions.

Regards, Walt Wrede

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**CITY OF HOMER
HOMER, ALASKA**

City Manager, City Attorney

ORDINANCE 11-49(S)

AN ORDINANCE OF THE HOMER CITY COUNCIL ADOPTING HOMER CITY CODE CHAPTER 15.10, OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT, TO CREATE A DIFFERENTIAL PROPERTY TAX ZONE TO LEVY PROPERTY TAXES TO FUND SPECIAL SERVICES PROVIDED IN THE DISTRICT.

WHEREAS, The City may by ordinance establish, alter, and abolish differential tax zones to provide and levy property taxes for services not provided generally in the City, or a different level of service than that provided generally in the City; and

WHEREAS, The City by Ordinance 06-53(S) established a differential tax zone known as the Ocean Drive Loop Special Service District ("District") for the purpose of providing special services to the properties in the Ocean Drive Loop Bluff Erosion Control Improvement District that are not provided elsewhere in the City; and

WHEREAS, Ordinance 06-53(S) provided for the formation of an association of property owners to receive and expend taxes levied in the District for the purpose of operating and maintaining the seawall that had been constructed in the Ocean Drive Loop Bluff Erosion Control Improvement District; and

WHEREAS, When no association of property owners formed as contemplated by Ordinance 06-53(S), the Council enacted Ordinance 10-19, finding that it would be in the best interest of the City to allow the owners of property in the District to determine among themselves what collective arrangements, if any, to make for funding the operation of the seawall, and abolishing the District; and

WHEREAS, Some property owners in the Ocean Drive Loop Bluff Erosion Control Improvement District continue to assert that the City is responsible for maintaining the seawall, and have induced the Army Corps of Engineers to require the City to repair damage to the seawall under the terms of the permit the Corps issued to the City for the seawall; and

WHEREAS, Until the issue of the City's obligations under the Corps permit can be resolved, it is necessary for the City to have a source of funds to pay costs of repairing the seawall; and

WHEREAS, For the purpose of providing funds required to pay the cost of repairs to the seawall, it is in the best interest of the City to immediately establish a new differential tax zone known as the Ocean Drive Loop Special Service District for the purpose of providing special services to the properties in the Ocean Drive Loop Bluff Erosion Control Improvement District of a special kind and greater level of service than those provided generally in the City.

47 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
48

49 Section 1. Homer City Code Chapter 15.10, Ocean Drive Loop Special Service District,
50 is adopted to read as follows:

51 Chapter 15.10

52 OCEAN DRIVE LOOP SPECIAL SERVICE DISTRICT
53

54 Sections:

55 15.10.005 Definitions
56

57 15.10.010 Ocean Drive Loop Special Service District established
58

59 15.10.020 Property tax levy
60

61 15.10.030 Payment in lieu of taxes
62

63 15.10.040 Administration
64

65 15.10.050 Services authorized
66

67 15.10.060 Excess tax revenue
68

69 15.10.005 Definitions. As used in this chapter:
70

71 "*Improvement District*" means the Ocean Drive Loop Bluff Erosion Control
72 Improvement District previously established by the City as a local improvement district to
73 construct an erosion control seawall.
74

75 "*Operate*" and "*Operation*" with respect to the Seawall includes operation, maintenance,
76 repair, reconstruction, improvement, insurance, administration and other related or similar
77 activities conducted in the course of making and keeping the Seawall operational for its intended
78 erosion control purpose for the benefit of the properties in the Improvement District.
79

80 "*Seawall*" means the erosion control seawall constructed in the Improvement District.
81

82 "*Special Service District*" means the Ocean Drive Loop Special Service District
83 established under this chapter.
84

85 15.10.010 Ocean Drive Loop Special Service District established. a. There is established
86 a special service district within the City designated as the "Ocean Drive Loop Special Service
87 District" for the purpose of providing special services to the properties in the Ocean Drive Loop
88 Bluff Erosion Control Improvement/Assessment District that are not provided elsewhere in the
89 City.
90

91 b. The Special Service District consists of the properties in the Homer Recording
92 District that are described as follows:

Oscar Munson Subdivision Lot 34

Oscar Munson Subdivision Lot 35

- 93 Oscar Munson Subdivision Lot 36
94
95 Oscar Munson Subdivision Lot 37
96
97 Oscar Munson Subdivision Lot 38
98
99 Oscar Munson Subdivision Lot 39
100
101 Oscar Munson Subdivision Lot 40
102
103 Oscar Munson Subdivision Lot 41
104
105 Oscar Munson Subdivision Lot 42
106
107 Oscar Munson Subdivision Lot 43
108
109 Oscar Munson Subdivision Lot 44
110
111 Oscar Munson Subdivision No. 18 Lot 45B
112
113 Oscar Munson Subdivision No. 18 Lot 45A
114
115 Tamian Subdivision Lot 1
116
117 A portion of T6S R13W Section 21, Beginning at corner of Sections 20, 21, 28,
118 and 29; thence N 64 degrees 10 minutes E a distance of 50.00 feet; thence S 64
119 degrees 10 minutes E a distance of 50.00 feet; thence E a distance of 35.00 feet;
120 thence N 0 degrees 05 minutes W a distance of 450.00 feet; thence W a distance
121 of 125.00 feet; thence S 0 degrees 05 minutes E a distance of 450.00 feet to the
122 point of beginning.
123
124 Seabreeze Subdivision Lot 5
125
126 Lake St ROW south of Ocean Drive Loop
127
128 Pedestrian Easement south of Ocean Drive Loop between Lots 37 and 38, Oscar
129 Munson Subdivision
130
131 15.10.020 Property tax levy. a. The Special Service District shall be funded by a property
132 tax levied on the properties in the Special Service District. The City Council shall annually set
133 the mill levy pursuant to Section 9.04.040. The tax shall be assessed and collected as other real
134 property taxes levied by the City.
135 b. Any property tax levied for the purpose of funding the Special Service District shall be
136 excluded from the calculation of the mill rate contingency set forth in Section 9.16.020 for
137 purpose of determining whether the City's sales tax levy shall remain in effect.
138

139 15.10.030 Payment in lieu of taxes. In lieu of paying taxes on tax exempt property owned
140 by the City in the Special Service District, the City will annually appropriate money to the
141 district or perform in-kind services for the district equivalent in value to the amount of taxes that
142 would be levied on the City property if it were taxable.

143
144 15.10.040 Administration. The administration of this chapter is a function of the
145 Department of Administration.

146
147 15.10.050 Services Authorized. Revenue collected by the City under this chapter may be
148 appropriated and expended for the limited purpose of funding Operation of the Seawall for the
149 benefit of all properties in the Improvement District.

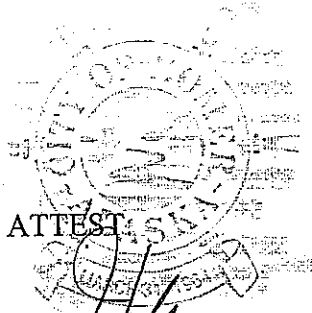
150
151 15.10.060 Excess tax revenue. If at any time the City Council determines Special Service
152 District tax revenues exceed the needs of the Special Service District, the City Council may
153 authorize a refund of the excess tax revenues collected under this chapter to the taxpayers in
154 proportion to amounts paid in by such taxpayers.

155
156 Section 2. This Ordinance is of a permanent and general character and shall be included
157 in the City Code.

158
159 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 23rd day of
160 January, 2012.

161
162 CITY OF HOMER

163
164
165 James C. Hornaday
166 JAMES C. HORNADAY, MAYOR



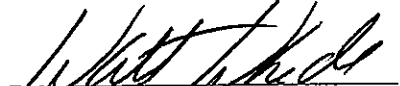
167
168 ATTEST:
169
170
171 Jo Johnson
172 JO JOHNSON, CMC, CITY CLERK

173
174 YES: 5
175 NO: 1
176 ABSTAIN: 0
177 ABSENT: 0

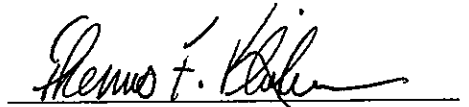
178
179 First Reading: 12/19/11
180 Public Hearing: 1/23/12
181 Second Reading: 1/23/12
182 Effective Date: 1/24/12
183

184 Reviewed and approved as to form:

185
186
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189
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191
192


Walt E. Wrede, City Manager

Date: 1/25/12


Thomas F. Klinkner, City Attorney

Date: 1-27-12

○

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1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager

4 RESOLUTION 14-055

5
6 A RESOLUTION OF THE HOMER CITY COUNCIL ESTABLISHING
7 THE CITY OF HOMER PROPERTY TAX MIL LEVY RATE AT 4.5
8 MILS FOR 2014.

9
10 WHEREAS, Homer City Code 9.04.040 states that the City Council must establish a mil
11 rate no later than June 15 of each year; and

12
13 WHEREAS, Council set the mil rate at 4.5 mils for 2014 with the adoption of budget
14 Ordinance 13-44(A); and

15
16 WHEREAS, The 4.5 mil rate established by Ordinance 13-44(A) will be maintained.

17
18 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby establishes
19 the City of Homer property tax mil levy rate at 4.5 mils for 2014 and authorizes the City
20 Manager to so inform the Kenai Peninsula Borough.

21
22 PASSED AND ADOPTED by the Homer City Council this 27th day of May, 2014.

23
24 CITY OF HOMER

25
26
27 _____
28 MARY E. WYTHE, MAYOR

29
30 ATTEST:

31
32
33 _____
34 JO JOHNSON, MMC, CITY CLERK

35
36 Fiscal Note: Estimated real property tax revenue \$3,065,880, Account No. 100-0005-4101.

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Clerk/
4 Parks and Recreation
5 Advisory Commission

6 RESOLUTION 14-056

7
8 A RESOLUTION OF THE HOMER CITY COUNCIL AMENDING
9 THE PARKS AND RECREATION ADVISORY COMMISSION
10 BYLAWS, REGULAR MEETINGS, ESTABLISHING A REGULAR
11 MEETING SCHEDULE OF FEBRUARY THROUGH JUNE AND
12 AUGUST THROUGH NOVEMBER; COMMITTEES, REQUIRING
13 CITY COUNCIL APPROVAL TO FORM A SPECIAL COMMITTEE;
14 AND SPECIAL MEETINGS, TO BE SCHEDULED ONLY WHEN
15 REQUIRED TO COMPLETE TIME SENSITIVE BUSINESS.

16
17 WHEREAS, In an effort to reduce staff time spent preparing for and attending
18 meetings, the City Council asked the board, commissions, and committees to review their
19 meeting schedules to see if they could reduce the number of meetings; and

20
21 WHEREAS, The Parks and Recreation Advisory Commission determined they could
22 eliminate regular meetings for the months of January, July, and December and schedule
23 special meetings only when they are required to complete time sensitive business; and

24
25 WHEREAS, The Parks and Recreation Advisory Commission recommended that Council
26 approval be required to form special short-term committees to address specific issues; and

27
28 WHEREAS, The Bylaws amendments were introduced at the Commission's March 20,
29 2014 regular meeting and approved at their April 17th regular meeting by unanimous consent of
30 the Commission.

31
32 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby amends the
33 Parks and Recreation Advisory Commission Bylaws to establish a regular meeting schedule of
34 February through June and August through November, to require City Council approval to
35 form a special committee, and that special meetings be scheduled only when required to
36 complete time sensitive business.

38 PASSED AND ADOPTED by the City Council of Homer, Alaska, this _____ day of June,
39 2014.

40

41

CITY OF HOMER

42

43

44

MARY E. WYTHE, MAYOR

45

46

47 ATTEST:

48

49

50

51 JO JOHNSON, MMC, CITY CLERK

52

53 Fiscal Note: NA

1 **PARKS AND RECREATION ADVISORY COMMISSION**
2 **BYLAWS**
3

4 The Homer Parks and Recreation Advisory Commission is established with those powers and duties as set
5 forth in Title 1, Section 74, of the Homer Municipal Code.

6 The Commission is established to act in an advisory capacity to the City Manager and the City Council on
7 the problems and development of parks and recreation facilities and public beaches within the City.

8 The Commission's jurisdiction is limited to the area within the City Boundaries except for those extra
9 territorial interests, such as trails and city properties, subject to city jurisdiction.

10 The Homer Parks and Recreation Advisory Commission consist of seven members; up to three members
11 may be residents from outside the city limits, preference shall be given to City resident applicants.

12 Members will be appointed by the Mayor for three-year terms (except to complete terms) subject to
13 confirmation by the City Council.

14 One Homer area High School student selected by his or her student body shall serve as a consulting
15 member of the Commission in addition to the seven appointed members, and may attend and participate
16 in all meetings as a consultant, but shall have no vote. (Ord. 99-04, 1999)

17 There will be regular monthly meetings January through November of the Commission and permanent
18 records or minutes shall be kept of the proceedings. The minutes will record the vote of each member
19 upon every question. Every decision shall be filed in the office of the City Clerk and shall be public record
20 open to inspection.

21
22 **HISTORY**

23 The By-laws were passed by the Parks and Recreation Commission on October 20, 1983 by the Homer
24 City Council on February 13, 1984, and shall be in effect and govern the procedures of the Commission.

25 The duties and responsibilities of the Commission are:

26 A. Act in advisory capacity to the City Manager and the City Council on the problems and
27 development of park and recreation facilities and public beaches in the city. Consideration may include
28 existing facilities, possible future developments and recommendations on land use.

29 B. Consider any specific proposal, problem or project as directed by the City Council.
30

31
32 **BY-LAWS**
33

34 A. To abide by existing Alaska State Law, Borough Code of Ordinance, where applicable, and Homer
35 Municipal Code;

36
37 B. To abide by Robert's Rules of Order, current edition, in so far as this treatise is consistent with
38 Homer Municipal Code.
39

40 **C. REGULAR MEETINGS:**

41 1. ~~January through November~~ **February through June and August through**
42 **November** on the third Thursday of the month, at 5:30 p.m. **No meetings will be**
43 **scheduled during the months of January, July and December unless a Special**
44 **meeting is required in accordance to the bylaws.**
45

46 2. Items will be added to the agenda upon request of staff, the Commission or a
47 Commissioner. Agenda deadline is the Wednesday of the week preceding the meeting
48 date at 5:00 p.m.
49

50 3. Removing items from the published agenda will be by consensus of the Commission. No
51 items may be added.
52

53 4. Commissioners will give staff or Chair a minimum of a two week notice or as soon
54 as possible regarding their potential absence from a meeting.
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D. COMMITTEES

1. ~~The Chair shall appoint committees for such specific purposes as the business of the Commission may require.~~ **The commission shall submit a request for approval to City Council to form special committees.** Committee membership shall include at least two Commissioners. ~~Other Committee members may be appointed from the public.~~ **The commission will submit in memorandum form to council the reason for establishing a committee, the task(s) assigned to the committee and the expected term for the committee plus a list of persons to be appointed to the committee such as Council members, department personnel, or number of public in specific sectors or with special experience preferred.**
2. One committee member shall be appointed as Chair and be responsible creating an agenda and notifying ~~work with~~ **the City Clerk's Office to create the agenda and schedule** of meetings so they may be advertised in accordance with Alaska State Law and Homer City Code.
3. One committee member shall be appointed and responsible for furnishing summary notes of all Committee meetings to the City Clerk.
4. Committees shall meet in accordance with Commission bylaws and Robert's Rules.
5. Committees will make a progress report at all commission meetings.
6. No committee shall have other than advisory powers.
7. Per Robert's Rules **and the resolution creating the committee as established by City Council** upon giving final report the committee is disbanded.
8. **All meetings are to be conducted in City Hall where they may be recorded.**

E. COMMISSION MEETING PUBLIC COMMENT/TESTIMONY AND AUDIENCE COMMENT TIME LIMITS

1. The meeting Chair shall note for the audience's benefit that there is a three minute time limit each time there is a place in the agenda for public comment/testimony or audience comments.
2. Any individual wishing to address the Commission shall adhere to a three minute time limit. It is the responsibility of the Chair to announce under Public Comments, Public testimony on public hearing items and Audience Comments that there is a 3 minute time limit.
3. Time limits may be adjusted by the 2 minutes up or down with the concurrence of the body in special circumstances only such as agenda content and public attendance.

F. SPECIAL MEETINGS:

1. Called by Chair or majority of the Commission **only when required to complete time sensitive business of the commission, at the request of City Administration or City Council.**

G. DUTIES AND POWERS OF THE OFFICERS:

1. A Chair and Vice-Chair shall be selected annually (November meeting) by the appointive members.
2. The Chair shall preside at all meetings of the Commission, call special meetings in accordance with the by-laws, sign documents of the Commission, see that all actions and notices are properly taken, and summarize the findings of the Commission for the official record.
3. The Vice-Chair shall perform all duties and be subject to all responsibilities of the Chair in his/her absence, disability or disqualification of office.
4. The Vice-Chair will succeed the Chair if he/she vacates the office before the term is completed, to complete the unexpired term. A new Vice-Chair shall be elected at the next regular meeting.

H. MOTIONS TO RECONSIDER:

1. Notice of reconsideration shall be given to the Chair or Vice-Chair, if the Chair is unavailable, within forty-eight hours from the time the original action was taken.
2. A member of Commission who voted on the prevailing side on any issue may move to reconsider the Commission's action at the same meeting or at the next regular meeting of the body provided the above 48-hour notice has been given.
3. Consideration is only for the original motion to which it applies.

- 117 **I. CONFLICT OF INTEREST:**
 118 1. A member or the Commission shall disqualify himself/herself from participating in any
 119 official action in which he/she has a substantial financial interest.
 120 2. Should the Commission member not move to disqualify himself/herself after it has been
 121 established that he/she has a substantial financial interest, the Commission may move to
 122 disqualify that member by a majority vote of the body.
 123

- 124 **J. QUORUM; VOTING:**
 125 1. Four Commission members shall constitute a quorum.
 126 2. Four affirmative votes are required for the passage of a resolution or motion.
 127 3. Voting will be by verbal vote, the order to be rotated. The final vote on each resolution
 128 or motion is a recorded roll call vote.
 129 4. The City Manager, Mayor and High School student shall serve as consulting members of
 130 the Commission but shall have no vote.
 131

- 132 **K. CONSENSUS:**
 133 1. The Commission may, from time to time, express its opinion or preference concerning a
 134 subject brought before it for consideration. Said statement, representing the will of the body and
 135 meeting of the minds of the members, may be given by the presiding officer as the consensus of
 136 the body as to that subject without taking a motion and roll call vote.
 137

- 138 **L. ABSTENTIONS:**
 139 1. All Commission members present shall vote unless the Commission, for special reasons,
 140 permits a member to abstain.
 141 2. A motion to excuse a member from voting shall be made prior to the call for the question
 142 to be voted upon.
 143 3. A member of the Commission requesting to be excused from voting may make a brief,
 144 oral statement of the reasons for the request and the question of granting permission to abstain
 145 shall be taken without further debate.
 146 4. A member may not be permitted to abstain except upon the unanimous consensus of
 147 members present.
 148 5. A member may not explain a vote, may not discuss the question while the roll call vote is
 149 being taken and may not change his/her vote thereafter.
 150

- 151 **M. VACANCIES:**
 152 1. A Commission appointment is vacated under the following conditions and upon the
 153 declaration of vacancy by the Commission.
 154 2. The Commission shall declare a vacancy when the person appointed:
 155 A. fails to qualify to take office within 30 days after his/her appointment;
 156 B. resigns and the resignation is accepted;
 157 C. is physically or mentally unable to perform the duties of his/her office;
 158 D. misses three consecutive regular meetings unless excused; or
 159 E. is convicted of a felony or of an offense involving a violation of his/her
 160 oath of office.
 161

162 **N. GENERAL ORDER OF BUSINESS:**

163 NAME OF BODY	DATE OF MEETING
164 PHYSICAL LOCATION OF MEETING	DAY OF WEEK AND TIME OF MEETING
165 HOMER, ALASKA	MEETING ROOM

166 NOTICE OF MEETING
 167 REGULAR MEETING AGENDA

- 168 1. CALL TO ORDER
 169 2. APPROVAL OF AGENDA
 170 3. PUBLIC COMMENTS REGARDING ITEMS ON THE AGENDA. (3 MINUTE TIME LIMIT)
 171 4. RECONSIDERATION
 172 5. APPROVAL OF MINUTES or CONSENT AGENDA.
 173 6. VISITORS (Chair set time limit not to exceed 20 minutes) (Public may not comment on the
 174 visitor or the visitor's topic until audience comments.) No action may be taken at this time.
 175 7. STAFF & COUNCIL REPORT/COMMITTEE REPORTS/BOROUGH REPORTS (Chair set time limit
 176 not to exceed 5 minutes.)
 177 8. PUBLIC HEARING (3 MINUTE TIME LIMIT)

- 178 9. PLAT CONSIDERATION (Planning Commission only)
- 179 10. PENDING BUSINESS or OLD BUSINESS
- 180 11. NEW BUSINESS or COMMISSION BUSINESS
- 181 12. INFORMATIONAL MATERIALS (NO ACTION MAY BE TAKEN ON THESE MATTERS, THEY MAY
- 182 BE DISCUSSED ONLY).
- 183 13. COMMENTS OF THE AUDIENCE (3 MINUTE TIME LIMIT)
- 184 14. COMMENTS OF THE CITY STAFF (not required) (Staff report may be at this time in the
- 185 agenda.)
- 186 15. COMMENTS OF THE COUNCILMEMBER (If one is assigned)
- 187 16. COMMENTS OF THE CHAIR (May be combined with COMMENTS OF THE
- 188 COMMISSION/BOARD since the Chair is a member of the Commission/Board.)
- 189 17. COMMENTS OF THE COMMISSION
- 190 18. ADJOURNMENT/NEXT REGULAR MEETING IS SCHEDULED FOR _____
- 191 note any worksessions, special meetings, committee meetings etc. All meetings scheduled to be held
- 192 in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.
- 193 (Sometimes the meeting is scheduled for the Conference Room)
- 194

195 **O. PROCEDURE FOR CONSIDERATION OF AGENDA ITEMS:**

196 The following procedure will normally be observed pursuant to Robert's Rules:

- 197 1. A motion is made to discuss the item OR to approve the staff recommendation. The
- 198 item may then be discussed, amended or voted on.
- 199 2. If there are questions of staff or an appropriate audience member, a Commissioner
- 200 may request permission from the Chair to ask the question. The Chair, upon with
- 201 consensus approval, may grant the request.
- 202

203 **P. BYLAWS AMENDED:**

204 The bylaws may be amended at any meeting of the Commission by a majority plus one vote of

205 the members, provided that notice of said proposed amendment is given to each member in

206 writing. The proposed amendment shall be introduced at one meeting and action shall be taken

207 at the next commission meeting.

208

209

210 **Q. TELECONFERENCE:**

211 Teleconference meetings.

212

213 1. The preferred procedure for Commission meeting is that all members be physically

214 present at the designated time and location within the City for the meeting. However, physical

215 presence may be waived by the Chair or Commission and a member may participate in a meeting

216 by Teleconference when it is not essential to the effective participation or the conduct of business

217 at the meeting.

218 A. A Commission member participating by teleconference shall be deemed to be

219 present at the meeting for all purposes. In the event the Chair participates telephonically,

220 the Vice-Chair shall run the meeting.

221

222 2. Teleconference procedures.

223 A. A Commission member who cannot be physically present for a regularly scheduled

224 meeting shall notify the recording clerk at least five days prior to the scheduled time for the

225 meeting of his/her intent to appear by telephonic means of communication.

226 B. The recording clerk shall notify the Commission members three days prior to the

227 scheduled time for the Commission meeting of Commission members intending to appear by

228 teleconference.

229 C. The means used to facilitate a teleconference meeting of the Commission must enable

230 each Commission member appearing telephonically to clearly hear all other Commission members

231 and members of the public attending the meeting as well as be clearly heard by all other

232 Commission members and members of the public.

233 D. The recording clerk shall note in the attendance record all Commission members

234 appearing telephonically.

235

236

237

238

239 **LEGISLATIVE HISTORY**
240 Amendment to the first paragraph was passed by the Commission on April 19, 1990 and passed by
241 Homer City Council on May 14, 1990 via Resolution 90-34.
242
243 New section M, Alternate Voting Members was passed by Homer City Council on June 8, 1998 via
244 Resolution 98-41.
245
246 Amendment to include Teleconference Procedures was approved by the Commission on February 15,
247 2001 and adopted by the City Council on February 26, 2001 via Resolution 01-09. This amendment
248 changed the edition of Robert's Rules of Order from seventh to current and added new sections N. and
249 O.
250
251 Amendment to the meeting time was passed by Homer City Council on February 14, 2005 via Resolution
252 05-17.
253
254 Amendment Revising the Agenda Layout and Content, Regular meeting procedures, Special Meeting
255 procedures; adding Commission Meeting Public Comment/Testimony and Audience Comment Time limits,
256 Public Beaches, Procedure for Consideration of Agenda Items; Removing Alternative Voting Members
257 was passed by Homer City Council via Resolution 07-22(A).
258
259 Amendment Revising the Frequency of Meetings and Attendance Requirements was passed by Homer
260 City Council via Resolution 09-79
261
262 Revising the meeting time from 6:30 p.m. to 5:30 p.m. was passed by Homer City Council on December
263 13, 2010 via Resolution 10-96.
264
265 Establish Monthly Meetings with the Exception of December was passed by Homer City Council on July
266 25, 2011 via Resolution 11-076.
267
268 Amending the monthly meetings to February through June, August through November no meetings will
269 be scheduled during the months of January, July and December unless a Special Meeting is required in
270 accordance with the Bylaws. Establish committees only with the approval of City Council and by
271 Resolution was passed by Homer City Council on _____ via Resolution _____

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/
4 Public Works Director

5 RESOLUTION 14-057
6

7 A RESOLUTION OF THE HOMER CITY COUNCIL AWARDING
8 THE CONTRACT FOR THE KAREN HORNADAY PARK PICNIC
9 SHELTER ACCESS/FOUNDATION IMPROVEMENTS TO THE
10 FIRM OF GREGOIRE CONSTRUCTION OF HOMER, ALASKA, IN
11 THE AMOUNT OF \$14,800.00 AND AUTHORIZING THE CITY
12 MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.
13

14 WHEREAS, Funds were appropriated in the 2014 budget to provide shelter access and
15 foundation improvements to the Karen Hornaday Park picnic shelter; and
16

17 WHEREAS, Quotes were solicited from twelve area contractors by email or fax; and
18

19 WHEREAS, Seven responsive quotes were received from qualified firms and the quotes
20 were reviewed by staff; and
21

22 WHEREAS, Staff determined the firm of Gregoire Construction was the low responsive
23 bidder and found to be qualified to complete the work; and
24

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

28 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves
29 the contract for the Karen Hornaday Park Picnic Shelter access/foundation improvements to
30 the firm of Gregoire Construction of Homer, Alaska, in the amount of \$14,800.00 and
31 authorizes the City Manager to execute the appropriate documents.
32

33 PASSED AND ADOPTED by the Homer City Council this 27th day of May, 2014.
34

35 CITY OF HOMER
36

37
38 _____
39 MARY E. WYTHE, MAYOR

40 ATTEST:
41

42
43 _____
44 JO JOHNSON, MMC, CITY CLERK

- 45 Fiscal Note: Karen Hornaday Park Picnic Shelter Access and Foundation Improvements,
- 46 \$14,800.00, Acct. No.151-0776.



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907-235-3170

(f) 907-235-3145

Memorandum 14-086

To: Walt Wrede, City Manager
From: Dan Nelsen, Project Manager
Through: Carey Meyer, PW Director
Date: May 20, 2014
Subject: **Award of Construction Contract
Karen Hornaday Park Picnic Shelter Access/Foundation Improvements**

On May 16, 2014 bids were received for the **Karen Hornaday Park Picnic Shelter Access/Foundation Improvements** project. This work was advertised via email/fax to 12 area contractors.

This project will consist of bolting down the existing picnic shelter to a newly constructed foundation as well as extending the existing gravel road out to its new location.

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

<u>Responsive Bidder's Names</u>	<u>Location</u>	<u>Amount</u>
Gregoire Construction	Homer	\$ 14,800.00
North Star Paving & Construction	Soldotna	\$ 15,900.00
Beachy Construction	Homer	\$ 17,033.00
Property Improvements, LLC	Homer	\$ 17,800.00
New Homes by Needham, Inc.	Homer	\$ 18,200.00
Paul's Service	Anchor Point	\$ 18,750.00
Cornerstone Construction Alaska, LLC	Homer	\$ 23,900.00

Engineer's Estimate \$ 16,500.00

The City's local bidder's preference does not apply.

Recommendation:

City Council pass a resolution awarding the construction contract for the **Karen Hornaday Park Picnic Shelter Access/Foundation Improvements** project in the amount of \$14,800.00 to

Gregoire Construction of Homer, Alaska and authorizing the City Manager to execute all appropriate documents necessary to complete this project.

Fiscal Note: Karen Hornaday Park Picnic Shelter Access/Foundation Improvements \$14,800.00, Account No. 151-0776.



City of Homer

www.cityofhomer-ak.gov

Administration

491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum 14-084

TO: Mayor Wythe and Homer City Council

THROUGH: Walt Wrede, City Manager

FROM: Katie Koester, Community and Economic Development Coordinator

DATE: May 20, 2014

SUBJECT: Capital Improvement Plan Development

It is time to start the process of identifying and prioritizing projects for inclusion in the 2015-2020 Capital Improvement Plan. This process involves the public, the Council, the advisory commissions, and local non-profit organizations and agencies. Council approval of the CIP schedule is the first step in the process.

RECOMMENDATION: Approve 2015-2020 Capital Improvement Planning Process and FY2016 Legislative Request Development Schedule.

CITY OF HOMER
2015-2020 CAPITAL IMPROVEMENT PLANNING PROCESS
FY 2016 LEGISLATIVE REQUEST DEVELOPMENT SCHEDULE

ACTION	TIME FRAME
City Council approval of schedule	May 27, 2014
Solicit new/revised project information from City departments, local agencies and non-profits	May 27
Input for new draft requested by	June 30
Prepare and distribute draft CIP to City advisory groups for review and input. (Administration compilation of draft CIP June 30-July 9)	(Meeting dates): Planning Commission July 16, August 6
	Parks and Recreation Commission July 17
	Port and Harbor Commission July 23
	Library Advisory Board August 5
	Economic Development Commission July 8, August 12
	Public Arts Committee August 14
Administrative review and compilation	August 15 - August 20
City Council worksession to review proposed projects	August 25
Public Hearing on CIP/Legislative request	September 8
Adoption of resolutions by City Council	September 22
Administration compilation of CIP	September 23 – September 30
Administration forwards requests for Governor’s Budget (Local Election)	October 1
Distribution of CIP and State Legislative Request	October 2014 & January 2015
Compilation/distribution of Federal Request	February 2015

VISITORS

ANNOUNCEMENTS
PRESENTATIONS
BOROUGH REPORT
COMMISSION REPORTS

CITY OF HOMER
HOMER, ALASKA

MAYOR'S PROCLAMATION

MARY EPPERSON DAY
JUNE 6, 2014

WHEREAS, The Homer City Council proclaimed June 6, 2010 as Mary Epperson Day and encouraged everyone to recognize June 6th as Mary Epperson Day; and

WHEREAS, Mary Epperson has contributed so much of her time and energy to the advancement of the arts in Homer that her name is synonymous with the arts; and

WHEREAS, She has played an integral part in helping to start, guide, and support local organizations, including the Homer Council on the Arts, Kenai Peninsula Orchestra, The Homer Foundation, and Kenai Peninsula College; and

WHEREAS, She has provided support and inspiration to other arts organizations, including Pier One Theatre, Inlet Winds, and Homer Youth String Orchestra Club, consistently supporting artists and their artistic endeavors; and

WHEREAS, By sharing her passion of the arts so generously, Mary is largely responsible for the vibrant Homer arts community; and

WHEREAS, She inspires us all to take on artistic challenges, give freely of ourselves, and to do so with a loving heart and a warm smile; and

NOW, THEREFORE, I, Beth Wythe, Mayor, do hereby proclaim the day of June 6, 2014 as;

MARY EPPERSON DAY

in the City of Homer, Alaska.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Homer, Alaska, on this 27^h day of May, 2014.

CITY OF HOMER

MARY E. WYTHER, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

PUBLIC HEARING(S)

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

Ordinances 14-21 and 14-22

A **public hearing** is scheduled for **Tuesday, May 27, 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 14-21 and 14-22 internet address:
<http://www.cityofhomer-ak.gov/ordinances>

Ordinance 14-21, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Budget by Appropriating an Additional \$6,000 from the Port and Harbor Fleet Reserves to Acquire a Used, Full Size, Four Wheel Drive Pick-Up Truck for Harbor Operations. City Manager/Port and Harbor Director.

Ordinance 14-22, An Ordinance of the City Council of Homer, Alaska Amending the FY 2014 Operating Budget to Provide for Natural Gas Conversions to City Buildings by Appropriating \$99,274 from Various City Reserve Funds. City Manager/Public Works Director.



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.

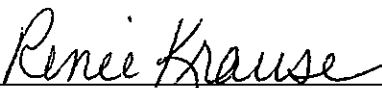
Jo Johnson, MMC, City Clerk

Publish: Homer Tribune: May 21, 2014

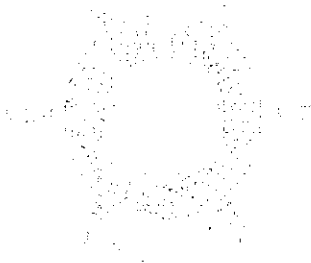
CLERK'S AFFIDAVIT OF POSTING

I, Renee Krause, CMC, Deputy City Clerk for the City of Homer, Alaska, do hereby certify that a copy of the Public Hearing Notice for Ordinance 14-21, Amending FY 2014 Budget by Appropriating an Additional \$6,000 from the Port and Harbor Fleet Reserves to Acquire a Used, Full Size, Four Wheel Drive Pick-up Truck for Harbor Operations; and Ordinance 14-22, Amending the FY2014 Operating Budget to Provide for Natural Gas Conversions to City buildings by Appropriating \$99,274 from Various City Reserve Funds was distributed to the City of Homer kiosks located at City Clerk's Office, Captain's Coffee Roasting Co., Harbormaster's Office and Redden Marine on Friday, May 16, 2014 and that the City Clerk posted same on City of Homer Homepage on Tuesday, May 13, 2014.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 13th day of May, 2014.



Renee Krause, CMC, Deputy City Clerk I



ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-21

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Budget by Appropriating an Additional \$6,000 from the Port and Harbor Fleet Reserves to Acquire a Used, Full Size, Four Wheel Drive Pick-Up Truck for Harbor Operations.

Sponsor: City Manager/Port and Harbor Director

1. City Council Regular Meeting May 12, 2014 Introduction
 - a. Memorandum 14-076 from Port and Harbor Director as backup
2. City Council Regular Meeting May 27, 2014 Public Hearing and Second Reading
 - a. Memorandum 14-076 from Port and Harbor Director as backup

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/
4 Port and Harbor Director

5 ORDINANCE 14-21
6

7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE FY 2014 OPERATING BUDGET BY
9 APPROPRIATING AN ADDITIONAL \$6,000 FROM THE PORT
10 AND HARBOR FLEET RESERVES TO ACQUIRE A USED, FULL
11 SIZE, FOUR WHEEL DRIVE PICK-UP TRUCK FOR HARBOR
12 OPERATIONS.

13
14 WHEREAS, The Port and Harbor budget for 2014 allocated \$12,000 for the purchase of
15 a used, full size, two-wheel-drive truck for harbor operations; and
16

17 WHEREAS, Port and Harbor staff launched an extensive search for a two-wheel-drive
18 truck and discovered there were more four-wheel-drive trucks readily available that fit the
19 needs of the harbor staff; and
20

21 WHEREAS, Increasing the Port and Harbor budget in the amount of \$6,000 would allot
22 a total of \$18,000 to purchase a suitable pick-up truck to meet the harbor operation needs.
23

24 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
25

26 Section 1. The City Council hereby amends the FY 2014 Operating Budget by
27 appropriating \$6,000 from the Port and Harbor Fleet Depreciation Reserve for the purchase of
28 a used, full size, four-wheel-drive pick-up truck for harbor operations:
29

<u>Account</u>	<u>Description</u>	<u>Amount</u>
452-0374	Port and Harbor Fleet Reserve	\$6,000

30
31
32

33 Section 2. This is a budget amendment ordinance only, is not permanent in nature,
34 and shall not be codified.
35

36 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____th day of May, 2014.
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CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

YES:
NO:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form.

Walt Wrede, City Manager

Date: _____

Thomas F. Klinkner, City Attorney

Date: _____

Fiscal Note: Noted within ordinance.



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 14-076

TO: MAYOR BETH WYTHE & HOMER CITY COUNCIL
FROM: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER
DATE: MAY 2, 2014
SUBJECT: FY 2014 BUDGET AMENDMENT FOR PURCHASE OF HARBOR OPERATIONS TRUCK

For the 2014 FY budget, the Port and Harbor submitted a request to purchase a used, full size, two-wheel-drive truck for harbor operations. This request was approved by City Council and included in the budget.

After an exhaustive search effort though, Operation Staff has not been able to locate a suitable two-wheel-drive truck. What we have found is that there are more four-wheel-drive trucks readily available in Alaska in the specific year, style, and condition that we prefer. I am confident that if we were to change the scope of our search to include four-wheel-drive trucks, and increase our budget for this purchase, that we will be able to find a much better fit, both in quality and value, for the dollars expended.

Recommendation

Staff recommends that City Council revise the 2014 Port and Harbor budget to change our purchase request from a used two-wheel-drive truck, to a used four-wheel-drive truck, and raise the allowable expenditure by \$6,000 for a total of \$18,000.

Fiscal Note: Port and Harbor Fleet Reserves 452-374

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-22

An Ordinance of the City Council of Homer, Alaska Amending the FY 2014 Operating Budget to Provide for Natural Gas Conversions to City Buildings by Appropriating \$99,274 from Various City Reserve Funds.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting May 12, 2014 Introduction
 - a. Memorandum 14-077 from Public Works Director as backup
2. City Council Regular Meeting May 27, 2014 Public Hearing and Second Reading
 - a. Memorandum 14-077 from Public Works Director as backup

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/
4 Public Works Director

5 ORDINANCE 14-22
6

7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE 2014 OPERATING BUDGET TO PROVIDE FOR
9 NATURAL GAS CONVERSIONS TO CITY BUILDINGS BY
10 APPROPRIATING \$99,274 FROM VARIOUS CITY RESERVE FUNDS.
11

12 WHEREAS, City buildings within the core area have been converted to natural gas; this
13 summer natural gas will be available outside of the core area; and
14

15 WHEREAS, Like buildings within the core area, significant savings can be obtained by
16 converting City facilities outside the core area to natural gas (see Memorandum 13-077); and
17

18 WHEREAS, Costs associated with this conversion include installation of service lines and
19 meters, design and installation of heating system conversions (boiler or burner replacement and
20 internal gas piping installation).
21

22 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
23

24 Section 1. The FY 2014 Operating Budget is hereby amended by appropriating \$32,640
25 from the Water Reserve fund for the conversion of the water treatment plant to natural gas.
26

27 Section 2. The FY 2014 Operating Budget is hereby amended by appropriating \$32,248
28 from the Harbor Reserve fund for conversion of the Harbor Maintenance Shop to natural gas.
29

30 Section 3. The FY 2014 Operating Budget is hereby amended by appropriating \$34,386
31 from the Harbor Reserve fund for the conversion of four Spite restrooms to natural gas.
32

33 Expenditures:
34

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
256-0378 (Water Reserve)	Water Treatment Plant Gas Conversion	\$ 32,640
456-0380 (Harbor Reserve)	Harbor Shop Gas Conversion	\$ 32,248
456-0380 (Harbor Reserve)	Spit Restrooms (4) Gas Conversion	\$ 34,386
	Total	\$ 99,274

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42 Section 4. This is a budget amendment ordinance, is not permanent in nature, and shall
43 not be codified.

44
45 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this _____ day of
46 May 2014.

47
48 CITY OF HOMER

49
50
51 _____
52 MARY E. WYTHER, MAYOR

53
54 ATTEST:

55
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57 _____
58 JO JOHNSON, MMC, CITY CLERK

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61 AYES:
62 NOES:
63 ABSTAIN:
64 ABSENT:

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66
67 First Reading:
68 Public Reading:
69 Second Reading:
70 Effective Date:

71
72 Reviewed and approved as to form:

73
74
75 _____
76 Walt Wrede, City Manager

75 _____
76 Thomas F. Klinkner, City Attorney

77
78 **Date:** _____

77
78 **Date:** _____



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907-235-3170

(f) 907-235-3145

Memorandum 14-077

TO: Walt Wrede, City Manager

FROM: Carey Meyer, Public Works Director

DATE: May 1, 2014

RE: **Conversion of City Facilities to Natural Gas (2014)
Recommendations for Funding Authorization**

Public Works is preparing to convert additional City facilities to natural gas (those that did not receive service last year). Earlier this year City Hall, Public Works, the library, the animal shelter, the sewer treatment plant, and the airport terminal were converted. The police and fire stations, and harbormaster's office are not scheduled to be converted due to their eminent replacement. Converting the two HERC buildings and the Fish Dock Ice House does not seem reasonable at this time. The work anticipated this year is the conversion at the water treatment plant, the harbor maintenance shop and 4 restrooms on the Spit (Ramp 2, 4, 6 and the load and launch restroom).

The costs of converting the remaining City buildings are summarized below.

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
100-100 (General Reserve)	Spit Restrooms (4) Gas Conversion	\$ 34,386
456-380 (Harbor Reserve)	Harbor Shop Gas Conversion	\$ 32,248
256-378 (Water Reserve)	Water Treatment Plant Gas Conversion	\$ <u>32,640</u>
	Total	\$99,274

Recommendations: The City Council pass an ordinance authorizing a budget for the conversion of the City buildings listed above to natural gas and authorize the City Manager to execute all appropriate documents.

ORDINANCE(S)

CITY MANAGER'S REPORT



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

MANAGER'S REPORT

May 27, 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. Construction Update: At the last meeting, there was a discussion about all of the work that is taking place around the harbor this spring. Local residents seem pleased with all of the activity and the results. I thought it might be a good idea to remind and/or inform the public that this is simply the tip of the iceberg. This work is nothing compared to what you will see this fall. There will be a lot of activity and we will really need patience and understanding from the public and harbor users. The City will be replacing Ramp 3 to make it ADA compliant. Ramp 7 will be removed and re-installed later. The City will also be replacing a number of older floats in the harbor and installing water and electric service to systems that don't presently have it. The Load and Launch ramp will be completely rebuilt and construction will begin on the new Port and Harbor building. Just to add to the fun, DOT/PF will be repaving the Spit Road and doing major repairs at the eroded area which threatens the road.
2. More Natural Gas Conversions: This meeting agenda contains a public hearing and second reading on an ordinance appropriating money for additional gas conversions at City facilities, including some of the older restrooms around the harbor. The Finance Department reports significant savings so far. Right now, the heating bill at City Hall is about 70% lower each month.
3. Traffic Calming / Old Town: On Tuesday, May 20, City staff had a second meeting with Old Town Neighborhood representatives. Chief Robl, Chief Painter, Julie Engebretsen, and I were in attendance. The purpose of the meeting was to follow-up on a set of requests that the neighborhood presented regarding short term measures that could be taken to reduce speeding and reckless driving. The group addressed the Planning Commission also, as planned. Attached for your information is a correspondence from the Association that contains a specific, updated request for assistance. Old Town residents are hoping that the City could provide some funding and assistance this summer and use the neighborhood as a traffic calming pilot project. At the time this

report was written, the staff was working to put together some cost estimates for the improvements.

4. Ramp 7: The Seldovia Village Tribe has decided to rebuild the damaged float and reinstall Ramp 7 this summer. They have agreed to rebuild the float and install the ramp according to the engineer's recommendations, which will cost more money than the original plan, but hopefully, increase the safety factor. At the time this report was written, the City and SVT were working out the details in writing that addressed project scope, work windows, safety, inspections, and so on.
5. Pioneer Ave Upgrades: DOT/PF has issued STIP Amendment 9. This amendment calls for repaving and other upgrades for Pioneer Avenue along with Lake Street. This is a good opportunity for the public to have some input on Pioneer Avenue improvements. DOT/PF staff planners are coming down here on May 23 to discuss this with us. At that time we will learn more about the design and public participation processes.
6. Proposed Bed Tax: A Council packet several months ago contained a flyer produced by the Kenai Peninsula Tourism Marketing Council which described its Borough-wide bed tax proposal. Since that time, I have had several conversations with the Executive Director of the organization and I think I now have a better understanding of the intent behind the proposal, how the tax would work, and what it could be used for. There are definitely advantages and disadvantages to Homer associated with the proposal and I would be happy to provide my thoughts on it if you wish. As I understand it, the Homer Chamber Board is currently neutral on the proposal. Since this proposal may end up on the ballot at some point, I invited the Director to come down and address the Council as a Visitor at a future meeting. She said she would like to do so.
7. Lease Update: Leases have now been negotiated and executed with the new owners of the Happy Face Restaurant, Snug Harbor Seafoods, and ACS.
8. i-PADs: Council members requested information about the i-Pads in terms of how much money they were saving and what the benefits are in terms of efficiency and productivity (That also translates into savings). Attached is a report from the Finance Director on the subject.
9. Andrea Petersen Moving On: By now, most of you probably know that HR Director Andrea Petersen has accepted a job with a big firm based in Reno, Nevada. We are very sorry to see her go but we wish her the best of luck in her new endeavor. I believe that Andrea has done an excellent job for the City during the time she was here. She was dealt a bad hand with the health insurance plan because she started at a time it was obvious that serious changes were necessary. She handled what was, and will continue to be, a difficult situation very professionally. Andrea made many important contributions and helped to move the City forward in important areas, especially employee wellness and training on safety, supervisory skills, team building, communication, and job related expectations. Andrea was a real advocate for the employees. When employees leave the City, we conduct an exit interview and ask questions regarding the employee's work experience. We also ask for comments and suggestions about how we might improve the work environment. Some of what Andrea has to say is attached. I have included it because I think her comments are important for the Council to hear going forward.
10. The Projected Surplus: I have to give you some bad news here. Recall that several months ago, we projected that the General Fund might have a surplus of around \$300,000 at the end of 2013. By surplus, we meant that we thought revenues might exceed expenditures

by that amount. I hope you also remember that we said that the surplus was subject to the audit and we would not know definitively until then. The auditors have pretty much completed their work and Council is scheduled to hear a presentation from them on June 9. I wanted you to know in advance that the auditors made several "adjustments" which have basically wiped out the projected surplus. There were two adjustments which affected the surplus. First, the property tax revenue that came in from the oil drilling rig Endeavor was not transferred to the Permanent Fund as it was supposed to be. That transfer has been made and it wiped out about half of the surplus. Second, you will recall that the City received a big increase in the jail contract. The funds were for FY 2014. The State made a payment early, back in December of 2013. The Finance Department booked it as revenue in 2013. The Auditors said no, it should all be booked as revenue in 2014. This wiped out the rest of the projected surplus. So, I know there were a number of ideas people had about how the surplus should be spent. I personally was looking forward to putting some money into depreciation and hopefully, providing some relief to the employees. Council scheduled a workshop at 4 PM on June 9th to talk about the surplus and how it should be spent. That is probably not necessary now and it could be cancelled.

11. Library Aide / Temporary Part Time: Things are extremely busy at the library now that the summer months have arrived. The Library Director is having a difficult time with staffing levels, scheduling, coverage, and meeting the service needs of library patrons. The Port and Harbor and the Parks Division at Public Works both add seasonal employees to meet expanded demand in the summer. I believe this makes sense at the library as well. I have authorized Ann to hire a temporary/seasonal, part time, library aide for the months of June, July, and August. This will cost about \$7,000. Ann believes, and the Finance Department has confirmed that she has enough money to do this in her existing budget. It would simply mean reallocating funds from her casual temporary employee line item. In other words, instead of relying so much on a group of casual employees that can come in when needed if they are available, she will use some of the funds for a full time position for three months. This move will cover this year. If a permanent part time seasonal position is created, that will have to be done by Council and the position authorization would be included in next year's budget.
12. Regular Part Time Receptionist / Public Works: Public Works has only one administrative assistant type position. That is very slim considering the number of employees, the scope of services, the number of projects, and the size of the budget. PW is simply swamped right now with lots of projects, activities, and public contact. PW used to have two administrative assistant type positions but one has been left vacant due to budget cuts several years ago. There is no back-up for the one person we have if she is ill or takes vacation. She often must leave her post to perform her duties. There is no one to cross train with her because everyone else is fully tasked. There are many times when there is no one at the reception desk and the Director or the Superintendent are answering the phone or talking to walk-in customers. Public Works probably received more contact with the public than any other department with the possible exception of the Port and Harbor. The solution proposed is a regular, part-time, receptionist position. This would cost about \$30,000. I wanted to give you a heads up that I will be proposing this either at mid-year or as part of next year's budget. PW has other pressing needs as well, including help in the building maintenance/custodial division.

13. Beluga Slough Trail: As you know, there was a recent celebration surrounding the completion of the Beluga Slough Trail improvements and installation of new interpretative signs. Many people, including the Mayor, noticed that there was still a section of the trail that was not improved and contained the old plastic material that has been problematic. That section was not fixed in part because there was not enough funding and also because it was not on City land or on a City trail easement. It was in better shape than the rest of the trail and was not as high a priority. Last week Carey was notified that the U.S. Fish and Wildlife Service has located the money to replace this part of the trail. The estimated cost is \$100,000. At the time this was written, we were seeking more details in order to provide you with a recommendation. Basically, it sounds like USFWS would like to provide the City a grant and have the City handle all of the construction. They did ask if the City would be able to provide a match. At this point, we are suggesting that the City match will be in-kind in the form of financial and project management.
14. Ham Operators: Nick Poolos has completed training to be a ham radio operator, extra class privileges. Tom Sulczynski has completed training at a lesser level. This is valuable to the City. Having two IT staff members that are able to talk on and operate ham radios could be vital in emergencies when cell phone towers, phones, and other forms of communication might be down.

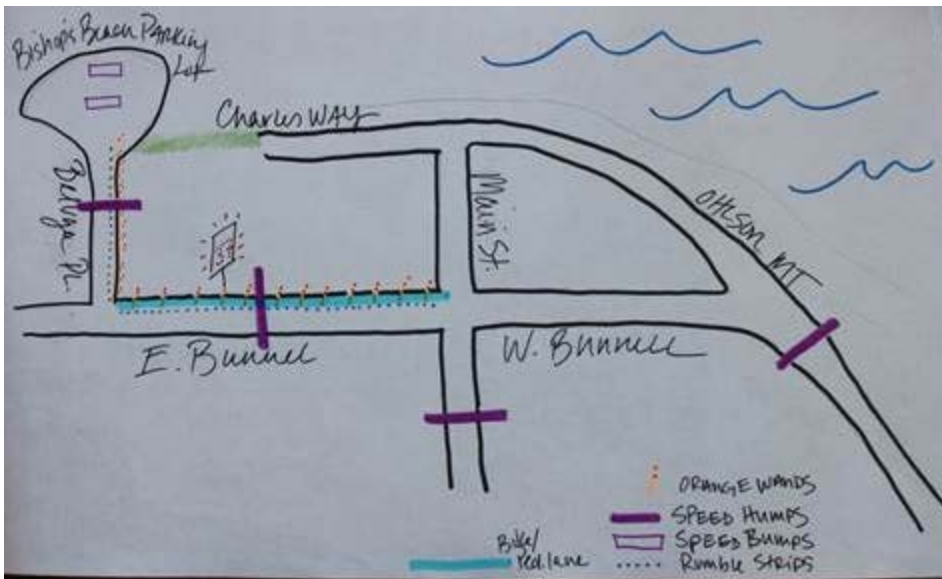
ATTACHMENTS

1. Old Town Neighborhood Association Correspondence
2. Memorandum from Finance Director re: I-Pads
3. Exit Interview / Andrea Petersen

From: [Walt Wrede](#)
To: [Jo Johnson](#)
Subject: FW: Revised letter from Old Town neighbors and a visual
Date: Wednesday, May 21, 2014 11:48:22 AM

Attachment to Managers Report

From: Brianna Allen [mailto:brianna@bunnellarts.org]
Sent: Tuesday, May 20, 2014 4:43 PM
To: Walt Wrede
Cc: Asia Freeman
Subject: Revised letter from Old Town neighbors and a visual



Dear Walt, Carey, Mark and Bob,

Thank you for the support you've provided to improve Old Town walkability with the widened paved shoulder for pedestrians, crosswalk striping and increased signage. Old Town Neighbors met two weeks ago to evaluate how these improvements are working. We also discussed our immediate priorities for improving neighborhood safety for pedestrians this summer and subsequently expressed them to Planning and Zoning. We met with the full support of that committee upon sharing our concerns.

As the lane striping wore off last winter, the widened road is enticing speeding traffic. There have been several near misses with people jumping into the ditch to avoid speeding vehicles. We are convinced someone could get hit any day. We are more than willing to pledge ourselves to Old Town safety. Here are our priorities:

(1) Install speed humps and bumps this summer. Old Town residents will put up with the noise of speed bumps for the added safety. Four *speed humps* are needed, one each on Main approaching Bunnell, one on Ohlson at the corner of the Elks and condominiums, on East Bunnell, one on Beluga Place approaching the beach. We recognize the challenges the City faces in installing speed humps as both a financial commitment and a policy issue. Removable speed bumps are needed at the Bishop's Beach parking lot as the parking lot is that last surface people drive on before they hit the untamed beach highway.

(2) Install rumble strips, (3) a solar powered speed awareness sign and (4) delineating

orange wands at the inner edge of the bike lane to clearly inform users and demarcate the existing pedestrian lane. The *suggested* speed limit signs are not working to slow traffic. In light of this and the existing pressures on Homer's police force, we want physical and semi permanent traffic calming incentives that are physical objects, not dependent on police enforcement. We noticed what a tremendous difference it made last week to have the speed trailer in the neighborhood last week and are grateful for the temporary impact.

We'd like you to consider Old Town Neighborhood as a "test" site for traffic calming options that concern other neighborhoods. After all, Bunnell to Beluga is not a road that dead ends at Bishop's Beach. It is the entrance to an historic beach "highway" and drivers are just getting revved up as they approach it.

Thank you for your time and attention and all the hard work you've put into supporting our neighborhood efforts!

Sincerely,
Old Town Neighbors
Asia Freeman,
Brianna Allen

Brianna M. Allen
Old Town Development Coordinator
Bunnell Street Arts Center

Cost- Benefit Analysis – iPad

Costs:

Number of iPad purchased: 20

1. Total cost: \$13,706
2. Average cost per unit: \$685

Benefits:

1. Benefit (per year): Using less paper (City Council Packet Production & Distribution), \$1214 in savings

Printing Cost: per page	\$ 0.0061				
Paper Cost: Per page	\$ 0.0070				
Delivery Method	Traditional Delivery		Current: Combined Delivery		Savings
	e-copy	Paper copy	e-copy (iPad)	Paper Copy	
# of packets per meeting -Regular	0	26	12	14	12
# of packets per meeting -Supplemental	0	35	8	27	8
# of pages printed per meeting (Avg)	0	9,512	N/A	5,300	4,212
meetings)	0	209,261	N/A	116,601	92,660
Per year Cost & Savings		\$ 2,741	N/A	\$ 1,527	\$ 1,214

2. Benefit: Labor cost (City Clerk’s time), negligible
 - a. Estimated paper production hours decreased by 4 – 6 units per month due to decreased volume
 - b. Estimated electronic file compilation hours increase by 6 hours per month.
3. IT (labor, software, and compliance): Year 1 saving \$2380, and \$1090 thereafter.
4. Benefits: Other (not quantified in monetary terms)
 - a. Greatly improved file accessibility for all users, especially the Project Manager’s ability to manage City projects
 - b. File (pdf) is searchable, Google index capable and ADA compliant
 - c. Increased email communication capabilities and compliance
 - d. Possible time savings due the increased efficiency stated above.



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

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Memorandum

TO: MAYOR WYTHE AND COUNCIL
THROUGH: WALT WREDE
FROM: ANDREA PETERSEN
DATE: May 21, 2014
SUBJECT: Exit Interview

Opening

As many of you are aware, I have accepted a position in the corporate office of a large corporation located in Reno, Nevada and have submitted my resignation effective June 3. This has been a bitter sweet decision for me and my family since Homer has been our home for 10 years; however, it is time I spread my wings and get out of my comfort zone. I wanted to take moment before my departure to say thank you to City Manager, Walt Wrede, for giving me the opportunity to work with some amazing and very dedicated people. The City of Homer employees take pride in their work and it shows throughout the City. I truly appreciate their enthusiasm and hard work!

The City infrastructure continues to grow through projects and expansions; however a workforce strategy is not being evaluated which is resulting in overworked employees. Over time, this will cause increased turnover. Below is my workforce strategy recommendation for Council to consider.

Workforce Strategic Plan

Workforce planning is grounded in its contribution to organizational performance. It will provide Council and management with a way to align the workforce with the business plan, and address current and future workforce issues. Workforce planning assists with the following:

- Project and respond to organization-wide staffing needs.
- Influence development of job classes.
- Deploy staff and organize work.
- Manage organizational culture.
- Anticipate and manage risk.

Incorporating the workforce strategic plan within the overall strategic plan is extremely beneficial and highly recommended. Strategic business plans create direction and a foundation for allocating resources. The goals, objectives, strategies, and performance measures within the business plan should highlight the key workforce priorities. Workforce planning requires leadership, commitment, and cooperation. While workforce planning is chiefly a responsibility of management, several business units contribute, including the City Council, City Manager, Finance, and Personnel. The following should be included in the workforce strategic plan.

FTE Analysis

The definition of FTE (full time equivalent) is the number of working hours that represents one full-time employee during a fixed time period, such as one month or one year. FTE simplifies work measurement by converting work load hours into the number of people required to complete that work. FTE analysis is the methodical analysis of current work activities with related time and cost measures. This helps managers understand the root causes and driving forces of workload levels, organizational performance, and productivity improvement opportunities. There are several departments that have not been able to add additional staff due to budget constraints. Conducting an FTE analysis will assist the Council with the workforce strategic plan.

Establishing a Compensation Philosophy

A compensation philosophy is an organization's commitment to how it values employees. A consistent compensation philosophy would provide the City and the employees a frame of reference when budgeting wages and benefits. The goal of a compensation philosophy is to attract, retain, and motivate employees. For companies in the private sector, this usually requires a competitive pay philosophy. For companies in the public sector, this means a well-rounded philosophy, with a focus on benefits and work life. Establishing a compensation philosophy will also assist Council with other budgetary allocations. Total compensation can be challenging for many organizations. The biggest challenge is to have a good balance of offered benefits to the actual base compensation. Although offering excellent benefits is a smart recruitment strategy, benefits do not always allow employees to financially keep up with inflation. Currently, there are approximately 13 employees who are at the top of the wage scale and have not received a step-increase annually based on their performance for several years, yet these employees are some of the City's top performers. In the next year and half, another 11 employees will hit the top of the wage scale and will no longer be eligible for a step-increase based on their performance. This means that 23% of regular full-time employees will no longer receive a step-increase based on their performance yet the City still expects them to perform at a high level.

Closing

Once again, I am very thankful for the opportunity to work for the City of Homer. There have been some great times and some challenging ones as well! I would not have been a viable candidate for my new position without the experiences and knowledge I have gained here. Thank you again and please let me know if you have any questions or concerns regarding my recommendations.



City of Homer

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(f) 907-235-3143

Memorandum

TO: MAYOR AND CITY COUNCIL

FROM: MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

DATE: MAY 20, 2014

SUBJECT: BID REPORT

RFP for Art at the New Harbormaster Office - Request for Proposals - Incorporation of Art into the New Harbormaster Office Complex on the Homer Spit, City of Homer, Alaska. Proposals to provide art or to incorporate art into the new Harbormaster Office will be received at the Office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska, until 4:30 P.M., Thursday, June 12, 2014.

ITB for Homer Harbormaster's Office / Deepwater Dock Trail Boardwalk - Sealed bids for the construction of the Homer Harbormaster's Office / Deepwater Dock Trail Boardwalk will be received at the office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska, until 2:00 PM, Thursday, June 19, 2014 at which time they will be publicly opened and read.

CITY ATTORNEY REPORT

COMMITTEE REPORTS

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

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

