

City Council
October 27, 2014
Monday



Worksession 4:00 P.M.
Committee of the Whole 5:00 P.M.
Regular Meeting 6:00 P.M.

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

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2014 OCTOBER

- Monday 27th:** **CITY COUNCIL**
Worksession 4:00 p.m., Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.
- Tuesday 4th:** **LIBRARY ADVISORY BOARD**
Regular Meeting 5:00 p.m.
- Wednesday 5th:** **PLANNING COMMISSION**
Worksession 5:30 p.m. and Regular Meeting 6:30 p.m.
- Thursday 6th:** **PARKS AND RECREATION ADVISORY COMMISSION**
Special Meeting 5:30 p.m.
- Monday 10th:** **PUBLIC SAFETY BUILDING REVIEW COMMITTEE**
Meeting 5:30 p.m.
- ECONOMIC DEVELOPMENT ADVISORY COMMISSION**
Regular Meeting 6:00 p.m.
- Tuesday 11th:** **CITY OFFICES CLOSED IN OBSERVANCE OF VETERANS DAY**
- Wednesday 12th:** **CITY MANAGER SELECTION COMMITTEE**
Regular Meeting 5:30 p.m.
- Thursday 13th:** **PUBLIC ARTS COMMITTEE**
Worksession 4:00 p.m. and Regular Meeting 5:00 p.m.
- PERMANENT FUND COMMITTEE**
Regular Meeting 5:15 p.m.
- Wednesday 19th:** **PORT AND HARBOR ADVISORY COMMISSION**
Regular Meeting 5:00 p.m.
- Thursday 20th:** **PARKS AND RECREATION ADVISORY COMMISSION**
Regular Meeting 5:30 p.m.
- Monday 24th:** **CITY COUNCIL**
Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.

Regular Meeting Schedule
City Council 2nd and 4th Mondays 6 p.m.
Library Advisory Board 1st Tuesday 5 p.m.
Economic Development Advisory Commission 2nd Tuesday 6 p.m.
Parks and Recreation Advisory Commission 3rd Thursday of the Month with the Exception of July & 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.)
Public Arts Committee Quarterly 2nd Thursday 5:00 p.m.
Permanent Fund Committee Quarterly 2nd Thursday 5:15 p.m.

BETH WYTHER, MAYOR – 14
FRANCIE ROBERTS, COUNCILMEMBER – 15
BRYAN ZAK, COUNCILMEMBER – 16
DAVID LEWIS, COUNCILMEMBER – 17
BEAUREGARD BURGESS, COUNCILMEMBER – 15
GUS VAN DYKE, COUNCILMEMBER – 16
CATRIONA REYNOLDS, COUNCILMEMBER – 17

City Manager, Walt Wrede
City Attorney, Thomas F. Klinkner

<http://cityofhomer-ak.gov/cityclerk> for home page access, Clerk's email address
is: clerk@ci.homer.ak.us City Clerk's office phone number: direct line 235-3130, other number
435-3106.

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



WORKSESSION
4:00 P.M. MONDAY
OCTOBER 27, 2014
COWLES COUNCIL CHAMBERS

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

WORKSESSION AGENDA

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

Councilmember Van Dyke has requested excusal.

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

3. 2015 BUDGET

4. COMMENTS OF THE AUDIENCE

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

Next Regular Meeting is Monday, November 24, 2014 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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



COMMITTEE OF THE WHOLE
5:00 P.M. MONDAY
OCTOBER 27, 2014
COWLES COUNCIL CHAMBERS

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

COMMITTEE OF THE WHOLE AGENDA

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

Councilmember Van Dyke has requested excusal.

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

3. HEARING OFFICER FOR APPEALS

4. 2015 BUDGET

5. CONSENT AGENDA

6. REGULAR MEETING AGENDA

7. COMMENTS OF THE AUDIENCE

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

Next Regular Meeting is Monday, November 24, 2014 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

CALL TO ORDER
PLEDGE OF ALLEGIANCE
AGENDA APPROVAL

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



REGULAR MEETING
6:00 P.M. MONDAY
OCTOBER 27, 2014
COWLES COUNCIL CHAMBERS

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

REGULAR MEETING AGENDA

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

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Councilmember Van Dyke has requested excusal.

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

2. AGENDA APPROVAL

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

4. RECONSIDERATION

5. CONSENT AGENDA

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

- A. Homer City Council unapproved Regular meeting minutes of October 13 and Special meeting minutes of October 20, 2014. City Clerk. Recommend adoption. **Page 23/41**
- B. **Memorandum 14-165**, from Mayor, Re: Appointment of Catriona Reynolds to the Permanent Fund Committee and Reappointment of Deb Lowney to the Parks and Recreation Advisory Commission. **Page 43**
- C. **Memorandum 14-166**, from City Clerk, Re: Support for Kachemak Bay State Park Grant Application. **Page 49**
- D. **Ordinance 14-51**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2015 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures). City Manager. Recommended dates: Introduction October 27, 2014, Public Hearings November 24 and December 8, 2014, and Second Reading December 8, 2014. **Page 53**
- E. **Ordinance 14-52**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 20.12.010 to Provide for the Issuance of Dog Licenses by the Animal Shelter. City Manager. Recommended dates: Introduction October 27, 2014, Public Hearing and Second Reading November 24, 2014. **Page 57**
- Memorandum 14-162 from City Clerk as backup. **Page 61**
- F. **Ordinance 14-53**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Authorizing the Expenditure of \$200,000 for the Purchase of a Pelican Street Sweeper From the Public Works Vehicle Depreciation Fund, Authorizing the Application of a Loan for Said Purchase, and Authorizing the City Manager To Execute All Appropriate Documents. City Manager/Public Works Director. Recommended Dates: Introduction October 27, 2014, Public Hearing and Second Reading November 24, 2014. **Page 63**
- Memorandum 14-164 from Public Works Director as backup. **Page 69**
- G. **Resolution 14-110**, A Resolution of the City Council of Homer, Alaska, Designating the Homer Education and Recreation Complex (HERC) Site as the Location for the Proposed New Homer Public Safety Building. Mayor. Recommend adoption. **Page 71**
- Memorandum 14-163 from Public Safety Building Task Force as backup. **Page 75**

- H. **Resolution 14-111**, A Resolution of the City Council of Homer, Alaska, Requesting That the Kenai Peninsula Borough Assembly Enact an Ordinance Permitting General Law Cities in the Borough That Levy a Sales Tax to Levy a Sales Tax at a Higher Rate on Hotel/Motel Room Rents. Lewis, Roberts, Burgess. Recommend adoption.

Page 83

- I. **Resolution 14-113**, A Resolution of the City Council of Homer, Alaska, Supporting the Center for Alaskan Coastal Studies Recreational Trail Program Grant Application Administered by the Alaska Department of Natural Resources, Division of Parks and Outdoor Recreation. Zak. Recommend adoption.

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6. VISITORS

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. **Mayor's Proclamation** – Pancreatic Cancer Awareness Month **Page 91**

- B. Borough Report

- C. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
- a. Minutes of October 15, 2014 **Page 93**
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission
5. Port and Harbor Advisory Commission

- D. City of Homer Named 2014 eCity of Alaska **Page 99**

8. PUBLIC HEARING(S)

- A. **Ordinance 14-48**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Grant from the State of Alaska in the Amount of \$36,691.21 for Homer Police Department Project Drive and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Introduction October 13, 2014, Public Hearing and Second Reading October 27, 2014. **Page 103**

Memorandum 14-150 from Police Chief as backup. **Page 107**

- B. **Ordinance 14-49**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.03.040, Definitions; Homer City Code 21.12.030, 21.14.030, 21.16.030, 21.18.030, 21.24.030, 21.26.020, 21.26.030, 21.28.030, 21.30.030, and 21.32.030, Conditional Uses and Structures; and Homer City Code and Permitted Uses and Structures, to Define the Terms Helipad and Hospital, to Delete Heliport as a Conditional Use in the Rural Residential, Urban Residential, Central Business District, General Commercial 1, Marine Commercial and Open Space – Recreation Zoning Districts; to Delete Heliport as a Permitted Use in the General Commercial 2 District, to Add Helipad as a Conditional Use Accessory to a Hospital in the Residential Office Zoning District and as a Conditional Use in the General Commercial 2 and Marine Industrial Zoning Districts, and to Add Heliport as a Conditional Use in the General Commercial 2 District. Planning. Introduction October 13, 2014, Public Hearing and Second Reading October 27, 2014. **Page 117**

Memorandum 14-155 from City Planner as backup. **Page 129**

Memorandum 14-167 from Deputy City Planner as backup. **Page 131**

- C. **Ordinance 14-50**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Transferring \$67,500 From the Information System Budget to a Designated Project Expense Account Within the Information System Depreciation Reserve Fund. City Manager. Introduction October 13, 2014, Public Hearing and Second Reading October 27, 2014. **Page 233**

Memorandum 13-130 from IT Manager as backup. **Page 239**

9. ORDINANCE(S)

10. CITY MANAGER'S REPORT

A. City Manager's Report

1. Memorandum 14-168 from Deputy City Planner, Re: Park, Art, Recreation and Culture (PARC) Needs Assessment **Page 247**

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

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

13. PENDING BUSINESS

- A. **Resolution 14-008**, A Resolution of the City Council of Homer, Alaska, Approving a New Intergovernmental Wastewater Agreement Between the City of Homer and Kachemak City. City Manager. (Postponed from September 8, 2014.) **Page 255**

Memorandums 14-125 and 14-169 from City Manager as backup. **Page 257/259**
- B. **Resolution 14-088**, A Resolution of the City Council of Homer, Alaska, Amending the Sewer Fee Schedule to Provide a Fee Structure for Metered Sewer Only Customers. Mayor/City Council. (Postponed from September 8, 2014.) **Page 267**

14. NEW BUSINESS

15. RESOLUTIONS

- A. **Resolution 14-116**, A Resolution of the City Council of Homer, Alaska, Extinguishing the City Self-Insured Employee Health Insurance Plan and Approving a Two Year Contract With Premera Blue Cross. City Manager.

Page 275

Memorandum 14-159 from City Manager as backup.

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- B. **Resolution 14-112**, A Resolution of the City Council of Homer, Alaska, Confirming the City's Intent to Issue a Request for Proposals for Employee Benefit Broker and Consulting Services With the Contract Term to Begin on January 1, 2015. Burgess.

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- C. **Resolution 14-114**, A Resolution of the City Council Amending the City of Homer Fee Schedule Under Administrative Fees, Animal Control Fees, City Clerk Fees, Library Fees, and Port and Harbor Department Annual Moorage Fees. City Clerk. Recommend following Budget Ordinance 14-51 schedule.

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- D. **Resolution 14-115**, A Resolution of the City Council of Homer, Alaska, Amending the Port of Homer Terminal Tariff No. 600. City Clerk. Recommend following Budget Ordinance 14-51 schedule.

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- E. **Resolution 14-117**, A Resolution of the Homer City Council Approving the Hiring of an Interim City Manager for a Term Not to Exceed Six Months. Mayor, Roberts, Van Dyke, Zak.

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16. COMMENTS OF THE AUDIENCE

17. COMMENTS OF THE CITY ATTORNEY

18. COMMENTS OF THE CITY CLERK

19. COMMENTS OF THE CITY MANAGER

20. COMMENTS OF THE MAYOR

21. COMMENTS OF THE CITY COUNCIL

22. ADJOURNMENT

Next Regular Meeting is Monday, November 24, 2014 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PUBLIC COMMENTS
UPON MATTERS
ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

Session 14-26 a Regular Meeting of the Homer City Council was called to order on October 13, 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
	STAFF:	CITY MANAGER WREDE CITY CLERK JOHNSON CITY ATTORNEY KLINKNER CITY PLANNER ABOUD COMMUNITY & ECONOMIC DEVELOPMENT COORDINATOR KOESTER DEPUTY CITY CLERK JACOBSEN DEPUTY HARBORMASTER CLARKE FINANCE DIRECTOR LI IT MANAGER POOLOS LIBRARY DIRECTOR DIXON POLICE CHIEF ROBL PUBLIC WORKS DIRECTOR MEYER

The Council met as a Committee of the Whole from 5:02 p.m. to 5:44 p.m. to hear about ALICE Training from Police Chief Robl, discuss the 2015 Budget, and Consent and Regular Agenda meeting 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: **CONSENT AGENDA - Resolution 14-106**, A Resolution of the City Council of Homer, Alaska Requesting That the Alaska Department of Transportation and Public Facilities Construct a Bridge and “Daylight” Woodard Creek as Part of the Pioneer Avenue Rehabilitation Project. City Manager. Written public comments. **CITY MANAGER’S REPORT** - 2015 Budget Message, Medical/Vision/Dental Plan, Proposed Health Insurance Premium Schedules, and Meritain Medical & Vision Plans. Written public comments on Public Safety Building Site Evaluation (HERC Site). **RESOLUTIONS - Resolution 14-109(S)**, A Resolution of the Homer City Council Certifying the Results of the City of Homer Regular

Election Held October 7, 2014 to Decide Ballot Proposition #1 “Shall a Charter Commission be Elected to Prepare a Proposed Charter?” and to Elect the Mayor and Two Council Members. City Clerk/Canvass Board.

Mayor Wythe called for a motion to approve the agenda as amended.

LEWIS/HOWARD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Ted Otis, Homer resident and President of Homer Hockey Association, spoke on Resolution 14-093, thanking the Council for adding the Kevin Bell Arena to the CIP list.

Jim Preston, Homer resident, supports Resolution 14-106 to daylight Woodard Creek.

Matt Alward, Homer resident and Vice President Homer Marine Trades, supports Resolution 14-103, the Alaska Maritime Workforce Development Plan.

Adele Person, Homer resident, thanked the Council for supporting Resolution 14-102 to fix the culverts on the East End Bike Path.

Matt Steffy, Anchor Point resident, spoke in support of Resolutions 14-102, 14-105, and 14-106.

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 Regular meeting minutes of September 22 and Special meeting minutes of September 29, 2014. City Clerk. Recommend adoption.
- B. **Memorandum 14-149**, from Deputy City Clerk, Re: Liquor License Transfer for Alice's Champagne Palace.
- C. **Memorandum 14-154**, from City Clerk, Re: Travel Authorization for Mayor Wythe, Councilmember Zak, and Newly Elected Councilmember Catriona Reynolds to Attend the Alaska Municipal League 64th Annual Local Government Conference in Anchorage, Alaska, November 17 – 21, 2014.
- D. **Ordinance 14-48**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Grant from the State of Alaska in the Amount of \$36,691.21 for Homer Police Department Project Drive and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Recommended dates: Introduction October 13, 2014, Public Hearing and Second Reading October 27, 2014.

Memorandum 14-150 from Police Chief as backup.

- E. **Ordinance 14-49**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.03.040, Definitions; Homer City Code 21.12.030, 21.14.030, 21.16.030, 21.18.030, 21.24.030, 21.26.020, 21.26.030, 21.28.030, 21.30.030, and 21.32.030, Conditional Uses and Structures; and Homer City Code and Permitted Uses and Structures, to Define the Terms Helipad and Hospital, to Delete Heliport as a Conditional Use in the Rural Residential, Urban Residential, Central Business District, General Commercial 1, Marine Commercial and Open Space – Recreation Zoning Districts; to Delete Heliport as a Permitted Use in the General Commercial 2 District, to Add Helipad as a Conditional Use Accessory to a Hospital in the Residential Office Zoning District and as a Conditional Use in the General Commercial 2 and Marine Industrial Zoning Districts, and to Add Heliport as a Conditional Use in the General Commercial 2 District. Planning. Recommended dates: Introduction October 13, 2014, Public Hearing and Second Reading October 27, 2014.

Memorandum 14-155 from City Planner as backup.

Moved to Ordinances.

- F. **Ordinance 14-50**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Transferring \$67,500 From the Information System Budget to a Designated Project Expense Account Within the Information System Depreciation Reserve Fund. City Manager. Recommended dates: Introduction October 13, 2014, Public Hearing and Second Reading October 27, 2014.

Memorandum 13-130 from IT Manager as backup.

- G. **Resolution 14-102**, A Resolution of the Homer City Council Encouraging the Alaska Department of Transportation and Public Facilities to Fix the Bumps on the East End Bike Path. Roberts. Recommend adoption.

- H. **Resolution 14-103**, A Resolution of the Homer City Council in Support of the Alaska Maritime Workforce Development Plan. Mayor. Recommend adoption.

- I. **Resolution 14-104**, A Resolution of the City Council of Homer, Alaska, Approving a New Five Year Lease on One Fourth of Lot 12 (Chip Pad) for Alaska Scrap and Recycling, and Authorizing the City Manager to Begin Lease Negotiations. City Manager. Recommend adoption.

Memorandum 14-151 from Lease Committee as backup.

Memorandum 14- 152 from Port and Harbor Advisory Commission as backup.

- J. **Resolution 14-105**, A Resolution of the City Council of Homer, Alaska, Expressing Its Support for Kachemak Nordic Ski Club Application to the Recreational Trail Grant Program of the State of Alaska Division of Parks and Outdoor Recreation to Complete the Maintenance Building at the Lookout Mountain Ski Area in the Amount of \$50,000. Mayor/City Council. Recommend adoption.

- K. **Resolution 14-106**, A Resolution of the City Council of Homer, Alaska Requesting That the Alaska Department of Transportation and Public Facilities Construct a Bridge and “Daylight” Woodard Creek as Part of the Pioneer Avenue Rehabilitation Project. City Manager. Recommend adoption.

- L. **Resolution 14-107**, A Resolution of the Homer City Council Extending the Vessel Haul-Out Task Force and Amending the Make-Up of the Task Force to Allow Barbara Howard to Continue Serving as the Chair. Mayor/Council. Recommend adoption.

- M. **Resolution 14-108**, A Resolution of the Homer City Council Awarding the Contract for the Refurbishment of Homer Fire Department Apparatus Engine 4 to the Firm of U.S. Fire Equipment LLC of Sumner, Washington, in the Amount of \$148,998.18 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Recommend adoption.

Memorandum 14-153 from Fire Chief as backup.

Ordinance 14-49 was moved to Ordinances A. (Burgess)

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

LEWIS/HOWARD – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

- A. Municipal Election Report, Deputy City Clerk Jacobsen

Deputy City Clerk Jacobsen provided an overview of the October 7th election. There were 145 early in-person voters; 30 requests for ballots by mail; and 12 requests for electronic ballots. On Election Day there were 11 voters at South Peninsula Hospital Long Term Care. The optical scan unit at Homer No. 2 Precinct stopped counting ballots at 5:00 p.m. At the close of the polls the ballots from Homer No. 2 Precinct were transported to City Hall and all ballots were run through a functioning unit. Election night results were 1,061 voters, a 28% turnout.

- B. Tom Stroozas, Homer Chamber of Commerce, Annual Report

Tom Stroozas, Homer Chamber of Commerce, Vice President Board of Directors, and retiring Executive Director Jim Lavrakas appeared before the Council.

Tom Stroozas reported in 2014 the City and Chamber entered into a 3-year marketing agreement to market Homer as a desirable destination. The City contributed \$51,000 to reach out to travel writers and professionals, working with the Chamber's partners to leverage advertising dollars with theirs. They hosted Doug Kelly to write about bear viewing. They eliminated many printed ads, sticking with Alaska Milepost and Alaska Magazine. They used advertising dollars around premiere events by targeting the Anchorage audience with strip ads in the Anchorage Daily News. In an agreement with GCI the Chamber paid \$12,000 and received more than \$75,000 in television advertising. Those ads promoted the Winter King Festival, Kachemak Bay Shorebird Festival, and the Jackpot Halibut Derby. We have a strong presence in Anchorage at Salmon Berry Tours on 4th Avenue.

The Nick Dudiak Fishing Lagoon spotlighted fishing opportunities. A webcam was installed in the harbor. The Chamber began working with the City's Economic Development Advisory Commission to update relocation information on the website. It will target businesses, families, seniors, and artists to entice them to Homer. This year they have received more than 250 requests for relocation information. They would like to produce a professional Welcome Home packet to replace the old. They will use the 2013 Google eCity award and promote to online businesses where they can conduct business and raise a family in a healthy environment.

The Chamber spent \$55,950 in advertisements. GCI will continue sponsorship in the coming year. Business members reported a successful season; many said it was the best summer in five years. The Kenai Peninsula Borough sales tax figures show an increase. Net gain to the City can be projected at more than \$1M. The Chamber's marketing efforts had a positive return. For 2015 the Chamber is requesting \$65,000 to work on new features. They plan to finish the design of the Welcome Home website and produce a printed publication. They want to do more outreach at travel and outdoors trade shows, and advertise more in the Anchorage market. They have worked smarter and harder in promoting the community and have achieved multiple successes. Homer is open for business!

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. **Mayor's Proclamation** – Extra Mile Day – November 1, 2014
- B. Borough Report
- C. Commissions/Board Reports:
 - 1. Library Advisory Board

2. Homer Advisory Planning Commission
 - a. Minutes of September 17, 2014
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission

Parks and Recreation Advisory Commission Chair Matt Steffy reported the loon sculpture has been accepted and is now in place. Old Town community members have united to display their pride of the area. At the Commission's October 16th meeting there is a 4:45 p.m. Worksession to work on beach access. They will explore means for access with surrounding property owners without negatively impacting recreational opportunities. The PARC Needs Assessment is now on the City's website. The group's first meeting with Agnew::Beck is scheduled for November 13th at Islands and Ocean Visitor Center. Due to inclement weather the Karen Hornaday Park clean-up was rescheduled. The Woodard Creek Coalition has received notification from the Recreational Trails Program of approval for grant assistance and administrative direction. The Coalition will meet with parks and recreation at the Pratt Museum next week. In 2015 the Alaska Recreation and Parks Association will hold their 40th anniversary convention in Homer.

Asked about the PARC Needs Assessment surveys, Commissioner Steffy reported the online survey is now available for everyone in the community. The survey is general, but more focused surveys are coming. One is a survey for providers of recreational activities and will look at what resources are short and what are in excess. There will also be a statistically balanced survey by phone to ask what type of activities people participate in, the value of parks and recreation in their lives, and how often they participate. The survey will ask what you are willing to do to make sure those needs are met.

The survey will include people within the MAPP database. Megan Murphy has been part of this, and there is a phenomenal amount of statistical outreach and data. Surveys are based on IP addresses and the information that is entered. Agnew::Beck has answers to specific questions on technology.

Asked by the Council what is taking so long to provide results of the survey, Commissioner Steffy explained the project had to go out to bid. The money was issued last April and a RFP had to be put together. The bid had to be negotiated to remove some components to stay within the budget. The contract was then finalized with Agnew::Beck. The plan was for the survey process to start in September to grab a broader spectrum of the Homer area. The most important component in the survey is the gap analysis which Agnew::Beck will invest

the most time in. Agnew::Beck will make a formal presentation to the City Council next spring when the project is complete.

The Council expressed concerns that the survey didn't ask how to pay for things, data is being taken in the winter season, and one individual could take multiple surveys.

Commissioner Steffy explained how to pay for a recreation center will come up later in the conversation. If people are asked how much they want to spend it will affect how they answer the questions. The early stages are not focusing so much on how much it will cost as to how much you want to do. Starting the survey in September through the winter will represent the year-round residents.

The Council expressed the need to represent the property tax payers; some that leave in the winter pay property taxes year-round. The Council is looking for a return on the investment and funding prospects should not be underestimated.

5. Port and Harbor Advisory Commission

D. Letter of Thanks from the Homer Hockey Association

E. Hospice of Homer Open House Invitation

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

PUBLIC HEARING(S)

A. **Budget 2015**

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

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. Introduction May 12, 2014, Referred to the Planning Department, Public Hearing October 13, 2014.

Memorandum 14-139 from City Planner as backup.

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

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

ZAK/VAN DYKE - SO MOVED.

Councilmember Van Dyke brought the ordinance forward a while ago, but it is not what he asked for so he will be voting against it. Councilmember Roberts concurred.

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

Motion failed.

C. **Ordinance 14-46**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 8.12.200(d) "Chauffeur's License – Required", to Remove the Enumerated Chauffer Application Fee and Instead Identify Chauffer License Fees in the City of Homer Fee Schedule Determined by City Council Resolution. City Manager/City Clerk. Introduction September 22, Public Hearing and Second Reading October 13, 2014.

Memorandum 14-145 from City Clerk as backup.

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

Mayor Wythe called for a motion for the adoption of Ordinance 14-46 by reading of title only for second and final reading.

LEWIS/HOWARD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- D. **Ordinance 14-47(A)**, An Ordinance of the Homer City Council Amending the FY 2014 Operating Budget by Appropriating \$105,000 from the Port and Harbor Depreciation Reserve for Barge Mooring Facility Phase 2 – Uplands Improvements. City Manager/Port and Harbor Director. Introduction September 22, Public Hearing and Second Reading October 13, 2014.

Memorandum 14-146 from Vessel Haul-Out Task Force as backup.

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

Mayor Wythe called for a motion for the adoption of Ordinance 14-47(A) by reading of title only for second and final reading.

HOWARD/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

- A. **Ordinance 14-49**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.03.040, Definitions; Homer City Code 21.12.030, 21.14.030, 21.16.030, 21.18.030, 21.24.030, 21.26.020, 21.26.030, 21.28.030, 21.30.030, and 21.32.030, Conditional Uses and Structures; and Homer City Code and Permitted Uses and Structures, to Define the Terms Helipad and Hospital, to Delete Heliport as a Conditional Use in the Rural Residential, Urban Residential, Central Business District, General Commercial 1, Marine Commercial and Open Space – Recreation Zoning Districts; to Delete Heliport as a Permitted Use in the General Commercial 2 District, to Add Helipad as a Conditional Use Accessory to a Hospital in the Residential Office Zoning District and as a Conditional Use in the General Commercial 2 and Marine Industrial Zoning Districts, and to Add Heliport as a Conditional Use in the General Commercial 2 District. Planning. Recommended dates: Introduction October 13, 2014, Public Hearing and Second Reading October 27, 2014.

Memorandum 14-155 from City Planner as backup.

Mayor Wythe called for a motion for the introduction of Ordinance 14-47(A) by reading of title only.

LEWIS/ROBERTS – SO MOVED.

Asked the difference between a helipad or heliport, City Planner Abboud answered a heliport is a place to land and take off, work on aircraft, and fuel. Helipads are used for pick up and drop off; there are no fuels stored at their location.

Council requested very succinct locations where heliports will be permitted. Additionally, the Council would like colored maps depicting areas where heliports and helipads are allowed.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

CITY MANAGER'S REPORT

A. City Manager's Report

1. Memorandum 14-156 from Public Works Director, Re: 2015 Budget Adjustments.
 2. Memorandum 14-158 from Community & Economic Development Coordinator, Re: Strategic Implementation Planning.
 3. Memorandum 14-159 from City Manager, Re: Special Report on Employee Health Insurance.
-
1. HERC Building Property / Deed Restrictions: The Borough Assembly will be introducing an ordinance to remove the deed restrictions as requested by the Council at its regular meeting on October 14th. The Borough Administration asked if I could attend the committee meeting and the regular meeting, to answer any questions that might come up. I will plan to do so.
 2. PARC Needs Assessment Update: The Needs Assessment project is up and running. It is live. The community survey is open and everyone is encouraged to participate. Results from the community survey's completed in October will be used to shape the community

meeting in November. The survey will run until December 1st, but people are encouraged to participate early. The community meeting will be Thursday, November 13th, in the evening at Islands and Ocean Visitor Center. You can find the survey and more information on the City of Homer website under Parks and Recreation. Attached is a flyer that will be in Thursday's newspaper. The PARC Committee strategy for getting the word out includes:

- 3000 newspaper inserts
- Newspaper article in Homer News this week
- Advertising and article in next week's Tribune.
- Radio advertising
- Mass e-mails inviting people to participate in the survey

This is a general survey for all residents. In a later phase, provider surveys will be sent out to parks and recreation providers that are more specific to them and their services.

The link to the survey is <http://www.cityofhomer-ak.gov/recreation/park-art-recreation-and-culture-needs-assessment-parc>

3. Jeff Paxton / Mercer: The Council has become familiar with Jeff Paxton because he has submitted reports and made presentations to it regarding employee health insurance. Jeff has played a crucial role in helping us get the City's health insurance costs under control and is assisting us with adapting to the requirements of the ACA. Some have commented to the Council that the City pays Mercer too much for what it receives in services. Some have asked if the City still needs Mercer if it chooses to drop self- insurance and go with a private insurance firm. It has occurred to me that the Council may not have a full and complete picture of the range of services Jeff is providing under the contract. I have probably been doing him a disservice myself by consistently referring to him as our insurance broker. I think this might leave people with the impression that all he does is solicit bids for insurance services. In reality, he does much more than that. He is really a benefits consultant and he assists HR on a full range of benefits from life insurance to flexible spending accounts. In some ways, it is appropriate to think of Mercer as an extension of the HR department responsible for benefits. In a way, we are outsourcing this HR function. Attached is a copy of the scope of work included in Mercer's current contract. Also attached is a copy of Mercer's on-line newsletter. I hope this will provide you with a better understanding of Mercer's value and how we use them.
4. Budget Memorandums: We are now officially in the budget season. A draft of the budget will be provided to the Council at the Committee of the Whole on October 13th. The budget is scheduled to be introduced by ordinance on October 27. Attached are two budget related memorandums for your information and discussion. One memorandum describes how labor costs were reallocated between the Public Works General Fund Budget and the Water and Sewer Special Revenue Fund Budget. The other addresses Employee Health

Care. A broader budget message will be distributed along with the draft budget on the 13th.

Councilmember Howard commented on the language in Resolution 13-096 pertaining to the Council's request to the Kenai Peninsula Borough Assembly that the deed restriction and agreement be amended on the Old Middle School Property (HERC site). She is hearing words within Resolution 13-096 are not acceptable, mainly the "sell" word. The Council's intention is to release the deed restriction so we may do what is necessary for the betterment of the use of that property, whether it be for recreation or a public safety center. Councilmember Howard asked if a resolution with different language to reflect the real intent or a letter from the City Manager to explain the Council's intent was the best solution.

City Manager Wrede noted an ordinance was on the Assembly's agenda tomorrow night for introduction. He is prepared to tell them the Council's concerns and will provide a letter clarifying the Council's intent. The letter will be delivered to the Borough Clerk and provided as a laydown at the meeting.

Councilmember Burgess asked City Manager Wrede to draft a resolution to issue a RFP for a healthcare advisor. Since the City may go with a private sector he feels a strong need to issue a RFP and explore the options available. He hopes this can be completed before January 1st.

City Manager Wrede reported he asked Jeff Paxton to provide a proposal of how his services would change if the City does go with the private sector. The decision to go with the private sector should be made sooner than later since there is a lot of paperwork to do. It would allow more time for the HR Department and open enrollment for the employees.

Councilmember Roberts expressed approval of Public Works Director Meyer's report on capital projects.

CITY ATTORNEY REPORT

A. City Attorney's Report – September 2014

City Attorney Klinkner commented on the prospect of hiring a hearing officer for appeals to the Board of Adjustment. Communities handle appeals in different ways. The City Council can act as the Board of Adjustment, the Council can designate a hearing officer to hear and decide appeals, or appellants can go directly to Superior Court to contest a Planning Commission decision. Attorney Klinkner advised the Council many cases can be resolved within the community. He advised the Council to consider a hearing officer or continue as they have. A hearing officer is not always an attorney; they could have a planning or real estate background.

The Council asked for more literature outlining the pros and cons.

COMMITTEE REPORT

A. Public Arts Committee

Adele Person, Public Arts Committee Member, reported the fanciful loon sculpture has been installed. She invited everyone to a reception tomorrow at 11:00 a.m. at Bishop's Beach at the pavilion to meet with artist Rachelle Dowdy.

B. Permanent Fund Committee

Councilmember Howard announced a vacancy on the committee as of tomorrow.

C. Employee Committee Report

D. Port and Harbor Building Task Force

Councilmember Howard announced a vacancy on the task force as of tomorrow.

E. Public Safety Building Review Committee

Mayor Wythe reported a recommendation memorandum about site selection will come to the Council at the next meeting.

F. Vessel Haul-Out Task Force

PENDING BUSINESS

- A. **Resolution 14-093**, A Resolution of the Homer City Council Adopting the 2015-2020 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for Fiscal Year 2016. Mayor/City Council. (Postponed from September 8, 2014.)

Memorandums 14-134, 14-144, and 14-157 from Community and Economic Development Coordinator as backup.

Motion on the floor from September 8th: MOTION FOR THE ADOPTION OF RESOLUTION 14-093 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

RESOLUTIONS

A. **Resolution 14-109**, A Resolution of the Homer City Council Certifying the Results of the City of Homer Regular Election Held October 7, 2014 to Decide Ballot Proposition #1 “Shall a Charter Commission be Elected to Prepare a Proposed Charter?” and to Elect the Mayor and Two Council Members. City Clerk/Canvass Board.

Resolution 14-109(S), A Resolution of the Homer City Council Certifying the Results of the City of Homer Regular Election Held October 7, 2014 to Decide Ballot Proposition #1 “Shall a Charter Commission be Elected to Prepare a Proposed Charter?” and to Elect the Mayor and Two Council Members. City Clerk/Canvass Board.

Mayor Wythe called for a motion for the adoption of Resolution 14-109 by reading of title.

LEWIS/ROBERTS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Wythe called for a motion to substitute Resolution 14-109(S) for Resolution 14-109.

LEWIS/ROBERTS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

COMMENTS OF THE AUDIENCE

Kelly Cooper, Homer resident, thanked Councilmember Howard for her service. She credited her for her sound public policy, stewardship, responsibility, and consensus building. She called Councilmember Howard a true stateswoman and told her she had made a difference.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner had no comment.

COMMENTS OF THE CITY CLERK

City Clerk Johnson commented she enjoyed working with Barbara for the last six years and wished her the best.

COMMENTS OF THE CITY MANAGER

City Manager Wrede said goodbye and thanked Barbara. He has appreciated her wisdom, humor, guidance, and good old common sense. She has kept us grounded and on the right path. What Kelly said about being a stateswoman describes her. He thanked Councilmember Howard for her dedication to public service and support for the city employees.

COMMENTS OF THE MAYOR

Mayor Wythe thanked Barb for all her time. She is stepping away from the table but is not done. We will be calling on her regularly as she is a great person to manage projects. She and Councilmember Howard spent a lot of time together and she will be calling Barb on a regular basis. Barb has more authority than the Mayor since the Mayor said there will be a party and Barb requested there not be a party. Jo was afraid to have a party since she didn't want to deal with Barb. Her response is she will still be at the table and Barb is stepping down. We will miss her.

COMMENTS OF THE CITY COUNCIL

Councilmember Lewis will miss Councilmember Howard. He wished her smooth sailing on the cruises and thanked her for being a great mentor.

Councilmember Burgess indicated Councilmember Howard left him a one-minute hour glass timer. He will sincerely miss Barb's clear sightedness and her low tolerance for B.S. She is a straight shooter, does an immense amount of work behind the scenes, and has been a joy to work with. He welcomed Catriona and expressed appreciation to her for showing up at all council meetings.

Councilmember Van Dyke commented Councilmember Howard is an extremely intelligent person with great ideas and she will be missed. He is disappointed in voter turnout at 24% to 28%. To have a good council to run the city and do the things the people want there has to be a better turnout. He urged people to register and get out and vote. If you did vote, thanks. Councilmember Zak echoed the importance of getting out to vote. He thanked the candidates that didn't win for having ran. He welcomed Catriona and David back. He told Councilmember Howard we won't let you get done; you are a great asset to our community and thank you for serving for the last few years.

Councilmember Roberts will miss Barb. She has been on the Permanent Fund Committee and Port and Harbor Improvement Committee and is a driving force on all projects in the harbor. She serves on the Vessel Haul-Out Committee, instigated the volunteer appreciation dinner, and the Citizens Academy. She has been a wonderful member. Councilmember Roberts sees her as a mother figure; she provided dinner for the Council and the staff. It was lovely food. She thanked Barb for everything. Tonight we approved the Alaska Municipal League visit to send three people to AML. The City of Homer is paying for them to attend. She would like to hear a small report of what you learned while you were there. Bill Smith was the Borough Assemblyman for six years and his last night is tonight. She thanked him for the wonderful job as a Borough Assemblyman. Tonight Mr. Steffy talked about the Port and Harbor Advisory Commission. She appreciated him answering questions and taking heat and concerns about the PARC survey. She congratulated Catriona and Beth and the people that ran for office.

Councilmember Howard addressed Mayor Wythe, the Council, staff, and the Citizens. She is humbled by the accolades; the words reflect the progress made over the six or more years. It illustrates the projects, the policies, and the procedures this Council has worked for because we believe in quality public policy and sound financial standing. She is only one member of this group and feels honored to have worked with each of them. The words are a reflection of the forward motion of a group when there is trust and like values and beliefs. She urged the Council to keep up the good leadership role, always striving to do what is best for the citizens of Homer. Family and friends' support is so important when we choose to become community leaders. She has six children (part of why she doesn't tolerate too much) to thank and her beloved husband Bob who serves in the community as well. She thanked everyone.

ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:49 p.m. The next Regular Meeting is Monday, October 27, 2014 at 6:00 p.m. and Committee of the Whole 5:00 p.m. A Special Meeting is scheduled for Monday, October 20, 2014 at 6:00 p.m. Worksessions are scheduled for Thursday, October 23 at 6:00 p.m. and Saturday, October 25, 2014 9:00 a.m. – 4:30 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: _____

Session 14-27 a Special Meeting of the Homer City Council was called to order on October 20, 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, LEWIS, REYNOLDS, ROBERTS,
VAN DYKE, ZAK

STAFF: CITY MANAGER WREDE
CITY CLERK JOHNSON
IT MANAGER POOLOS
PUBLIC WORKS DIRECTOR MEYER

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

Mayor Wythe called for a motion to approve the agenda.

LEWIS/BURGESS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

A. Oath of Office administered to the Newly Elected Officials

City Clerk Johnson administered the Oath of Office to Mayor Wythe and Councilmembers Lewis and Reynolds.

B. **Memorandum 14-160**, from City Clerk, Re: Selection/Appointment of Mayor Pro Tempore for 2014/2015

LEWIS/BURGESS – MOVED TO NOMINATE FRANCIE AS MAYOR PRO TEMPORE AND CLOSE NOMINATIONS.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmembers Burgess and Lewis selected new seats.

ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 6:12 p.m. The next Regular Meeting is Monday, October 27, 2014 at 6:00 p.m. and Committee of the Whole 5:00 p.m. Worksessions are scheduled for Thursday, October 23 at 6:00 p.m., Saturday, October 25 9:00 a.m. – 4:30 p.m., and Monday, October 27, 2014 at 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

JO JOHNSON, MMC, CITY CLERK

Approved: _____



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 14-165

TO: HOMER CITY COUNCIL
FROM: MARY E. WYTHE, MAYOR
DATE: OCTOBER 21, 2014
SUBJECT: APPOINTMENT OF CATRIONA REYNOLDS TO THE PERMANENT FUND COMMITTEE AND REAPPOINTMENT OF DEB LOWNEY TO THE PARKS AND RECREATION ADVISORY COMMISSION

Councilmember Catriona Reynolds is appointed to the Permanent Fund Committee to fill the seat vacated by Councilmember Howard. Her appointment will expire with office.

Deb Lowney is reappointed to the Parks and Recreation Advisory Commission with a term to expire October 31, 2017.

RECOMMENDATION:

Confirm the appointment of Catriona Reynolds to the Permanent Fund Committee and reappointment of Deb Lowney to the Parks and Recreation Advisory Commission.

Fiscal Note: N/A



CITY OF HOMER
 COMMISSION, COMMITTEE, BOARD AND TASK FORCE
 APPLICATION FORM

CITY CLERK'S OFFICE
 CITY OF HOMER
 491 E. Pioneer Avenue
 Homer, AK 99603
 PH. 907-235-3130
 FAX 907-235-3143

Received by the 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: Catriona Reynolds Date: 10/21/2014
 Physical Address: 4658 Tamara Street, Homer AK 99603
 Mailing Address: same
 Phone Number: 235-3436 Cell #: 299-3436 Work #: best# 235-3436
 Email Address: catrionareynolds@ci.homer.ak.us

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 other that you are interested in serving on by marking with and X or a v

<input type="checkbox"/>	ADVISORY PLANNING COMMISSION	1 ST & 3 RD WEDNESDAY OF THE MONTH AT 6:30 PM WORKSESSION PRIOR TO EACH MEETING AT 5:30 PM
<input type="checkbox"/>	ECONOMIC DEVELOPMENT ADVISORY COMMISSION	2 ND TUESDAY OF THE MONTH AT 6:00 P.M.
<input type="checkbox"/>	PARKS & RECREATION ADVISORY COMMISSION	3 RD THURSDAY OF THE MONTH AT 5:30 P.M.
<input type="checkbox"/>	PORT & HARBOR ADVISORY COMMISSION	4 TH WEDNESDAY OF THE MONTH OCT-APRIL AT 5:00 P.M. MAY - SEPTEMBER 6:00 PM
<input checked="" type="checkbox"/>	PERMANENT FUND COMMITTEE	2 ND THURSDAY OF THE MONTH AT 5:15 P.M. FEBRUARY, MAY, AUGUST & NOVEMBER
<input type="checkbox"/>	PUBLIC ARTS COMMITTEE	2 ND THURSDAY OF THE MONTH AT 5:00 P.M. FEBRUARY, MAY, AUGUST & NOVEMBER
<input type="checkbox"/>	LIBRARY ADVISORY BOARD	1 ST TUESDAY OF THE MONTH AT 5:00 P.M.
<input type="checkbox"/>	CITY COUNCIL	2 ND AND 4 TH MONDAY OF THE MONTH SPECIAL MEETINGS & WORKSESSIONS AT 4:00 P.M. COMMITTEE OF THE WHOLE AT 5:00 P.M. REGULAR MEETING AT 6:00 P.M.
<input type="checkbox"/>	OTHER - PLEASE DESIGNATE	

I have been a resident of the city for 11 yrs 9 mos. I have been a resident of the area for 19 yrs 6 mos.

I am presently employed at Kachemak Bay Family Planning Clinic

Please list any special training, education, or background you may have which is related to your choice of commission, committee, board or task force: Organizational budget planning at work and on boards.

Small scale personal investment for son's education savings and my retirement savings.

Have you ever served on a similar commission, board, committee or task force? If so please list when, where and how long: Medical Care Advisory Committee 2008-present

Homer Cycling Club Board 2010-2012

KBBI Board 2005-2008

Why are you interested in serving on the indicated commission, committee, board or task force?

The permanent fund is an important component of responsible financial planning for the City.

My interest is in maintaining and strengthening the value of the fund.

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

no

Please answer the following if you are applying for the Advisory Planning Commission: Have you ever developed real property, other than your personal residence, if so briefly describe? no

Please answer the following if you are applying for the Port & Harbor Advisory Commission: Do you use the Homer Port and/or Harbor on a regular basis? What is your primary use?

Commercial Recreational

Please include any additional information that may assist the Mayor in his/her decision making: I intend to be

a productive member of the council as soon as possible. I believe I will be up to speed

and able to contribute meaningfully to this committee by the next scheduled meeting in 11/2014

When you have completed this application please review all the information and return to the City Clerk's Office. You may also email this document to clerk@cityofhomer-ak.gov or fax to 907-235-3143. Thank you for applying!

Jo Johnson

From: Debra Lowney <dlowney@acsalaska.net>
Sent: Thursday, October 02, 2014 11:12 AM
To: Department Clerk
Subject: Reappointment to Parks and Recreation

To: Homer City Council,

Please accept this letter as my official request for reappointment to the Homer Parks and Recreation Commission.

Thank You,
Deb Lowney
dlowney@acsalaska.net

Sent from my iPad



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 14-166

TO: MAYOR WYTHE AND HOMER CITY COUNCIL
FROM: JO JOHNSON, MMC, CITY CLERK
DATE: OCTOBER 21, 2014
SUBJECT: SUPPORT FOR KACHEMAK BAY STATE PARK GRANT APPLICATION

Kachemak Bay State Park has requested that the Mayor and City Council submit a letter to the Grant Administrators for Alaska State Trails Program in support of their trail grant proposal and application.

The project is to re-route a major section of Saddle Trail to make it more accessible for people with differing capabilities.

RECOMMENDATION: Approve the recommendations of Memorandum 14-166 to submit a letter to Grant Administrators for Alaska State Trails Program on behalf of Kachemak Bay State Park's proposal and application.

Fiscal Note: N/A



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

October 27, 2014

Alaska State Trails Program
RTP Grant Administrators
550 W. 7th Ave, Suite 1380
Anchorage AK 99501-3561

To Whom It May Concern,

The Mayor and City Council of Homer, Alaska, are in support of the Recreational Trail Grant proposal/application submitted by the Homer Office, Kenai Area of Alaska State Parks for Kachemak Bay State Park.

The Trails in Kachemak Bay State Park are of high value to the community. This specific project, when completed, will enable more people of differing capabilities to enjoy our local State Park. By re-routing a major section of the Saddle Trail, we understand and appreciate that the grades will be reduced, erosion control will be implemented and improved views will be open to hikers and other user groups of all ages.

We sincerely encourage the approval of this and all future applications to improve trails and access to Kachemak Bay State Park. Thank you for taking the time in reviewing and approving this important project.

Sincerely,

Mary E. Wythe
Mayor

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-51

An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2015 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures).

Sponsor: City Manager

1. City Council Regular Meeting October 27, 2014 Introduction

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 14-51

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, APPROPRIATING FUNDS FOR THE CALENDAR YEAR 2015 FOR THE GENERAL FUND, THE WATER-SEWER FUND, THE PORT/HARBOR FUND, DEBT FUNDS, AND CAPITAL RESERVE FUNDS (CONDITIONAL EXPENDITURES).

THE CITY OF HOMER ORDAINS:

Section 1. Pursuant to the authority of Alaska Statute, Title 29, the appropriations for Calendar Year ending December 2015 are appropriated as follows:

General Fund	\$12,163,990
Water Fund	\$ 1,976,471
Sewer Fund	\$ 1,572,199
Port/Harbor Fund	\$ 4,871,722
Capital Projects	\$ 1,023,110
Total Expenditures	\$ 21,607,492
Internal Service Funds	\$ 1,741,267

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

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

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

Section 5. The property tax mill levy is set at 4.5 mills for 2015.

Section 6. This Ordinance is limited to approval of the Budget and appropriations for Calendar Year 2015, is a non code Ordinance and shall become effective January 1, 2015.

43 PASSED AND ENACTED by the Homer City Council on this _____ day of December,
44 2014.

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CITY OF HOMER

MARY E. WYTHE, MAYOR

51 ATTEST:

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JO JOHNSON, MMC, CITY CLERK

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58 Introduction:
59 Public Hearing:
60 Second Reading:
61 Effective Date:

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64 AYES:
65 NOES:
66 ABSTAIN:
67 ABSENT:

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70 Reviewed and approved as to form:

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72

Walt Wrede, City Manager

Thomas F. Klinkner, City Attorney

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74
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Date: _____

Date: _____

76
77

78
79 Fiscal Note: See Line Item Budget and detail.

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-52

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 20.12.010 to Provide for the Issuance of Dog Licenses by the Animal Shelter.

Sponsor: City Manager

1. City Council Regular Meeting October 27, 2014 Introduction
 - a. Memorandum 14-162 from City Clerk as backup

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 14-52

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING HOMER CITY CODE 20.12.010 TO PROVIDE FOR THE
ISSUANCE OF DOG LICENSES BY THE ANIMAL SHELTER.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 20.12.010, License required -- Issuance, is amended to read as follows:

20.12.010 License required – Issuance. No owner or harborer of any dog shall fail or neglect or refuse to obtain a license for such dog, as provided in this chapter: ~~a.~~ All dogs kept, harbored, or maintained in the City shall be licensed and registered if over four months of age. Dog licenses shall be issued by the animal shelter ~~City Clerk~~ on payment of a license tax for each dog. The owner shall state, at the time application is made for such license, his name and address and the name, breed, color and sex of each dog owned or kept by him. Dog licenses shall be issued for a period of two years and shall run from January 1st of each even-numbered year to December 31st of each succeeding uneven-numbered year. For dogs requiring licensing later in the license year, the license fee shall be the same as for a full two years, prior to January 1st of the succeeding odd-numbered year; and thereafter for the remainder of the license period, the license tag shall be one-half of the full license fee. Penalty: Class A infraction.

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

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

CITY OF HOMER

MARY E. WYTHE, MAYOR

40 ATTEST:

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43 _____

44 JO JOHNSON, MMC, CITY CLERK

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47 AYES:

48 NOES:

49 ABSTAIN:

50 ABSENT:

51

52

53 First Reading:

54 Public Reading:

55 Second Reading:

56 Effective Date:

57

58

59 Reviewed and approved as to form:

60

61

62 _____

63 Walt Wrede, City Manager

64

65 Date: _____

Thomas F. Klinkner, City Attorney

Date: _____



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 14-162

TO: MAYOR WYTHE AND HOMER CITY COUNCIL
FROM: JO JOHNSON, MMC, CITY CLERK
DATE: OCTOBER 20, 2014
SUBJECT: ISSUANCE OF DOG LICENSES

For many years the animal shelter has been responsible for issuing dog licenses. It was brought to my attention that the Homer City Code needed a revision indicating such.

RECOMMENDATION: Adopt Ordinance 14-52 amending the issuance of dog licenses by the animal shelter.

Fiscal Note: N/A

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-53

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Authorizing the Expenditure of \$200,000 for the Purchase of a Pelican Street Sweeper From the Public Works Vehicle Depreciation Fund, Authorizing the Application of a Loan for Said Purchase, and Authorizing the City Manager To Execute All Appropriate Documents.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting October 27, 2014 Introduction
 - a. Memorandum 14-164 from Public Works Director as backup

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

3 City Manager/
4 Public Works Director

5 **ORDINANCE 14-53**
6

7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE FY 2014 OPERATING BUDGET BY AUTHORIZING
9 THE EXPENDITURE OF \$200,000 FOR THE PURCHASE OF A
10 PELICAN STREET SWEEPER FROM THE PUBLIC WORKS VEHICLE
11 DEPRECIATION FUND, AUTHORIZING THE APPLICATION OF A
12 LOAN FOR SAID PURCHASE, AND AUTHORIZING THE CITY
13 MANAGER TO EXECUTE ALL APPROPRIATE DOCUMENTS.
14

15 WHEREAS, In preparation of the 2015 budget, Public Works and the City Manager has
16 made a priority of replacing an aged and unsafe street sweeper (see current draft capital
17 expenditure budget); and
18

19 WHEREAS, The removal of sand, debris and dust from the City's streets at the end of
20 each winter is a critical service provided by the City; and
21

22 WHEREAS, Approval of this expenditure as part of the 2015 budget will come too late
23 to have this equipment on site before it is needed in the Spring (see Memorandum 14-164
24 from Public Works); and
25

26 WHEREAS, This new sweeper must be formally ordered before the end of the year to
27 assure that this important equipment is here in Homer in time for spring sweeping; and
28

29 WHEREAS, Public Works has proposed to purchase an new sweeper utilizing a low
30 interest loan to protect the balance in the vehicle depreciation fund; and
31

32 WHEREAS, Staff needs Council approval to formalize this purchase prior to the
33 implementation of the City's 2015 operating budget.
34

35 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
36

37 Section 1. The Homer City Council hereby amends the FY 2014 Operating Budget by
38 appropriating \$200,000 from the Public Works Vehicle Depreciation Fund for the purchase of
39 a new Pelican street sweeper.
40
41
42

43 Expenditure:

44	<u>Account</u>	<u>Description</u>	<u>Amount</u>
45	152-0383-5902	Pelican Street Sweeper	\$200,000

46

47 Section 2. The Homer City Council hereby authorizes the City Manager to apply for and
48 secure a 2.70% loan (through Key Government Finance, Inc.) in the amount of \$189,342 for
49 the sweeper purchase for the term of 36 months (three payments of \$64,805.16; 2015, 2016,
50 and 2017).

51

52 Section 3. This is a budget amendment ordinance only, is not permanent in nature,
53 and shall not be codified.

54

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

57

58 CITY OF HOMER

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62 _____
63 MARY E. WYTHE, MAYOR

64

65 ATTEST:

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68 _____
69 JO JOHNSON, MMC, CITY CLERK

70

71

72 AYES:

73 NOES:

74 ABSTAIN:

75 ABSENT:

76

77

78

79 First Reading:

80 Public Reading:

81 Second Reading:

82 Effective Date:

83

84

85 Reviewed and approved as to form:

86

87

88

89 _____
Walt Wrede, City Manager

90

91 Date: _____

92

93

Thomas F. Klinkner, City Attorney

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 14-164

TO: Walt Wrede – City Manager
FROM: Carey Meyer – Public Works Director
DATE: October 21, 2014
SUBJECT: **Authorization to Purchase Street Sweeper
Approval to Secure Financing**

In preparation of the 2015 City operations budget, Public Works and the City Manager have made a priority of replacing an aged and unsafe street sweeper (see proposed 2015 City capital expenditures). The removal of sand, debris and dust from the City's streets at the end of each winter is a critical service provided by the City.

The City's vacuum sweeper is not capable of mechanically loosening and removing curb line sand and debris. Without a mechanical sweeper, spring time sweeping of streets in the CBD would require significantly more time and cost to clean up winter sand accumulations. We could rent this equipment (or look to the private sector to complete this work), but it would not allow for a prompt early spring response, since available equipment and contractors are busy elsewhere at this critical time period.

Sweeper replacement justification: Due to an unrepairable deficiency in the main frame of our existing mechanical sweeper (possibly a bent frame), the main broom and side skirts cannot be adjusted so that the sweeper will pick up dirt cleanly. Most of the controls are electric over hydraulic. Several functions no longer work due to faulty switches and wiring, some only work because they have been hard wired. After nearly 30 years in the dirt and heat, the wiring harness has degraded to the point of failure. The drive train is operated by chain and sprockets. One side has been partially replaced enough to keep it running, but indications are that the entire chain and sprocket drive system needs replacement to maintain dependability. The belt that moves debris from the brooms into the hopper is torn and will fail soon.

The bearings for the belt, both top and bottom, also need replacement. There is no way to control the water nozzles. They are either on or off. This results in high water consumption with less time sweeping, and more time filling. Due to the age of the machine and technology this sweeper is very dusty to operate. The cab air heating/cooling and filtration system is not functional. This unit also does not meet clean air standards for operator safety. The heat stays in the on position and must be run to pressurize the cab to keep dust out. The cab seals

have failed and the air filtering system does not remove dust efficiently from the breathable cab air. The result places an operator in an extremely hot and dusty environment. The city does not have a respirator program, as it is extremely complex to meet standards and keep our liability down. Having the new equipment that will keep the cab air clean is more effective. This is an extremely important health/safety issue for our employees.

Timing of ordering replacement: Council approval of this expenditure, as part of the 2015 budget approval, will come too late to have this equipment on site before it is needed in the spring. This new sweeper must be formally ordered before the end of the year to assure that this important equipment is here in Homer in time for spring sweeping. Council action is required during this budget year to allow for timely ordering and equipment manufacturing/delivery.

Financing recommendations:

Public Works has proposed to purchase a new sweeper utilizing a low interest loan to protect the balance in the vehicle depreciation fund. Staff needs Council approval to formalize this purchase prior to the implementation of the City's 2015 operating budget.

Loan Details: *Lessor - Key Government Finance, Inc.*

Equipment to be Purchased - Elgin Pelican Three Wheel Mechanical Sweeper

Loan Terms - Principle amount = \$189,342; 36 months; 2.70% interest

Payments - Three equal \$64,805.16 payments (2015, 2016, 2017)

First Payment Due - Upon delivery (anticipated April 2015)

Budget: Sweeper Purchase (FOB Homer) = \$189,961.40
Accessories (radio, antenna, replacement brooms, fire extinguisher, licensing, addition lighting, incidentals, changes in shipping charges, etc.) = \$10,000

Total Budget = \$200,000

Recommendations: The Homer City Council hereby amends the FY 2014 Operating Budget by appropriating \$200,000 from the Public Works Vehicle Depreciation Fund for the purchase of a new Pelican sweep sweeper.

<u>Account</u>	<u>Description</u>	<u>Amount</u>
152-0383-5902	Pelican Street Sweeper Purchase	\$200,000

The Homer City Council authorize the City Manager to apply for and secure a 2.70% loan (through Key Government Finance, Inc.) in the amount of \$189,342 for the sweeper purchase for the term of 36 months (three payments of \$64,805.16; 2015, 2016, and 2017).

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

3 Mayor

4 **RESOLUTION 14-110**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 DESIGNATING THE HOMER EDUCATION AND RECREATION
8 COMPLEX (HERC) SITE AS THE LOCATION FOR THE PROPOSED
9 NEW HOMER PUBLIC SAFETY BUILDING.

10
11 WHEREAS, A new public safety building is one of the City's highest Capital
12 Improvement Priorities and the City Council has appropriated funds for site selection and
13 preliminary design; and

14
15 WHEREAS, On January 13, 2014 the City Council adopted Resolution 14-020(S) which
16 created the Public Safety Building Review Committee and established the Committee's scope
17 of work; and

18
19 WHEREAS, On March 10, 2014 the City Council approved Resolution 14-036(S) which
20 awarded a GC/CM contract to Cornerstone General Contractors; and

21
22 WHEREAS, A building space needs assessment and a specific set of selection criteria
23 were used by the contractor and the Committee to review and evaluate potential building
24 sites; and

25
26 WHEREAS, The site selection review criteria included parcel characteristics such as
27 ownership and size, physical characteristics such as soil stability and flood hazards,
28 development suitability including zoning, slope, and drainage, access and visibility
29 considerations, traffic and security considerations, proximity to utilities, and any potential
30 negative attributes or unknowns; and

31
32 WHEREAS, At its regular meeting on May 22, 2014 the Committee narrowed the field of
33 potential parcels to three and vetted those in detail at subsequent meetings on June 17 and
34 September 24, 2014; and

36 WHEREAS, The Committee reached out to the public and sought input by holding
37 public hearings and conducting open houses; including an open house at the existing police
38 and fire stations; and

39
40 WHEREAS, The Committee selected the HERC site as the preferred alternative at its
41 meeting on September 24, 2014 and in doing so, cited its positive attributes which included
42 City ownership, its size and configuration, good soils, good topography, limited flood
43 hazards, suitable zoning, location (response times), proximity to utilities, visibility, access to
44 major collector and arterial roads, multiple access points for the public, and good security
45 potential; and

46
47 WHEREAS, Potential negative attributes or unknowns identified and evaluated by the
48 Committee include an active creek and some identified wetlands, rock outcroppings that
49 might drive excavation costs, increased distance and response time to the Spit, and
50 displacement of and replacement costs associated with existing uses including the Public
51 Works maintenance shop and recreational activities at the gym, skateboard park, outdoor
52 basketball court, and fenced in grassy area; and

53
54 WHEREAS, The Public Safety Building Review Committee recommends that the City
55 Council select the HERC site as the location for the proposed new Public Safety Building in
56 Memorandum 14-163, a copy of which is attached and incorporated herein.

57
58 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby designates
59 the Homer Education and Recreation Complex (HERC) site as the location for the proposed
60 new Homer Public Safety Building.

61
62 PASSED AND ADOPTED by the Homer City Council this 27th day of October, 2014.

63
64 CITY OF HOMER

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69 _____
70 MARY E. WYTHE, MAYOR

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74 ATTEST:

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79 _____
JO JOHNSON, MMC, CITY CLERK

80

81 Fiscal Note: N/A

82



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 14-163

TO: MAYOR WYTHE AND CITY COUNCIL

FROM: PUBLIC SAFETY BUILDING REVIEW COMMITTEE

THRU: RENEE KRAUSE, CMC, DEPUTY CITY CLERK I

DATE: OCTOBER 8, 2014

SUBJECT: RECOMMENDATION FOR SITE SELECTION FOR THE PUBLIC SAFETY BUILDING

The committee had previously narrowed down and vetted the potential buildings sites at the May 22, 2014, June 17, 2014 and at the September 24, 2014 regular meetings. At the May 22, 2014 meeting the committee members narrowed the choices down to the existing parcel, the Wildberry Parcel and the Homer Education and Recreation Center (HERC) site.

At the September 24, 2014 meeting the Committee reviewed the HERC parcel against the criteria matrix created by the design team and determined that the following positive attributes could be applied:

PARCEL CHARACTERISTICS

Parcel Ownership and Cost

- Site Ownership & Potential for Drawing on Other Funding Resources

Size and Available Configuration

- 4 or more acres

PHYSICAL CHARACTERISTICS

Environmental Risk

- Well above Tsunami Area

- Well above Flood Zone

- Structural Soils – Load bearing for seismic concerns – buildings have been there since before the 1964 earthquake.

Development Suitability

- Gravity loading, well- draining soils, no standing water issues

- Site Slope – relatively flat, slight slope for positive drainage

Compatible with Existing Zoning – Central Business District

Utilities

- Existing Utilities
- Water, redundancy (piped, plus well or room for water storage tank)
- Electric, with redundancy (room for generator)
- Natural Gas
- Communications

COMMUNITY CHARACTERISTICS

Community Location

- Easy for the Public to Find, Access, Park
- Visible location that enhances Civic Identity

Traffic and Access

- Efficient access to major community collector/arterial roads for quick emerge
- Low accident rate on adjacent roadways/intersections
- Located on corner lot with access to 2 streets
- Multiple site access options including entrances/exits for staff, visitors and vehicles/equipment

Security

- No adjacent raised structures (tall buildings, raised highways or viaducts)
- Lot configuration enables visible clear zone and security setbacks from nearby parcels and roadways

Negative Attributes or Unknowns that could be applied from the matrix to the HERC site are as follows:

- Wetlands
- Subsoil rock outcroppings, excavation expense – unknown
- Deep swale area at active creek
- Central to Fire Service Area – farther from the Spit
- Egress may be impeded onto main roads from traffic congestion or accidents without additional traffic aids
- Displaces groups that use existing facilities – recreation uses for the gym; Public Works maintenance personnel use the two-story building for office and storage space; Skateboard Park; access to the middle school, the basketball court and Special Olympics uses of the fenced in field area.
- Compatible with Adopted Plans – Unknown
- Concealed Areas adjacent to project - Unknown
- Not complimentary to adjacent and nearby land uses – Unknown
- Ability to locate impound storage so it is not visible or easily accessible – Unknown

Recommendation:

Approve the Homer Education & Recreation Center (HERC) parcel as the future site of the Combined Public Safety Building.

Following is the excerpt from the minutes of the September 24, 2014 meeting regarding the discussion and recommendation for the site selection:

NEW BUSINESS

B. Site Criteria and Selection:

1. Committee Recommendation and Approval of Scheduling a Public Hearing on Site Selection
2. Site Selection Decisional Matrix and how costs will be dealt with within the matrix.

Chair Castner wanted to focus discussion on the HERC Site since there was no other 4 plus acres city owned parcel to consider. He asked the committee if there was consensus for discussion.

There was no response from the committee members.

Mr. Smythe commented on the methods used to create the matrix to evaluate the three original sites and how it can be applied by the committee.

At the invitation of the Chair, Mr. Meyer highlighted the potential to expand the existing parcel by purchasing the Borough Maintenance property and pushing the extension of Lake Street to the east side of the parcel but it would only bring it to a little over 3 acres. He also noted that there was an additional .6 acres that could be used for storage but this still only brings up the total to 3.6 acres which does not meet the requirement needed of 4.2 or more acres.

This site still presents dealing with existing buildings and having to operate services while constructing a new facility.

If the city follows the Transportation Plan they will have the expense of extending Lake Street anyway so it would be better to do it sooner rather than later was his opinion.

There was a brief discussion on vacating right of ways, homes exiting onto Heath Street, and it only increasing the site incrementally.

Chair Castner said he would entertain discussing this site after discussing the HERC site. Ms. Wythe agreed they could discuss the site but extending Lake Street would only add years and years to the project. Chair Castner then directed the committee to evaluating the HERC using the matrix provided by Stantec.

Chair Castner noted that under Parcel ownership it receives all the points referring to the matrix.

It is over 4 acres – 5 points

Well above the flood zone – 5 points

Well above the Tsunami Zone – 5 points

Structural Soils – comments were structures currently on the site -5 points

- Homer soils

- No soil testing or site investigation conducted

Gravity loading well-draining soils – 2 points

No Wetlands – the area does have wetlands but area that could be mitigated with bridging referred to Woodard Creek coming through the site, spoke with the design team at an earlier meeting and agreed that it could be solved however Mr. Smythe stated that he is not a civil engineer. – 2 points

This area has a deep swale shown on the drawings

Natural Gas is along the Sterling Highway and there is a line into the cul de sac of Woodside Avenue

There is wetland drainage and there will be a cost – Chair was amenable to ding it whatever the committee felt appropriate

No subsoil rock outcroppings – 2 points

Ms. Wythe asked what points the Chair was giving for natural gas and utilities. Chair was not providing any points. Ms. Wythe commented that providing points would offset the points taken away for the wetlands.

Ms. Wilson-Doyle explained to the committee that they could use the key at the bottom of the page to rate the site.

Chair Castner commented that the form only listed positive aspects of the site. He believed that conflicting uses and the cost to make it construction ready should be added to the form.

Mr. Smythe commented on how to grade the site and Chair Castner did not know which section to apply it to.

A discussion was entertained on where to fit those items in and it was agreed that it would be a zero. Chair Castner wanted to note that they reviewed all aspects if questioned. He also wanted to show the persons being displaced and the costs.

Mr. Smythe commented that the form was intended to compare several sites. He can add those criteria to this form but that wasn't what it was intended for.

Chair Castner acknowledged that but also stated that they did not have any comparable sites. He wanted to make clear all the positive attributes but here are the negatives and when you have conflicting uses you need to highlight them and council can make their decisions.

Mayor Wythe brought up the security issues and she wanted to double check the zoning. Since this is as close to the High School and will be adjacent to a middle school.

Comment on the concern expressed by the public regarding release of inmates from the jail are escorted to the door and then released however if they have been charged with a more serious crime or any felonies they are then taken to another facility. The Homer Jail does not directly release felons into the community. All other research conducted by the design team has shown placement next to a middle school favorable.

Chair Castner stated he would entertain a motion to select the HERC site as the site with the mitigations as the committee as identified: policy in relationship to the proximity to the middle school, concern over wetlands, the existing uses of the buildings for public works and recreation and the cost of mitigating the site to bring it to constructability.

Ms. Wythe inquired about the objective to recommend a site today and Chair Castner responded that he wanted to review the site and then hold a public hearing regarding the site then submit the recommendation to Council.

WYTHE/ROBL - MOVE TO PREPARE A MEMORANDUM OF RECOMMENDATION TO THE COUNCIL IDENTIFYING THE HERC SITE WITH THE IDENTIFIED PLUS AND NEGATIVE FACTORS LISTED WITHIN THE MEMO SO THAT THE MEMORANDUM WILL BE AVAILABLE FOR REVIEW AT THE NEXT MEETING OF THE COMMITTEE FOR FULL REVIEW OF THE CONTENT OF THE MEMORANDUM.

There was discussion on the content and availability of the memorandum.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Castner confirmed that the Clerk will draft the memo and present to the committee prior to release and distribution.

Chair Castner opined that he felt they just addressed the second item listed of the matrix.



<u>Replacements</u>	Land Size	Land Value	Impr. Value	Total Mitigation Cost
~13,000 sf asphalt for BB & skateboard	.5 acres	\$125,000	\$91,000	\$ 216,000
City woodworking shop 4,000 sf	.5 acres	\$125,000	\$1,200,000	\$1,325,000
Greenspace – level lawn area	1 acre	\$210,000	\$22,000	\$ 232,000
Community Gymnasium	.8 acres	\$190,000	\$900,000	<u>\$1,090,000</u>
Totals:	2.8 acres	\$ 650,000	\$2,213,000	\$2,863,000



	Land Size	Land Value	Impr. Value	Total Value
City of Homer Police and Fire Stations	1.57 acres	\$326,900	\$2,112,300	\$2,439,200
KPB Maintenance Facility	1.1 acres	\$237,300	\$1,414,000	\$1,651,300
Private Commercial (Bowling/Rest.)	1.13 acres	\$243,100	\$363,800	\$0,606,900
Totals:	3.8 acres	*\$480,400	*\$1,777,800	*\$2,258,200

* Totals for properties not owned by City

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

3 Lewis, Roberts, Burgess

4 **RESOLUTION 14-111**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 REQUESTING THAT THE KENAI PENINSULA BOROUGH ASSEMBLY
8 ENACT AN ORDINANCE PERMITTING GENERAL LAW CITIES IN
9 THE BOROUGH THAT LEVY A SALES TAX TO LEVY A SALES TAX AT
10 A HIGHER RATE ON HOTEL/MOTEL ROOM RENTS.

11
12 WHEREAS, Alaska Statue 29.45.700(a) permits the City to levy a sales tax on all sources
13 taxed by the Kenai Peninsula Borough in the manner provided for boroughs; and

14
15 WHEREAS, Alaska Statue 29.45.700(a) also provides that the Kenai Peninsula Borough
16 Assembly may by ordinance authorize a city to levy and collect sales taxes on sources other
17 than those taxed by the Borough; and

18
19 WHEREAS, The Borough levies a general sales tax on sales, services and rents, but
20 does not levy a sales tax at a higher rate on hotel/motel room rents; and

21
22 WHEREAS, It is appropriate that residents of the City be allowed to determine whether
23 the City should levy a sales tax on hotel/motel room rents at a higher rate than the City's
24 general sales tax rate.

25
26 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, hereby
27 requests that the Kenai Peninsula Borough Assembly enact an ordinance authorizing general
28 law cities in the Borough that levy a sales tax to levy a sales tax on hotel/motel room rents at
29 a rate that is higher than the rate of the city's sales tax on other sales, services and rents, in
30 substantially the following form:

31
32 Pursuant to AS 29.45.700(a), general law cities in the Borough that levy a sales
33 tax are authorized to levy a sales tax at a higher rate on rent for the occupancy
34 of a room or rooms for dwelling, lodging, or sleeping purposes in a hotel,
35 motel, inn, or similar structure for a period of less than 30 consecutive days.

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

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CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A

**CITY OF HOMER
HOMER, ALASKA**

Zak

RESOLUTION 14-113

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
SUPPORTING THE CENTER FOR ALASKAN COASTAL STUDIES
RECREATIONAL TRAIL PROGRAM GRANT APPLICATION
ADMINISTERED BY THE ALASKA DEPARTMENT OF NATURAL
RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION.

WHEREAS, The Center for Alaskan Coastal Studies (CACS) mission is to foster responsible interaction with our natural surroundings and to generate knowledge of the unique marine and coastal ecosystems of Kachemak Bay through science-based environmental education and stewardship; and

WHEREAS, The CACS has been a valuable part of the greater Homer community since 1982, and offers many opportunities for people of all ages to connect with the outdoors through guided walks, tours, educational programs, overnights, school programs and more; and

WHEREAS, Both the Wynn Nature Center and the Petersen Bay Field Station contain miles of interpretive nature trails. CACS delivers educational programs and guided tours to over 12,000 students and visitors every year; and

WHEREAS, The CACS is pursuing a grant through the Recreational Trails Program, which is administered by the Alaska Department of Natural Resources, Division of Parks and Outdoor Recreation; and

WHEREAS, The CACS intends to repair two sections of trails at their Petersen Bay Field Station, which are treacherous to walk in rainy conditions due to the slope of the original trail and degradation over the years; and

WHEREAS, The CACS improved the tread at the Wynn Nature Center and added boardwalk to improve accessibility and remove barriers to walking and would like to add interpretive signage to education the public about bear and moose interactions on local trails, with the same signs put on the Peterson Bay Trail system.

WHEREAS, These improvements will enhance the value of these trail systems, be designed for maximum sustainability, and will allow greater access to and appreciation of the natural environment in Kachemak Bay; and

42 WHEREAS, Local trail networks that attract visitors to our community, and the
43 educational programs offered by CACS, are beneficial to the citizens of Homer.

44
45 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, fully
46 supports their project goals and supports their efforts in fundraising through the Recreational
47 Trails Program.

48
49 PASSED AND ADOPTED by the City Council of Homer, Alaska, this 27th day of October,
50 2014.

51
52 CITY OF HOMER

53
54
55 _____
56 MARY E. WYTHE, MAYOR

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

63
64 Fiscal note: NA
65

VISITORS

ANNOUNCEMENTS
PRESENTATIONS
BOROUGH REPORT
COMMISSION REPORTS

CITY OF HOMER
HOMER, ALASKA

MAYOR'S PROCLAMATION

**Pancreatic Cancer Awareness Month
November 2014**

WHEREAS, In 2014 an estimated 46,420 people will be diagnosed with pancreatic cancer in the United States and 39,590 will die from the disease; and

WHEREAS, Pancreatic cancer is one of the deadliest cancers, is currently the fourth leading cause of cancer death in the United States and **is projected to become the second by 2020**; and

WHEREAS, Pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just six percent; and

WHEREAS, When symptoms of pancreatic cancer present themselves, it is generally late stage, and 73 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of pancreatic cancer patients die within the first five years; and

WHEREAS, The *Recalcitrant Cancer Research Act* was signed into law in 2013, which calls on the National Cancer Institute to develop a scientific framework, or strategic plans, for pancreatic cancer and other deadly cancers, which will help provide the strategic direction and guidance needed to make true progress against these diseases; and

WHEREAS, The Pancreatic Cancer Action Network is the national organization serving the pancreatic cancer community in Homer, Alaska and nationwide through a comprehensive approach that includes public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

WHEREAS, The Pancreatic Cancer Action Network and its affiliate in Homer, Alaska, support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure; and

WHEREAS, The good health and well-being of the residents of Homer, Alaska, are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments.

NOW, THEREFORE, I, Mary E. Wythe, Mayor of Homer, Alaska, do hereby designate the month of November 2014 as **"Pancreatic Cancer Awareness Month"** in Homer, Alaska.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Homer, Alaska, to be affixed this 27th day of October, 2014.

CITY OF HOMER

MARY E. WYTHER, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Session 14-18, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on October 15, 2014 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BRADLEY, HIGHLAND, STEAD, STROOZAS, VENUTI

ABSENT: BOS, ERICKSON

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK JACOBSEN

Approval of Agenda

Chair Stead called for a motion to approve the agenda.

VENUTI/STROOZAS SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Public Comment

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

Wesley Head, city resident and owner of Beluga Air, commented to the commission regarding his sign issue. He has a sign that is on state airport land that is not in compliance with current code; however it has been there more than three decades. It was legal when it was built, has been a continuing operation, and the court cases he has reviewed it's up to the City to prove that he doesn't qualify for grandfather. He spoke to the City Planner and found that his industry is under special scrutiny for signs, which he found disturbing. He raised question of what industry his business falls into. To find that one industry is a focus for sign enforcement he feels is unethical. Lastly he expressed his concern with the handling of his notification of the appeal process and the inconsistency of personnel's judgment of what adheres in the process and what doesn't. He asked that they drop this matter, or prove that his sign doesn't qualify for grandfather after three decades, and that they explain what industry he is in.

Reconsideration

Adoption of Consent Agenda

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

A. Approval of Minutes of September 17, 2014 meeting

- B. A Memo from the City Clerk and a resolution of the City Council of Homer, Alaska, establishing the 2015 regular meeting schedule for the city council, economic development advisory commission, library advisory board, parks and recreation advisory commission, advisory planning commission, port and harbor advisory commission, permanent fund committee, and public arts committee.

Chair Stead called for a motion to adopt the consent agenda.

HIGHLAND/VENUTI SO MOVED.

There was no discussion

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Presentations

Reports

- A. Staff Report PL 14-84, City Planner's Report

City Planner Abboud reviewed the staff report.

There was brief discussion about the safe routes to school grant and the erosion around Woodard Creek.

Commissioner Highland requested a break to read the laydown materials that were provided to the Commission. Chair Stead called for a recess at 6:50 and the meeting reconvened at 6:57.

Public Hearings

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

- A. Staff Report PL 14-90, An ordinance of the Homer City Council amending Homer City Code 21.40.070, requirements, regarding standards for impervious coverage in the bridge creek watershed protection district.

City Planner Abboud reviewed the staff report.

Chair Stead opened the public hearing.

Chris Story, city resident and local realtor, thanked the group for their work on the draft ordinance. He said he presented this information to the Kachemak Board of Realtors membership and those

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OCTOBER 15, 2014

present at the meeting were in agreement that this is a positive and proactive step toward making these properties more useable, desirable, and marketable. He added that if it goes beyond this public hearing that they not only think in terms of impervious coverage versus not impervious, but also in terms of characteristics of people's homes. It's much more than a scientific calculation. He, and those has talked to, appreciate the concern that this is our one source of drinking water, but there have been no major impacts since this ordinance was written, or even before.

Bob Shavelson, Executive Director of Cook Inletkeeper, acknowledged individual property owners rights, but he is here to talk about the rights of the public and encouraged erring on the side of caution. Treatment is always a lot more expensive than prevention, and prevention is a lot easier. In response to comment there is no evidence this is working, he submitted that there have been no violations of the Safe Drinking Water Act since this ordinance has been in place. We don't have a lot of information in place right now and are making decisions based on some speculation that there has been diminishing property values and restriction. We don't understand what the hydrology is and the impacts of the concentration of these parcels in Kelly Ranch Estates if they are developed to the levels outlined in code. There are additional factors that haven't been touched on like yard fertilizers and so forth. He encouraged them to look at this more carefully; they are making decisions without enough information and once the decisions are made, we can't go back on them.

Commissioner Venuti asked if Mr. Shavelson if he could provide data of tracking drainages into the reservoir that he mentioned at a previous meeting. Mr. Shavelson said he would.

Commissioner Stroozas questioned if the proposal relaxing regulations on four out of 2100 acres seems like a minimal figure. Mr. Shavelson reiterated that it isn't the overall number they are looking at; it's the concentration of the lots in one area.

Chair Stead queried whether or not they should close the public hearing.

There was discussion of the lack of property owners providing comment. It was suggested it may indicate they feel this is going in the right direction. It was also noted that in the laydowns, two supported the amendment, one strongly opposing it with good points why it shouldn't change.

Commissioner Highland is interested in how to get a better idea of the impact of concentrated development in the area being considered tonight. She agrees they need hydrological information and would like to know who they could contact.

HIGHLAND/VENUTI MOVED TO CONTINUE THE PUBLIC HEARING TO THE NEXT MEETING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

The Commissioners discussed laydown information titled "Public Health Effects of Inadequately Managed Stormwater Runoff". Comments included:

- The report repeatedly mentions urban areas, and it isn't an urban area up there.

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- It addresses waterborne illnesses linked to pathogens and it's zero in low density population areas, and the Bridge Creek watershed area is a low density populated area.
- The statement in the report that the construction of low density developments disturbs soil over larger land area, accelerating transport of sediment and associated pollutants into water bodies, may apply in this area.
- There may be a discrepancy regarding turbidity values. When turbidity goes up there are issues with bacteria coming in, but the report data shows low turbidity and problems with bacteria. It wasn't clear how they got from one place to the other.
- In best management practices, there are problems with designs for collecting runoff.
- It suggests increasing density of the people living in the area to create larger buffers to lower turbidity.

The concern of dealing with fertilizers in the area was raised, along with invasive grasses in the area. City Planner Abboud talked about challenges of being able to reasonably enforce a regulation on fertilizers and such. It was countered that adding prohibiting fertilizers and herbicides in the ordinance will at least educate people and there will be those who will comply and curb some of the uses. Regarding invasive grasses, in the section regarding reseeding, it was suggested to include wording that it be seeded with natural or native grass.

Relating back to the study, Chair Stead expressed he doesn't think there isn't much there. The biggest things they can do are limit runoff and provide natural buffers. Kelly Ranch Estates flows down to Bridge Creek.

- B. Staff Report PL 14-88, An ordinance of the Homer City Council amending Homer City Code 21.70.010, Zoning permit required, and 21.90.030, Invalid land use permits, regarding the requirement for a zoning permit and the relationship of zoning violations to permit issuance

City Planner Abboud reviewed the staff report.

Chair Stead opened the public hearing. There were no public comments and the hearing was closed.

VENUTI/STROOZAS MOVED TO APPROVE THE DRAFT ORDINANCE AMENDING HCC 21.7.010 ZONING PERMITS REQUIRED AND 21.90.030 INVALID LAND USE PERMITS, REGARDING THE REQUIREMENT FOR A ZONING PERMIT AND THE RELATIONSHIP OF ZONING VIOLATIONS TO PERMIT ISSUANCE, AND FORWARD IT TO THE CITY COUNCIL FOR PUBLIC HEARING AND ADOPTION.

There was discussion that this seems to be pretty straight forward and that staff doesn't know if there will be any retroactive issues. There may be some discussion about it at the joint worksession with Council.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Plat Consideration

Pending Business

New Business

Informational Materials

- A. City Manager's Report for September 22, 2014 City Council Meeting
- B. Kenai Peninsula Borough Platt Committee Notice of Decisions:
 - Lakeside Village Subdivision 2014 Replat Preliminary Plat
 - Scenic View Tract A 2014 Replat Preliminary Plat
 - Forest Glen Subdivision Unit 2 2014 Replat Preliminary Plat
 - Vineyard Estates 2014 Addition Preliminary Plat
- C. Beluga Air letter stamp dated 9/18/14 regarding off-premise sign
- D. Planning Staff Response to Beluga Air letter dated 9/18/14
- E. Army Corps of Engineers Kenai Field Office Public Notice of Application for Permit to "discharge 2040 cubic yards (cy) of pit run gravel and 49 cy of concrete for the construction of a driveway, parking lot, composting facility, and drainage ditch in Waters of the U.S." at Tract O-1 Tietjen Subdivision
- F. Park, Art, Recreation, Culture (PARC) Needs Assessment Flyer

The Commission discussed the Beluga Air information item. City Planner Abboud explained that there is a requirement in the sign code for signs to come into compliance within a specified time. The dated time for Beluga Air has passed. He reviewed the process that he used in reviewing this and what has been used in other cases. Commissioner Venuti read the applicable section of code. It was requested that a response be sent to Mr. Head to let him know the Commission talked about his issue. They addressed some options relating to seasonal signage.

They also addressed the agenda for the upcoming worksession with City Council.

Comments of the Audience

Members of the audience may address the Commission on any subject. (3 minute time limit)

None

Comments of Staff

None

Comments of the Commission

Commissioners Highland, Bradley, and Venuti had no comments.

Commissioner Stroozas asked why they didn't hold a worksession. Mr. Abboud advised that the speaker canceled and he didn't know that they had an hour's worth of information to discuss.

Chair Stead encouraged the Commissioners to attend the joint worksession with Council. He said he would like to set some Commission goals at their next worksession. He also commented that as Chair

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he tends to let people run a little too far. He thinks the discussion is good but we need to keep moving the process forward.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 8:25 p.m. The next regular meeting is scheduled for November 5, 2014 at 6:30 p.m. in the City Hall Cowles Council Chambers.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____



October 10, 2014

Dear Mayor Wythe,

It gives me great pleasure to inform you that the City of Homer has been named the 2014 eCity of Alaska. The eCity Award recognizes the strongest online business community in each state—the digital capitals of America.

The Internet plays a critical role in growing our local businesses and our local economies. With 97% of American Internet users looking online for local goods and services, businesses that make use of the web are growing twice as fast and creating twice as many jobs. Given the importance of the web in driving growth, Google partnered with research firm Ipsos to identify the strongest online communities in each state - cities whose businesses are embracing the power of the web to find new customers, connect with existing clients, and fuel their local economies.

Homer, as the 2014 eCity Award winner for Alaska, joins the ranks of America's leading cities in the digital economy.

For more information on the eCity initiative visit our website at www.google.com/ecities. If you have any questions, please don't hesitate to reach out to us at ecities@google.com.

Congratulations, Homer!

Sincerely,

Susan Molinari
Vice President of Public Policy and Government Relations
Google

Google is committed to the highest standards of ethical conduct and does not intend to offer an inappropriate gift or create even the appearance of impropriety. By accepting these promotional materials, your municipality certifies that it is able to do so in compliance with applicable laws. Google will accept payment for the promotional materials to facilitate compliance with any applicable government ethics requirements. Please contact eventcompliance@google.com with any questions or concerns.

PUBLIC HEARING(S)

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-48

An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Grant from the State of Alaska in the Amount of \$36,691.21 for Homer Police Department Project Drive and Authorizing the City Manager to Execute the Appropriate Documents.

Sponsor: City Manager/Police Chief

1. City Council Regular Meeting October 13, 2014 Introduction
 - a. Memorandum 14-150 from Police Chief as backup
2. City Council Regular Meeting October 27, 2014 Public Hearing and Second Reading
 - a. Memorandum 14-150 from Police Chief as backup

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

3 City Manager/
4 Police Chief

5 **ORDINANCE 14-48**
6

7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 ACCEPTING AND APPROPRIATING A GRANT FROM THE STATE OF
9 ALASKA IN THE AMOUNT OF \$36,691.21 FOR HOMER POLICE
10 DEPARTMENT PROJECT DRIVE AND AUTHORIZING THE CITY
11 MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.
12

13 WHEREAS, The City submitted an application for the Homer Police Department Project
14 Drive to purchase a Utility Go Kart Vehicle, Safety Helmets, Fatal Vision Goggles, Traffic
15 Cones, and an Enclosed Trailer; and
16

17 WHEREAS, The Go Kart will be used to conduct clinics at local schools to increase
18 awareness of impaired driving while under the influence of drugs or alcohol; and
19

20 WHEREAS, The State awarded the grant in the amount of \$36,691.21, requiring a local
21 match of \$4,076.80; and
22

23 WHEREAS, The match of \$4,076.80 was included in the 2014 budget.
24

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

27 Section 1. The Homer City Council hereby accepts and appropriates a Grant from the
28 State of Alaska in the amount of \$36,691.21 for Homer Police Department Project Drive as
29 follows:
30

31 Revenue:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
151-7003	State of Alaska Project Drive Grant	\$36,691.21

32
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37 Section 2. The City Manager is authorized to execute the appropriate documents.
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39 Section 3. This is a budget amendment ordinance, is temporary in nature, and shall not
40 be codified.
41

42 ENACTED BY THE HOMER CITY COUNCIL this ___ day of _____, 2014.

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CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

YES:

NO:

ABSENT:

ABSTAIN:

First Reading:

Public Hearing:

Second reading:

Effective Date:

Reviewed and approved as to form:

Walt Wrede, City Manager

Thomas F. Klinkner, City Attorney

Date:_____

Date:_____



CITY OF HOMER

POLICE DEPARTMENT

4060 HEATH STREET HOMER, AK 99603-7609

EMERGENCY 911
TELEPHONE (907) 235-3150
TELECOPIER (907) 235-3151

Memorandum 14-150

DATE: October 6, 2014
TO: Walt Wrede, City Manager
FROM: Mark Robl, Chief of Police
SUBJECT: Project Drive

We have received a grant from the state to fund our “Project Drive” program. I request that we obtain council approval to accept the grant and proceed with Project Drive.

Project Drive is a program we have been doing for approximately five years. It involves us conducting clinics at local schools and events to teach kids the effects of alcohol and drug impairment on driving. We do so by having the children drive a go-cart with a police officer in it while wearing fatal vision goggles that simulate the effects of impairment. The program has been well received and seems to be very effective. It also provides us with a great opportunity to connect with young teenage children and have positive interaction with them.

We have been conducting Project Drive with borrowed equipment from other police departments. Every time we want to do it we have had to coordinate the equipment loans and scheduling with the departments and send an officer up to either Soldotna or Anchorage to pick-up the equipment and then take it back when we’re finished. This has taken considerable time and expense. This grant funds the purchase of the equipment we need to run the program.



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Transportation
and
Public Facilities

DIVISION OF PROGRAM DEVELOPMENT
Alaska Highway Safety Office

3132 Channel Drive
PO Box 112500
Juneau, Alaska 99801
Main: 907.465.4070
TTY/TDD: 907.465.3652
Fax: 907.465.6984

September 11, 2014

Lieutenant William Hutt
Homer Police Department
4060 Heath Street
Homer, AK 99603

Re: Grant # 402PT-15-06-00(B)

Dear Lieutenant Hutt:

Congratulations! Your Federal Fiscal Year (FFY) 2015 grant application titled Homer PD Project Drive is approved in the amount of \$36,691.21. The attached agreement includes your project budget, required Subgrantee match, project timeline, agreement conditions, and certification regarding federal lobbying. You must complete the information on the first page, and you and your agency's financial manager must sign this form. In addition, your grant project manager must sign both Section 3: Agreement Conditions and Section 4: Certification Regarding Federal Lobbying.

This letter and the attached grant agreement comprise the entire executed agreement for this grant. Any modifications to your initial proposal are reflected in this executed agreement. Any concerns regarding your executed agreement must be addressed and resolved prior to the expenditure of grant funds.

All applicable forms and documents related to your grant can be found online on the AHSO website at <http://www.dot.state.ak.us/stwdplng/hwysafety/forms.shtml>. The "Authorized to Proceed Date" for this agreement is October 1, 2014. The "Agreement Termination Date" is September 30, 2015. The only costs eligible for reimbursement under this agreement are those incurred within these dates.

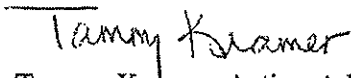
Before receiving a Notice to Proceed (NTP), which will allow your agency to proceed with this agreement, your grant program manager and agency financial officer must participate in and bring the entire grant agreement document with original signature to the mandatory "Pre-Activity" meeting scheduled by the AHSO for Wednesday, October 1, 2014 from 8:30 a.m. – 12:30 p.m., The Pre-Activity meeting will be held at the Alaska DOT&PF Conference Room, 4111 Aviation Avenue in Anchorage. The AHSO representative assigned to this agreement is Sumer Todd-Harding and can be contacted at (907) 465-2446.

"Keep Alaska Moving through service and infrastructure."

Please note that this agreement is to be funded under the federal grant program that begins October 1, 2014. This grant is funded under Catalog of Federal Domestic Assistance (CFDA) Number 20.600, Section 402, State and Community Highway Safety. Funding of this agreement is dependent upon the availability of federal funds as appropriated and obligated by the US Department of Transportation for FFY 2015. Should any change in federal funding adversely affect the AHSO's ability to implement an approved agreement, the AHSO reserves the right to revise or terminate any approved grant in writing. The AHSO reserves the right to limit grant amounts at any time based on performance and/or available funding.

We look forward to working with you in FFY 2015 to improve highway traffic safety in Alaska.

Sincerely,



Tammy Kramer, Acting Administrator
Alaska Highway Safety Office

TK/l/sth

Attachment

Cc: Mark Robl, Chief
John Li



FFY 2015 HIGHWAY SAFETY GRANT AGREEMENT

State of Alaska
Department of Transportation & Public Facilities
Alaska Highway Safety Office (AHSO)
P.O. 112500; Suite #200
Juneau AK 99811-2500
Ph: 907-465-2446
Fax: 907-465-4030
www.dot.alaska.gov/ahso

Subgrantee Agency Name and Address:		Project Title:
Homer Police Department 4060 Heath Street Homer, AK 99603		Homer PD Project Drive
Project Manager: Lieutenant William Hutt		Project Location: Homer
Non-Profit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Grant Period:		
Begin: 10/01/2014	End: 09/30/2015	Effective Date: 10/01/2014

If previously funded, indicate the total number of months of Federal support: N/A

Other Federal or State Support (If using other Federal support on this project, it must be identified and explained):

COST CATEGORY	AHSO	MATCH	TOTAL
A. Personnel Services	\$15,316.21	\$1,701.80	\$17,018.01
B. Contractual Services			
C. In-State Travel & Per Diem	\$270.00	\$30.00	\$300.00
D. Commodities	\$2,655.00	\$295.00	\$2,950.00
E. Operating Capital Outlay			
F. Equipment	\$18,450.00	\$2,050.00	\$20,500.00
G. Indirect Costs (10% of total budget maximum) allowed ONLY with a current cognizant Federal Agency Letter			
Total	\$36,691.21	\$4,076.80	\$40,768.01

Acceptance of conditions: It is understood and agreed by the undersigned that any grant funds received from the AHSO are subject to all State and Federal government regulations. This project does or will constitute an official part of the Highway Safety Program of the State of Alaska, and will meet all requirements and administrative regulations of the National Highway Traffic Safety Administration and Federal Highway Administration. The undersigned also agree to perform those activities detailed in the attached proposal and will maintain records documenting expenditure of funds for the activities. Subject to the availability of Federal funding, reimbursement will be made upon submission of a reimbursement voucher following completion of monthly grant activities, including an update on grant performance measures. Final reimbursement claim will not be processed until all four Quarterly Reports, Equipment Record (if purchased), and Annual Evaluation Report are submitted to, and received by, the AHSO.

Subgrantee Financial Manager: John Li		Phone: 907-235-8121
Title:		E-mail: zli@ci.homer.ak.us
Signature:	Date:	Fax: 907-235-3140
Subgrantee Authorizing Official: William Hutt		Phone: 907-235-3150
Title: Lieutenant		E-mail: whutt@ci.homer.ak.us
Signature:	Date:	Fax: 907-235-3151

AHSO ONLY:

AHSO Administrator: Tammy Kramer	Grant #: 402PT-15-06-00(B)
	CC:
	LC:
Approved By:	Date:
	PGM: 57870
	Program Area: 402 Police Traffic Svcs

Section 1. Project Budget

	AHSO	Subgrantee Match	Total
A. Personnel Services – Payroll			
1. Sergeant Overtime (70hrs x \$70.17/hr)	\$4,420.83	\$491.20	\$4,912.03
2. Officer Overtime (70hrs x \$81.09/hr)	\$5,108.58	\$567.62	\$5,676.20
3. Lieutenant Overtime (70hrs x \$91.85/hr)	\$5,786.80	\$642.98	\$6,429.78
Personnel Services Total:	\$15,316.21	\$1,701.80	\$17,018.01
B. Contractual Services			
1.			
Contractual Services Total:			
C. In-State Travel & Per Diem			
1. Transportation Costs	\$270.00	\$30.00	\$300.00
2.			
In-State Travel and Per Diem Total:	\$270.00	\$30.00	\$300.00
D. Commodities			
1. Safety Helmets	\$675.00	\$75.00	\$750.00
2. Fatal Vision Multipack	\$810.00	\$90.00	\$900.00
3. Misc. Tools	\$270.00	\$30.00	\$300.00
4. Large Traffic Cones (100)	\$900.00	\$100.00	\$1,000.00
Commodities Total:	\$2,655.00	\$295.00	\$2,950.00
E. Operating Capital Outlay			
1.			
Operating Capital Outlay Total:			
F. Equipment			
1. Side by Side Utility Vehicle	\$9,450.00	\$1,050.00	\$10,500.00
2. Enclosed 16' Trailer	\$9,000.00	\$1,000.00	\$10,000.00
Equipment Total:	\$18,450.00	\$2,050.00	\$20,500.00
G. Indirect Costs			
<small>(10% maximum of total budget, allowed ONLY with a current cognizant Federal Agency letter submitted to AHSO.)</small>			
1.			
Indirect Costs Total:			
TOTAL PROJECT COSTS:	\$36,691.21	\$4,076.80	\$40,768.01

Performance Activities/Milestones	1 st Quarter			2 nd Quarter			3 rd Quarter			4 th Quarter		
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
1 Ordinance to City Council to Officially Implement Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 Meeting w/ local Alaska State Troopers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3 Homer Police Department Meeting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 Mid-Year Evaluation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5 Meeting with Kenai Peninsula Youth Court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6 Clinic @ Local School	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7 Clinic @ Local School	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8 Clinic @ Local School	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9 Safe Kids Fair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10 Clinic on 4th of July	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11 Clinic @ School (out of Homer City Limits)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12 Clinic @ School (out of Homer City Limits)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13 Clinic @ School (out of Homer City Limits)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14 Turn in Quarterly Reports SFH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 3: Agreement Conditions

THE FOLLOWING CONDITIONS ARE A PART OF THE PROJECT AGREEMENT AND, AS SUCH, ARE BINDING ON ALL PARTIES TO THE PROJECT AGREEMENT

- A. **Contingent Upon Federal Funding:** The award of grant funding is subject to the availability of Federal funding. The AHSO reserves the right to incrementally fund any awarded grant at any time during the grant period.
- B. **Match:** The Subgrantee agency is expected to provide a local hard dollar match when funding for personnel is included in this Agreement. The local match is a minimum of 10 percent for first year projects, 50 percent for the second year of project funding, and 75 percent for the third year of project funding. Funding identified by the Subgrantee to meet the "hard" match requirement shall not originate from other federal funds or be used as match for another federal program.
- C. **BUY AMERICA Requirement:** The Buy America Act, 23 U.S.C. §313, prohibits States from using highway safety grant funds under 23 U.S.C. Chapter 4 to purchase products, unless they are produced in the United States. This prohibition applies to steel, iron, and all manufactured products, unless the Secretary of Transportation has determined that it is appropriate to waive the Buy America Act requirement. There is no minimum purchase threshold that exempts the need for a waiver. The Subgrantee agency agrees not to place any order for, or make any purchase of, any product which is not produced in the United States without documentation of a written waiver from the U.S. Department of Transportation. All requests for such waivers shall be submitted to the Alaska Highway Safety Office (AHSO).
- D. **Property:** State and Local Agencies and Other Non-State Subgrantees: Equipment and other property acquired under this Agreement for use in highway safety projects shall be used and kept in operation for highway safety purposes. State Agencies: Property management standards described in the "State Property Accounting Manual" will be used in accounting for equipment purchased under this Agreement. Local Agencies and Other Non-State Subgrantees: Standards for property management described in 49 CFR 18.32(c) through e) will be used in accounting for equipment purchased under this Agreement. The Applicant Agency shall seek disposition instructions from the AHSO prior to disposing of any item of equipment purchased under this project. Nothing in this Agreement shall prevent the Applicant Agency from following existing property management standards that exceed the requirements set out in 49 CFR 18.32(c) through (e).
- E. **Copyright:** The AHSO and the U.S. Department of Transportation reserves a royalty-free, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for State or Federal government purposes: 1) the copyright in any work developed under a grant, sub grant, or contract under a grant or sub grant; and 2) any rights of copyright to which a grantee, sub grantee, or a contractor purchases ownership with grant support.
- F. **Subcontracts:** Services performed, or materials provided, by a Subgrantee's subcontractor shall align with the objectives and intent of the grant agreement. The AHSO will not reimburse for work performed by any subcontractor until a copy of the subcontract is reviewed by the AHSO and deemed to meet the objectives of the grant agreement.
- G. **Sub Awards to Debarred and Suspended Parties:** Subgrantees must not make any award (sub grant or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, "Debarment and Suspension".
- H. **Standards for Americans with Disabilities:** Subgrantees, contractors, and others who receive funding from the State of Alaska, Department of Transportation and Public Facilities, to provide a service or services to the general public as an agent of the state must certify that all programs, services, and activities operated under the grant or contract are made available to the general public in compliance with the Americans with Disabilities Act of 1990. Grant or contract recipients are subject to state review.
- I. **Procurement Standards:** Subgrantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in 49 CFR 18.36.
- J. **Progress Reports:** The Subgrantee agency shall submit quarterly narrative progress reports by mail or electronically which must include an update on grant performance measures, by the 15th of the month following the end of each calendar quarter and an annual evaluation report by November 15th during the life of the project.
- K. **Financial Reports:** The Subgrantee agency certifies it has an accounting system capable of properly accounting for expenditures made under this project. Claims for costs incurred must be submitted on a monthly basis, by the 15th of

the end of the previous month. Claims must be accompanied by supporting documentation which may be submitted by mail or electronically. Original copies of all supporting documentation submitted electronically must be kept in the Subgrantee agency's grant project file for at least three years after the end date of the grant.

- L. **News Releases:** The AHSO encourages Subgrantee agencies to publicize the Highway Safety project award. The "Alaska Highway Safety Office" shall be named as the granting agency in any news releases announcing the project award. Any subsequent news releases written by the Subgrantee agency regarding the project and related activity shall mention the "Alaska Highway Safety Office".
- M. **Highway Safety Tag:** The "Alaska Highway Safety Office" shall be identified as the sponsor or co-sponsor in any public information materials developed under a highway safety project. This requirement includes public service announcements on radio and television, newspaper advertisements, pamphlets and brochures, and promotional "giveaways" such as bumper stickers, key chains, etc. Promotional items must include both AHSO and Alaska's "Target Zero" logo or wording to support the Alaska Strategic Highway Safety Plan as well as the type or national/state slogan of the current national or state driver behavior program: Impaired Driving, Occupant Protection, Traffic Records, Motorcycle Safety, etc. Examples of a national program include "Click It Or Ticket", and "Drive Sober Or Get Pulled Over".
- N. **Record Retention:** All financial and programmatic records, supporting documents, statistical records, and other records of the Subgrantee agency which are required to be maintained by the terms of 49 CFR 18.42 and other records reasonably considered as pertinent to program regulations or the project agreement must be retained for a period of three years after submittal of the final claim. Additional record retention requirements may be found in 49 CFR 18.42 and are incorporated and made part of this Agreement by reference. The AHSO and the Comptroller General of the United States, or any of their authorized representatives, shall have the right of access to any pertinent books, documents, papers, or other records of Subgrantees which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts.
- O. **Enforcement:** If the Subgrantee agency materially fails to comply with any term of this Agreement, the AHSO may take one or more of the actions listed in 49 CFR 18.43(a)(1) through (5), as appropriate in the circumstances. Additional provisions for enforcement are listed in 49 CFR 18.45(b) through (d).
- P. **Termination for Convenience:** Except as provided in 49 CFR 18.43, this Agreement may be terminated in whole or in part only as follows: a) by the AHSO with the consent of the Subgrantee agency, in which case the two parties shall agree upon the termination conditions, including the effective date, and, in the case of partial termination, the portion to be terminated, or b) by the Subgrantee agency upon written notification to the AHSO, setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. If, however, in the case of a partial termination, the AHSO determines that the remaining portion of this Agreement will not accomplish the purposes for which the award was made, the AHSO may terminate the Agreement in its entirety under either 49 CFR 18.43 or paragraph a) of this section.
- Q. **Audit:** The Subgrantee agency agrees to arrange for a financial and compliance audit as required under the Single Audit Act of 1984 and to provide a copy of the final audit report to the AHSO upon request. The CFDA (Catalog of Federal Domestic Assistance) number of the State and Community Highway Safety Program is 20.600-20.613. The financial agency responsible for arranging for the audit shall be advised by the Subgrantee agency of this number.
- R. **Laws of Alaska:** This Agreement shall be governed in all respects by the laws of the State of Alaska.
- S. **Limited English Proficient Persons (LEP) Guidance:** Two Federal authorities, Title VI of the Civil Rights Act of 1964 and the Presidential Executive Order (EO) 13166, Improving Access to Services for Persons with Limited English Proficiency, require the ADOT&PF to provide LEP persons with meaningful access to programs, activities and services. To fully implement Title VI and EO 13166, the U.S. DOT published guidance to its recipients of Federal assistance on December 14, 2005 in the Federal Register. ADOT&PF is required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. If you have any questions, please contact the Civil Right Manager, at 907 269-0850.
- T. **Political Activity (Hatch Act):** The Subgrantee agency will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

Signature of Subgrantee Project Manager: _____

Date: _____

Section 4: Certification Regarding Federal Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub grants, and contracts under grant, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Signature of Subgrantee Project Manager: _____

Date: _____

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-49

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.03.040, Definitions; Homer City Code 21.12.030, 21.14.030, 21.16.030, 21.18.030, 21.24.030, 21.26.020, 21.26.030, 21.28.030, 21.30.030, and 21.32.030, Conditional Uses and Structures; and Homer City Code and Permitted Uses and Structures, to Define the Terms Helipad and Hospital, to Delete Heliport as a Conditional Use in the Rural Residential, Urban Residential, Central Business District, General Commercial 1, Marine Commercial and Open Space – Recreation Zoning Districts; to Delete Heliport as a Permitted Use in the General Commercial 2 District, to Add Helipad as a Conditional Use Accessory to a Hospital in the Residential Office Zoning District and as a Conditional Use in the General Commercial 2 and Marine Industrial Zoning Districts, and to Add Heliport as a Conditional Use in the General Commercial 2 District.

Sponsor: Planning

1. City Council Regular Meeting October 13, 2014 Introduction
 - a. Memorandum 14-155 from City Planner as backup
 - b. Staff Reports 14-20, 14-23, 14-26, 14-42, 14-46, 14-58, and 14-85
 - c. Excerpts from Planning Commission meeting minutes 2/19/14, 3/05/14, 5/07/14, 5/21/14, 6/18/14, and 9/17/14
 - d. Written public comments
 - e. Draft Ordinance 14-49

2. City Council Regular Meeting October 27, 2014 Public Hearing and Second Reading
 - a. Memorandum 14-155 from City Planner as backup
 - b. Staff Reports 14-20, 14-23, 14-26, 14-42, 14-46, 14-58, and 14-85
 - c. Excerpts from Planning Commission meeting minutes 2/19/14, 3/05/14, 5/07/14, 5/21/14, 6/18/14, and 9/17/14
 - d. Written public comments
 - e. Draft Ordinance 14-49
 - f. Memorandum 14-167 from Deputy City Planner as backup
 - g. Map of Helipads/Heliports

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

3 Planning

4 **ORDINANCE 14-49**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING HOMER CITY CODE 21.03.040, DEFINITIONS; HOMER
8 CITY CODE 21.12.030, 21.14.030, 21.16.030, 21.18.030, 21.24.030,
9 21.26.020, 21.26.030, 21.28.030, 21.30.030, AND 21.32.030,
10 CONDITIONAL USES AND STRUCTURES; AND HOMER CITY CODE
11 AND PERMITTED USES AND STRUCTURES, TO DEFINE THE
12 TERMS HELIPAD AND HOSPITAL, TO DELETE HELIPORT AS A
13 CONDITIONAL USE IN THE RURAL RESIDENTIAL, URBAN
14 RESIDENTIAL, CENTRAL BUSINESS DISTRICT, GENERAL
15 COMMERCIAL 1, MARINE COMMERCIAL AND OPEN SPACE –
16 RECREATION ZONING DISTRICTS; TO DELETE HELIPORT AS A
17 PERMITTED USE IN THE GENERAL COMMERCIAL 2 DISTRICT, TO
18 ADD HELIPAD AS A CONDITIONAL USE ACCESSORY TO A
19 HOSPITAL IN THE RESIDENTIAL OFFICE ZONING DISTRICT AND
20 AS A CONDITIONAL USE IN THE GENERAL COMMERCIAL 2 AND
21 MARINE INDUSTRIAL ZONING DISTRICTS, AND TO ADD HELIPORT
22 AS A CONDITIONAL USE IN THE GENERAL COMMERCIAL 2
23 DISTRICT.
24

25 WHEREAS, The City of Homer, Alaska regulates where permanent facilities for the
26 operation of helicopters may be located through zoning district regulations; and
27

28 WHEREAS, It is in the City’s best interest to limit the operation of heliports and
29 helipads to the areas where the activity is most compatible to the allowed uses of the zoning
30 districts;
31

32 THE CITY OF HOMER HEREBY ORDAINS:
33

34 Section 1. HCC 21.03.040 Definitions, is amended by adding definitions of “helipad”
35 and “hospital” to read as follows:
36

37 “Helipad” means any surface where a helicopter takes off or lands, but excludes permanent
38 facilities for loading or unloading goods or passengers, or for fueling, servicing or storing
39 helicopters.
40

41 “Hospital” has the meaning given in AS 47.32.900.
42

[Bold and underlined added. Deleted language stricken through.]

43 Section 2. HCC 21.12.030, Conditional uses and structures (Rural Residential), is
44 amended to read as follows:

45
46 21.12.030 Conditional uses and structures. The following uses may be permitted in
47 the Rural Residential District when authorized by conditional use permit issued in
48 accordance with Chapter 21.71 HCC:

- 49 a. Planned unit development, limited to residential uses only;
50 b. Religious, cultural and fraternal assembly;
51 c. Cemeteries;
52 d. Kennels;
53 e. Commercial greenhouses and tree nurseries offering sale of plants or trees grown
54 on premises;
55 f. Mobile home parks;
56 g. Public utility facilities and structures;
57 h. Pipelines and railroads;
58 ~~i. Heliports;~~
59 **ij.** Storage of heavy equipment, vehicles or boats over 36 feet in length as an accessory
60 use incidental to a permitted or conditionally permitted principal use;
61 **jk.** Day care facilities; provided, however, that outdoor play areas must be fenced;
62 **kl.** Group care home;
63 **lm.** Assisted living home;
64 **mn.** More than one building containing a permitted principal use on a lot;
65 **no.** Indoor recreational facilities;
66 **op.** Outdoor recreational facilities;
67 **pq.** Public school and private school;
68 **qr.** One small wind energy system having a rated capacity exceeding 10 kilowatts,
69 provided that it is the only wind energy system of any capacity on the lot.

70
71 Section 3. HCC 21.14.030, Conditional uses and structures (Urban Residential), is
72 amended to read as follows:

73
74 21.14.030 Conditional uses and structures. The following uses may be permitted in the
75 Urban Residential District when authorized by conditional use permit issued in accordance
76 with Chapter 21.71 HCC:

- 77 a. Planned unit development, excluding all industrial uses;
78 b. Townhouse developments;
79 c. Day care facilities; provided, however, that outdoor play areas must be fenced;
80 d. Religious, cultural and fraternal assembly;

[Bold and underlined added. Deleted language stricken through.]

- 81 e. Hospitals;
- 82 f. Pipelines and railroads;
- 83 ~~g. Heliports;~~
- 84 **gh.** Storage of heavy equipment or boats over 36 feet in length as an accessory use
85 incidental to a permitted or conditionally permitted principal use;
- 86 **hi.** Private stables and the keeping of larger animals not usually considered pets,
87 including paddocks or similar structures or enclosures utilized for keeping of such animals as
88 an accessory use incidental to a primary residential use; such use shall be conditioned on not
89 causing unreasonable disturbance or annoyances to occupants of neighboring property, and
90 on sufficient land to harbor such animals;
- 91 **ij.** Group care home;
- 92 **jk.** Assisted living home;
- 93 ~~kl.~~ More than one building containing a permitted principal use on a lot;
- 94 ~~lm.~~ Indoor recreational facilities;
- 95 **mn.** Outdoor recreational facilities;
- 96 **ne.** One small wind energy system having a rated capacity exceeding 10 kilowatts,
97 provided that it is the only wind energy system of any capacity on the lot.

98

99 Section 4. HCC 21.16.030, Conditional uses and structures (Residential Office), is
100 amended to read as follows:

101

102 21.16.030 Conditional uses and structures. The following uses may be permitted in the
103 Residential Office District when authorized by conditional use permit issued in accordance
104 with Chapter 21.71 HCC:

- 105 a. Planned unit developments, excluding all industrial uses;
- 106 b. Townhouses;
- 107 c. Public or private schools;
- 108 d. Hospitals and medical clinics;
- 109 e. Public utility facilities and structures;
- 110 f. Mortuaries;
- 111 g. Day care facilities; provided, however, that outdoor play areas must be fenced;
- 112 h. More than one building containing a permitted principal use on a lot;
- 113 i. Group care homes;
- 114 **j. Helipads, but only as an accessory use incidental to a hospital conditional use;**
- 115 **kj.** One small wind energy system having a rated capacity exceeding 10 kilowatts;
116 provided, that it is the only wind energy system of any capacity on the lot;
- 117 **lk.** Other uses approved pursuant to HCC 21.04.020.

118

[Bold and underlined added. Deleted language stricken through.]

119 Section 5. HCC 21.18.030, Conditional uses and structures (Central Business District),
120 is amended to read as follows:

121
122 21.18.030 Conditional uses and structures. The following uses may be permitted in the
123 Central Business District when authorized by conditional use permit issued in accordance
124 with Chapter 21.71 HCC:

- 125 a. Planned unit developments, excluding all industrial uses;
- 126 b. Indoor recreational facilities and outdoor recreational facilities;
- 127 c. Mobile home parks;
- 128 d. Auto fueling stations;
- 129 e. Public utility facilities and structures;
- 130 f. Pipeline and railroads;
- 131 ~~g. Heliports;~~
- 132 ~~gh.~~ Greenhouses and garden supplies;
- 133 ~~hi.~~ Light or custom manufacturing, repair, fabricating, and assembly, provided such
134 use, including storage of materials, is wholly within an enclosed building;
- 135 ~~ij.~~ Shelter for the homeless, provided any lot used for such shelter does not abut a
136 residential zoning district;
- 137 ~~jk.~~ More than one building containing a permitted principal use on a lot;
- 138 ~~kl.~~ Group care homes and assisted living homes;
- 139 ~~lm.~~ Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber
140 Subdivision to Heath Street;
- 141 ~~nn.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts;
142 provided, that it is the only wind energy system of any capacity on the lot;
- 143 ~~no.~~ Other uses approved pursuant to HCC 21.04.020.

144
145 Section 6. HCC 21.24.030, Conditional uses and structures (General Commercial 1), is
146 amended to read as follows:

147
148 21.24.030 Conditional uses and structures. The following uses may be permitted in the
149 General Commercial 1 District when authorized by conditional use permit issued in
150 accordance with Chapter 21.71 HCC:

- 151 a. Campgrounds;
- 152 b. Crematoriums;
- 153 c. Multiple-family dwelling;
- 154 d. Public utility facility or structure;
- 155 e. Mobile home parks;
- 156 f. Planned unit developments;

[Bold and underlined added. Deleted language stricken through.]

- 157 g. Townhouses;
- 158 h. Pipelines and railroads;
- 159 ~~i. Heliports;~~
- 160 **ij.** Shelter for the homeless, provided any lot used for such shelter does not abut an
- 161 RO, RR, or UR zoning district;
- 162 **jk.** More than one building containing a permitted principal use on a lot;
- 163 **kl.** Day care facilities; provided, however, that outdoor play areas must be fenced;
- 164 ~~lm.~~ Other uses approved pursuant to HCC 21.04.020;
- 165 **mn.** Indoor recreational facilities;
- 166 **no.** Outdoor recreational facilities.

167
168 Section 7. HCC 21.26.020, Permitted uses and structures (General Commercial 2), is
169 amended to read as follows:

170
171 The following uses are permitted outright in the General Commercial 2 District, except
172 when such use requires a conditional use permit by reason of size, traffic volumes, or other
173 reasons set forth in this chapter:

- 174
- 175 a. Production, processing, assembly and packaging of fish, shellfish and seafood
- 176 products;
- 177 b. Construction, assembly and storage of boats and boat equipment;
- 178 c. Manufacture and assembly of pottery and ceramics, musical instruments, toys,
- 179 novelties, small molded products, electronic instruments and equipment and electrical
- 180 devices;
- 181 d. Research and development laboratories;
- 182 e. Trade, skills or industrial schools;
- 183 f. Publishing, printing and bookbinding facilities;
- 184 g. Auto, trailer, truck, recreational vehicle and heavy equipment sales, rentals, service
- 185 and repair, excluding storage of vehicles or equipment that is inoperable or in need of repair;
- 186 h. Storage and distribution services and facilities, including truck terminals,
- 187 warehouses and storage buildings and yards, contractors' establishments, lumberyards and
- 188 sales, or similar uses;
- 189 i. Airports and air charter operations;
- 190 ~~j. Heliports;~~
- 191 **jk.** Underground bulk petroleum storage;
- 192 **kl.** Cold storage facilities;
- 193 **lm.** Parking lots and parking garages, in accordance with Chapter 21.55 HCC;
- 194 **mn.** Mobile commercial structures;

[**Underlined added.** Deleted language stricken through.]

195 **no**. Accessory uses to the uses permitted in the GC2 district that are clearly
196 subordinate to the main use of the lot or building, such as wharves, docks, restaurant or
197 cafeteria facilities for employees; or caretaker or dormitory residence if situated on a portion
198 of the principal lot; provided, that separate permits shall not be issued for the construction of
199 any type of accessory building prior to that of the main building;

200 **op**. Taxi operation;

201 **oq**. Mobile food services;

202 **or**. Itinerant merchants, provided all activities shall be limited to uses permitted
203 outright under this zoning district;

204 **rs**. Recreational vehicle parks, provided they shall conform to the standards in
205 Chapter 21.54 HCC;

206 **st**. Hotels and motels;

207 **tu**. Dormitory;

208 **uv**. As an accessory use, one small wind energy system per lot;

209 **vw**. Open air business. [Ord. 14-20(S) § 1, 2014; Ord. 09-34(A) § 17, 2009; Ord. 08-29,
210 2008].

211

212 Section 8. HCC 21.26.030, Conditional uses and structures (General Commercial 2), is
213 amended to read as follows:

214

215 21.26.030 Conditional uses and structures. The following uses may be permitted in
216 the General Commercial 2 District when authorized by conditional use permit issued in
217 accordance with Chapter 21.71 HCC

218 a. Mobile home parks;

219 b. Construction camps;

220 c. Extractive enterprises, including the mining, quarrying and crushing of gravel, sand
221 and other earth products and batch plants for asphalt or concrete;

222 d. Bulk petroleum product storage above ground;

223 e. Planned unit developments, excluding residential uses;

224 f. Campgrounds;

225 g. Junk yard;

226 h. Kennels;

227 i. Public utility facilities and structures;

228 j. Pipelines and railroads;

229 k. Impound yards;

230 l. Shelter for the homeless, provided any lot used for such shelter does not abut an
231 urban, rural or office residential zoning district;

232 m. More than one building containing a permitted principal use on a lot;

[Bold and underlined added. Deleted language stricken through.]

- 233 n. Day care facilities; provided, however, that outdoor play areas must be fenced;
- 234 o. Group care homes and assisted living homes;
- 235 p. Other uses approved pursuant to HCC 21.04.020;
- 236 q. Indoor recreational facilities;
- 237 r. Outdoor recreational facilities. [Ord. 08-29, 2008].

238 **s. Helipads**

239 **t. Heliports.**

240

241 Section 9. HCC 21.28.030, Conditional uses and structures (Marine Commercial), is
242 amended to read as follows:

243

244 21.28.030 Conditional uses and structures. The following uses may be permitted in the
245 Marine Commercial District when authorized by conditional use permit issued in accordance
246 with Chapter 21.71 HCC:

247 a. Drinking establishments;

248 b. Public utility facilities and structures;

249 ~~c.~~ Heliports;

250 ~~cd.~~ Hotels and motels;

251 ~~de.~~ Lodging;

252 ~~ef.~~ More than one building containing a permitted principal use on a lot;

253 ~~fg.~~ Planned unit developments, limited to water-dependent and water-related uses,
254 with no dwelling units except as permitted by HCC 21.28.020(o);

255 ~~gh.~~ Indoor recreational facilities;

256 ~~hi.~~ Outdoor recreational facilities;

257 ~~ij.~~ The location of a building within a setback area required by HCC 21.28.040(b). In
258 addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the
259 building must meet the following standards:

260 1. Not have a greater negative effect on the value of the adjoining property
261 than a building located outside the setback area; and

262 2. Have a design that is compatible with that of the structures on the adjoining
263 property.

264

265 Section 10. HCC 21.30.030, Conditional uses and structures (Marine Industrial), is
266 amended to read as follows:

267

268 21.30.030 Conditional uses and structures. The following uses may be permitted in the
269 Marine Industrial District when authorized by conditional use permit issued in accordance
270 with Chapter 21.71 HCC:

[Bold and underlined added. Deleted language stricken through.]

- 271 a. Planned unit development, limited to water-dependent or water-related uses and
272 excluding all dwellings;
273 b. Boat sales, rentals, service, repair and storage, and boat manufacturing;
274 c. Extractive enterprises related to other uses permitted in the district;
275 d. Campgrounds;
276 e. Bulk petroleum storage;
277 **f. Helipads;**
278 **gf.** Heliports;
279 **hg.** Indoor recreational facilities;
280 **ih.** Outdoor recreational facilities;
281 **ji.** Public utility facilities and structures;
282 **kj.** The location of a building within a setback area required by HCC 21.30.040(b). In
283 addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the
284 building must meet the following standards:
285 1. Not have a greater negative effect on the value of the adjoining property than a
286 building located outside the setback area; and
287 2. Have a design that is compatible with that of the structures on the adjoining
288 property.

289
290 Section 11. HCC 21.32.030, Conditional uses and structures (Open Space --
291 Recreation), is amended to read as follows:

292
293 21.32.030 Conditional uses and structures. The following uses may be conditionally
294 permitted in the Open Space – Recreation District when authorized by conditional use permit
295 issued in accordance with Chapter 21.71 HCC:

- 296 a. Public utility facilities and structures;
297 b. Any structures used for uses permitted outright in the district;
298 c. Fishing gear and boat storage;
299 d. Campgrounds;
300 e. Pipelines and railroads;
301 f. Parking areas;
302 ~~g. Heliports;~~
303 **gh.** Other open space and recreation uses;
304 **hi.** Indoor recreational facilities;
305 **ij.** Outdoor recreational facilities.

306
307 Section 12. This Ordinance is of a permanent and general character and shall be
308 included in the City Code.

[Bold and underlined added. Deleted language stricken through.]

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

311

312

CITY OF HOMER

313

314

315

MARY E. WYTHE, MAYOR

316

317

318 ATTEST:

319

320

321

JO JOHNSON, MMC, CITY CLERK

323

324 YES:

325 NO:

326 ABSTAIN:

327 ABSENT:

328

329 First Reading:

330 Public Hearing:

331 Second Reading:

332 Effective Date:

333

334 Reviewed and approved as to form:

335

336

337

Walt Wrede, City Manager

Thomas F. Klinkner, City Attorney

339

340 Date: _____

Date: _____

[Bold and underlined added. Deleted language stricken through.]



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Memorandum 14-155

TO: MAYOR WYTHE AND HOMER CITY COUNCIL

FROM: RICK ABOUD, CITY PLANNER

DATE: October 7, 2014

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.03.040, DEFINITIONS; HOMER CITY CODE 21.12.030, 21.14.030, 21.16.030, 21.18.030, 21.24.030, 21.26.020, 21.26.030, 21.28.030, 21.30.030, AND 21.32.030, CONDITIONAL USES AND STRUCTURES; AND HOMER CITY CODE AND PERMITTED USES AND STRUCTURES, TO DEFINE THE TERMS HELIPAD AND HOSPITAL, TO DELETE HELIPORT AS A CONDITIONAL USE IN THE RURAL RESIDENTIAL, URBAN RESIDENTIAL, CENTRAL BUSINESS DISTRICT, GENERAL COMMERCIAL 1, MARINE COMMERCIAL AND OPEN SPACE – RECREATION ZONING DISTRICTS; TO DELETE HELIPORT AS A PERMITTED USE IN THE GENERAL COMMERCIAL 2 DISTRICT, TO ADD HELIPAD AS A CONDITIONAL USE ACCESSORY TO A HOSPITAL IN THE RESIDENTIAL OFFICE ZONING DISTRICT AND AS A CONDITIONAL USE IN THE GENERAL COMMERCIAL 2 AND MARINE INDUSTRIAL ZONING DISTRICTS, AND TO ADD HELIPORT AS A CONDITIONAL USE IN THE GENERAL COMMERCIAL 2 DISTRICT.

The Planning Commission started an extensive review of the zoning code in relation to the many references for the allowance of heliports found in most zoning districts after taking public testimony in relation to a proposed heliport on a deck directly adjacent to the spit road. Operation of helicopter facilities in the city was a subject of 6 Planning Commission meetings that included a public hearing. Several people provided material at meetings and the public hearing. Most wished to limit operations to the airport and other places where service is most necessary.

As the length of the title suggests, the Planning Commission wishes to narrow down the current extensive zones of operation. In a nutshell, it is proposed that operation be limited to the GC2, Marine Industrial and RO districts. Heliports and helipads would be conditional uses in the GC2 and Marine Industrial Districts while helipads would be a conditional use associated with a hospital in the RO district. Airport operations would not be subject to gaining a conditional use.

The term “helipad” was added to code to differentiate from “heliport”. A heliport is a more extensive

operation that could include service, fueling and storage, while a helipad would just support loading and unloading, such as found at the hospital. The Planning Commission believes that this amendment allows for reasonable use of helicopter facilities while protecting the integrity of residential and other uses not compatible with the frequent use of helicopters.

Recommendation:

The Homer Advisory Planning Commission recommends the City Council adopt the amendments.

Attachments:

Staff Reports 14-20, 14-23, 14-26, 14-42, 14-46, 14-58, and 14-85

Excerpts from Planning Commission meeting minutes 2.19.14, 3.5.14, 5.7.14, 5.21.14, 6.18.14, and 9.17.14

Written public comments

Ordinance 14-



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
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(f) 907-235-3118

Memorandum 14-167

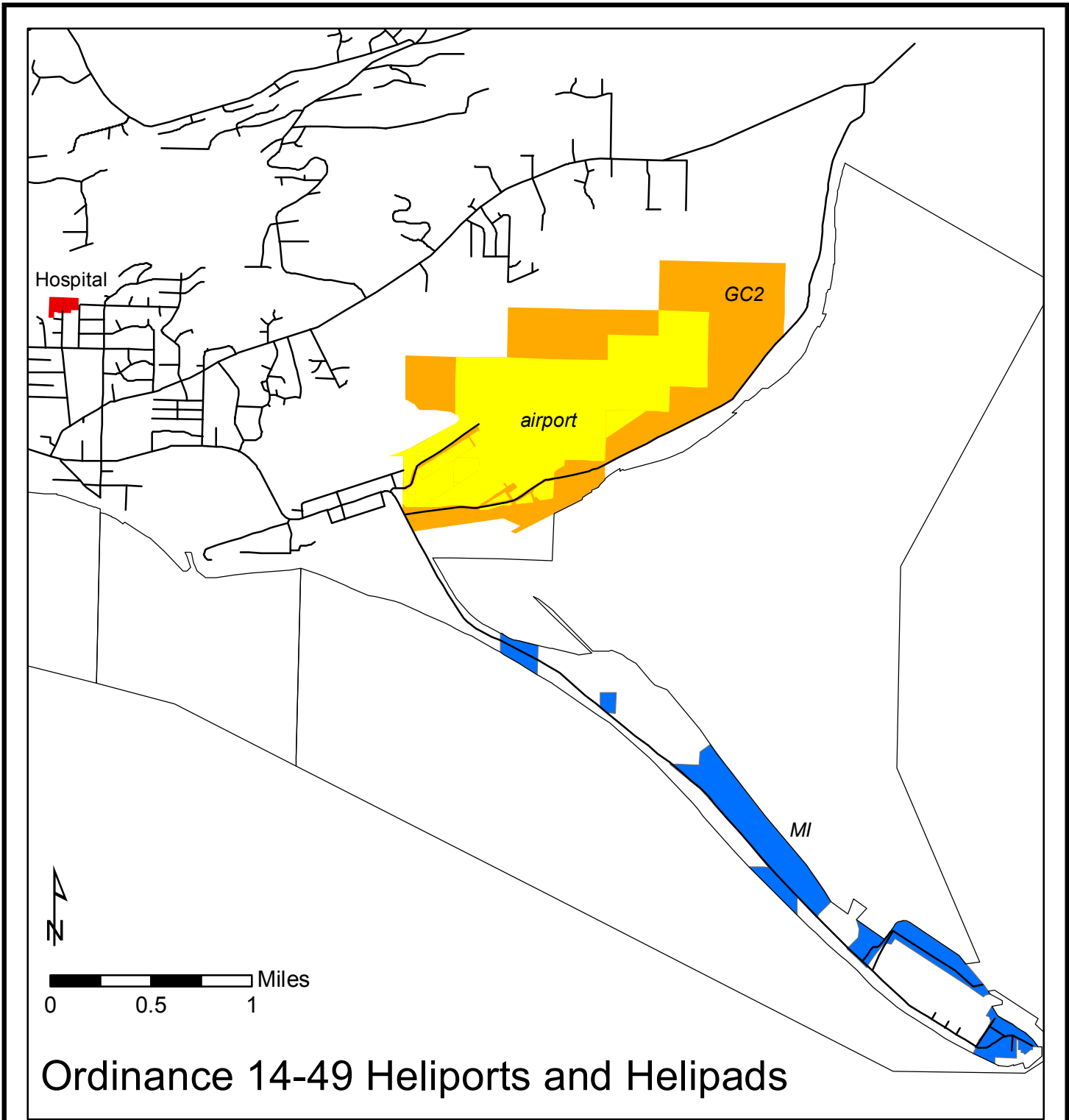
TO: Mayor Wythe and Homer City Council
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: October 21, 2014
SUBJECT: Ordinance 14-49

Attached is a map of where heliports and helipads would be allowed under the new rules. Heliports and helipads will not be allowed anywhere else in the City.

- Helipads allowed at the hospital as part of operations (requires a conditional use permit)
- Helipads allowed by CUP in the Marine Industrial zone
- Helipads and Heliports allowed at the airport, and by Conditional Use Permit in the General Commercial 2 zone outside the airport.

ATTACHMENTS

1. Map



Legend

- Helipads conditionally allowed as part of hospital operations
- Airport Lands
- GC2 Zone - Heliport and Helipad by CUP outside of airport
- Marine Industrial - Helipad by CUP



City of Homer
 Planning and Zoning Department

Disclaimer:
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October 15, 2014



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

STAFF REPORT PL 14-20

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Dotti Harness-Foster, Planning Technician
MEETING: February 19, 2013

SUBJECT: Heliports

Last summer the "heliport" conversation was spurred by a proposal for a "heliport" on the Spit. Per your request, staff has outlined Homer's standards, researched standards from other communities and seeks feedback on several questions:

Background: The common uses for "heliports" are to provide a staging area for disaster relief, air ambulance and police/fire responses, land management, cargo transportation, off-shore servicing, executive travel, flight seeing, TV, radio and newspaper. The versatility of helicopters allows the landing and take-off areas to be located at ground level, on building top, docks, and boats, in the city to rural areas where access is limited.

The FAA regulates the safe and efficient use of airspace, while local zoning controls land use issues. This report explores the definitions, zoning districts, and seeks the Commissions' input.

Definitions: At the heart of a "heliport" conversation is what does a "heliport" include? Homer's definition HCC 21.03.040:

"Heliports" means any place including airports, fields, rooftops, etc., where helicopters regularly land and take off, and where helicopters may be serviced or stored."

Homer's definition is very inclusive of the landing site, a hanger/shop to service and store the helicopter(s). Some communities separate the "helispot" meaning the landing/take-off site, "helipad" as in the landing/take-off/parking site, from a "heliport" which includes refueling, hangers and shops.

Some communities distinguish the difference between:

“Helistop” means a designated land area or roof structure used for the pickup or discharge of passengers and cargo, which does not provide helicopter maintenance and repair facilities or fueling services.
Staff: South Peninsula Hospital’s roof top is considered a “helispot” in that helicopters don’t tiedown.

“Helipad” refers to land used for take-off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for assembly and distribution of goods or passenger. ¹
Staff: “Helipad” includes parking and tie-downs.

“Heliport” refers to permanent facilities where helicopter take-off and land, with hanger(s) to service the helicopters and refueling stations.

Zoning Districts: in Homer, a “heliport” is permitted outright in the GC2 district. That’s a good thing, because the GC2 district includes the airport. Oddly, a “heliport” is not listed in the Residential Office district which includes the hospital. Yet, in the Urban Residential district, which includes West Homer Elementary, Paul Banks Elementary and Homer High School, a “heliport” would be allowed with a Conditional Use Permit (CUP). So there is certainly room for improvements. The grid below illustrates which zoning district “heliports” are currently allowed and if they are “Allowed with a CUP”, Permitted outright” or “Not Allowed” in a particular district.

Homer’s “Heliports” by zoning district:

“Heliports”	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	OSR	BCWP
Allowed with CUP	X	X		X			X		X	X	X	
Permitted outright								X				
Not Allowed			X		X	X						X

1. Should the “heliport” definition be separated into definitions “Helispot,” “Helipad” and/or “Heliport?” If yes, any comments on the three definitions above would be helpful.
2. When does helicopter activity become a land use? One community describes flight frequency as a threshold for land use. Helicopter activity becomes a land use is based on the number of flights per day and/or month, with each take-off and landing being a separate flight. For example and permit was not needed if the flights did not exceed: ¹

8 flights in 30 days, and
4 flights in 24 hours
Time of day from 7am to sunset or no later than 8 pm

Separation, distance, frequency and time limits can ensure than the impact of flights to the surrounding areas is minimized.

Separation and distance: When communities implement separation distances, the distance is measured from the perimeter of the *helipad*, not a lot line. The most common separation from other uses was child care centers and schools. Homer High and Paul Banks Elementary are in the UR district. Paul Banks is in the Rural Residential district.

3. **Are there districts in Homer where we do NOT want "helispots," "helipads" or "heliports"?** Staff: Probably Urban Residential.
4. **Are there districts in Homer where a "helipad" would be acceptable?** Meaning landing and taking-offs, parking and tie-downs. No refueling, hangers or shops.
5. **Are there districts in Homer where a "heliport" would be acceptable (beyond the airport)?** Meaning landing and taking-offs, refueling, hangers/shops.

Accessory use: Some communities consider a corporate *helipad* that serves the travel needs of the corporation's executives and clients as an "accessory use." This may also apply to hospitals where the "helipad" provides an air ambulance service or large rural tracts.

6. **Are there any district(s) in Homer where "helispot" or "helipad" could be permitted as an "accessory use?"** Staff: Residential Office.

Noise: There are numerous factors in the way rotorcraft sound is perceived. Land use standards tend to avoid the fine details like the model of aircraft, height above the ground, flight pattern, RPM, wind speed and rotorcraft speed. A typical *heliport* sound event lasts for approximately 45 second for one landing or one take off." Flight patterns that approach the landing pad over water or above a highway (which already produces noise) helps to mitigate the perception of noise. To date, staff has not explored noise standards related to rotorcraft.

Lighting: The FAA has lighting standards for night time landings and take-offsⁱⁱⁱ so staff did not explore lighting standards pertaining to "heliports."

Summary: Staff would appreciate feedback on these questions:

1. **Should the "heliport" definition be revised into separate definitions "Helispot", "Helipad" and/or "Heliport?"** If yes, comments of the definitions on the top of page 2 would be helpful.
2. **When does a helipad become a land use?** Number of flights per day/month or time.
3. **Are there districts in Homer where we do NOT want "helipads" or "heliports"?** Staff: Probably Urban Residential.
4. **Are there districts in Homer where a "helipad" would be acceptable?** Meaning landing and taking-offs only. No refueling, hangers or shops.
5. **Are there districts in Homer where a "heliport" would be acceptable (beyond the airport)?** Meaning landing and taking-offs, refueling, hangers/shops.
6. **Are there any district(s) in Homer where "helispot" and/or "helipad" could be permitted outright as an "accessory use?"** Staff: Residential Office.

ⁱ Victoria Department of Planning and Community Development. *Planning Requirements for Heliports and Helicopter Landing Sites*. t, December 2012. (Attached)

ⁱⁱ Helicopter Association International. *Helicopters: The 25 Most Asked Questions...and Answers*,

ⁱⁱⁱ Architect Suhair Shafeek Sabri. *Heliport Design and Planning for Emergency Service*.

Staff: Maybe a "fill in the box" is helpful, maybe not. Below are three empty grids one for "helispot", "helipads" and the third for "heliports." Mark an X for "Allowed with a CUP", "Permitted outright", or "Not Allowed" or "Accessory Use."

HELISPOT	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	OSR	BCWP
CUP needed												
Permitted outright												
Not Allowed												
Accessory use												

HELIPAD	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	OSR	BCWP
CUP needed												
Permitted outright												
Not Allowed												
Accessory use												

HELIPORT	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	OSR	BCWP
CUP needed												
Permitted outright												
Not Allowed												
Accessory use												



Planning requirements for heliports and helicopter landing sites

The purpose of this practice note is to:

1. Explain how helicopter activity is regulated by the planning system.
2. Provide guidance to applicants and responsible authorities on preparing and assessing an application under Clause 52.15 of the planning scheme. The clause applies to proposals to use or develop land for a heliport or a helicopter landing site.

Helicopter land use definitions

Clause 74 of the *Victoria Planning Provisions (VPP)* defines two helicopter related land uses:

■ Heliport

A heliport is not separately defined in Clause 74 but is included within the definition of transport terminal. A transport terminal is defined as land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles.

A heliport would normally have one or more helipads, with facilities for passenger handling such as a terminal building. It may also include facilities such as a hangar, refuelling and lighting.

■ Helicopter landing site

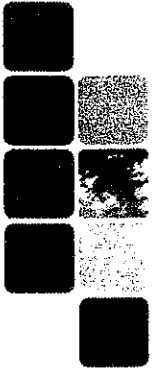
Land used for the take off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for the assembly and distribution of goods or passengers.

A helicopter landing site may range from a permanent and constructed landing pad to an unprepared site with no new buildings and works.

When does helicopter activity become land used for a helicopter landing site?

The Victorian Civil and Administrative Tribunal (VCAT) has considered the question of whether a helicopter landing site constitutes a use of land in a number of cases including *Mornington Peninsula SC v Inchalla Nominees Pty Ltd (Red Dot)* [2008] VCAT 399 and *Mornington Peninsula SC v Lindsay Edward Fox (et al)* [2003] VCAT 722.

The Tribunal has found that a helipad use could be regular, intermittent or occasional, but would need to be more than an isolated or fortuitous landing or take off.



Helicopters and airspace

Once a helicopter is in the air, it is beyond planning control.

Two independent statutory authorities are responsible for administering federal legislation and regulations for airspace management, including helicopters in flight:

- **The Civil Aviation Safety Authority (CASA)**

Established by the *Civil Aviation Act 1988* and responsible for administering the *Civil Aviation Regulations 1988*, CASA conducts safety regulation of civil air operations.

- **Airservices Australia**

Established in 1995 and responsible for airspace management, aeronautical information, aviation communications, radio navigation aids, aviation rescue and fire fighting services.

Flying overhead

Planning consideration of a heliport or helicopter landing site does not generally extend to a helicopter flying overhead. For areas of controlled airspace, Airservices Australia is responsible for air traffic services, including managing designated flight paths.

For areas of uncontrolled airspace, *Civil Aviation Regulations 1988* stipulate that a helicopter pilot must not fly over a city, town or populous area at a height lower than 1000 feet, or 500 feet over any other area. This does not apply if a helicopter is flying at a designated altitude, for example a flight path in controlled airspace.

Helicopter flight paths

Helicopters are a unique form of aircraft characterised by flexibility in flight and near vertical ascent and descent. This allows them to land virtually anywhere and this often requires variable flight paths. While land use planning does consider flight paths near to airports, it is not always necessary or appropriate to do so for helicopter landing sites.

Airservices Australia is a federal statutory authority responsible for ensuring that pilots comply with the *Air Navigation (Aircraft Noise) Regulations 1984*. The authority also provides

air traffic management for Melbourne's controlled airspace, which includes designating flight paths for helicopters.

For helicopter landing sites that are not in the vicinity of controlled airspace, flight paths are not approved. The operator must adhere to *Visual Flight Rules* and *Civil Aviation Regulations* which are based on safety.

For helicopter landing sites or heliports that are of significant community concern, there is an opportunity for a third party or the council to participate in a CASA administered process to develop a *Fly Neighbourly Advice* with the helicopter operator (see 'Dispute resolution' on page 5).

If it is imperative that the flight path be maintained for a heliport or helicopter landing site, for example a hospital helipad access, a planning authority may consider implementing a *Design and Development Overlay* on adjacent land to restrict building height levels on sites underlying the designated flight path.

Do I need a planning permit under Clause 52.15?

A planning permit is required to use land for a helicopter landing site or a heliport under Clause 52.15 of the *Victoria Planning Provisions* unless the use meets one of the exemptions below. This includes if it is ancillary to another use of the land.

Any development (buildings and works) related to the use of land for a helicopter landing site or heliport requires a planning permit irrespective of whether the use is exempt. This ensures that any impacts of the development can be adequately assessed.

Exemptions

Victoria's planning system recognises that some helicopter functions are necessary to properly carry out rescue and emergency services, public land management and agricultural activities, which do not require a planning permit in Clause 52.15 to use land for a helicopter landing site.

There are also circumstances where the transient use of land for a helicopter landing site does not require a planning permit, if conditions are met.



- **Emergency services** – No permit is required under any provision of the planning scheme to use land for a helicopter landing site that is used by a helicopter engaged in the provision of emergency service operations.

This can include hospitals, police, search and rescue and fire service helicopter landing sites, including training and the emergency landing of a helicopter due to a weather event or technical problem.

- **Agriculture** – No permit is required under any provision of the planning scheme to use land for a helicopter landing site that is used by a helicopter engaged in agricultural activity in conjunction with the use of any land for agriculture.

This can include flights for purposes such as spraying, dusting and fertilising operations and herding cattle. The purpose of the flight must have a direct link to the carrying out of agricultural activity on the land. It does not include private transport to and from other parts of the property or scenic tourist flights.

- **Public land management** – No permit is required under any provision of the planning scheme to use land for a helicopter landing site that is used by a helicopter engaged in the provision of public land management activities conducted by or on behalf of the Department of Sustainability and Environment (DSE) and Parks Victoria whether on private land or not.

Examples of the type of activity undertaken by helicopters owned or contracted by DSE and Parks Victoria may include bushfire fuel reduction burning operations, sling loading materials, general compliance operations, fire training, crop spraying and locust control.

- **General** – No permit is required under any provision of the planning scheme to use land for a helicopter landing site where the landing point is located more than 500 metres from a building used for a sensitive use that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne, provided:
 - **Frequency limitation:** The number of flight movements does not exceed eight in a 30

day period and four in a 24 hour period. The take off and landing of a helicopter are calculated as separate flight movements.

- **Time limitation:** Flight movements do not take place before 7am or after sunset on a weekday. Flight movements do not take place before 8am or after sunset on a weekend or holiday.

The separation distance, frequency and time limits for this exemption ensure that the impact of flights on the amenity of surrounding areas is minimised. This exemption includes any charter, tourism or private transport flights that meet all of the separation distance, frequency and time conditions.

If none of the exemptions apply, a permit is required to use or develop any land for a heliport or helicopter landing site, even if it is ancillary to another use on the land.

That is the case unless the zone provision that applies to the land specifically states otherwise.

To determine whether a helicopter landing site is operating under and adhering to this exemption, the responsible authority may request to view a log book or register of flight movements from the owner (for multiple operators) or operator.

Log books with details of each flight made are required to be maintained by helicopter pilots under the Civil Aviation Regulations 1988.

What is considered a sensitive use?

Uses that are sensitive to the potential adverse amenity impact of a heliport or a helicopter landing site include accommodation, child care centre, education centre and hospital. See Clauses 74 and 75 of the planning scheme for a definition of these sensitive uses and related uses that may be included within these land use terms.

Making an application for a heliport or a helicopter landing site

Applicants should make sure that the application fully describes the proposal, adequately identifies the land affected by the proposal and includes any further relevant information deemed necessary by the council.



Application requirements that must be included in any application to use land for a heliport or helipad are set out in Clause 52.15-2. They include a requirement for a site plan, location plan and written report.

The written report must demonstrate that a suitable separation distance has been met between the landing point of a heliport or helicopter landing site and an existing building used for a sensitive use that is not associated with the helicopter operation. This can be achieved by demonstrating at least one of the following has been met:

- the proposed helicopter landing site or heliport is located at least the distance specified in the clause (varies according to all-up weight of helicopter including passengers, cargo and fuel) away from a sensitive use, or
- an acoustic report is provided that demonstrates the proposed heliport or helicopter landing site does not have an adverse noise impact on a nearby sensitive use. The acoustic report should prove it meets the noise level criteria set out for helicopters in the *Noise Control Guidelines* (Environment Protection Authority, 2008).

Assessing an application for a heliport or a helicopter landing site

The following information may be useful for the responsible authority when assessing the impact a helicopter landing site or heliport may have on the surrounding area.

Planning unit and measurement

A helicopter landing site is considered a specific site on land. There may be more than one suitable landing site on a property and more than one helicopter expected to service the site.

To measure the separation distance between a helicopter landing site or a heliport and the nearest sensitive use, the distance should be measured from the proposed helicopter landing site, rather than the boundary of the property.

The point of landing and take off for a helicopter landing site or heliport is generally a constructed pad or marked area. If the proposal doesn't include a pad or marked area, it can be

considered to have an area equal in size to the undercarriage contact points plus one metre on all sides (consistent with the Landing and Lift Off Area of CASA's CAAP 92-2(1)).

If a landing site is not nominated, the boundary of the property should be used.

Amenity

A responsible authority should consider whether or not the requirement for a written report, that demonstrates a suitable separation distance between the landing site and an existing building used for a sensitive use, has been met. This should be assessed using the specified distances in application requirements (Clause 52.15-2).

If it has not been met, an acoustic report must be provided that outlines the impact helicopter noise will have on any nearby sensitive uses. It may provide flight frequency limitations for a condition on a permit or noise attenuation measures that allows for a smaller separation distance without reducing the amenity impact.

The responsible authority must ultimately decide whether the impact on the surrounding community's amenity is acceptable.

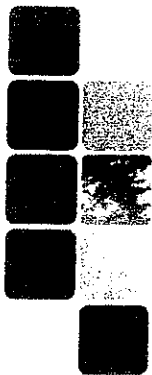
Safety

The helicopter operator is responsible for ensuring a proposed helicopter landing site or heliport meets CASA's *Guidelines for the establishment and use of helicopter landing sites* (CAAP 92-2 (1)). However, safety may be considered a relevant matter (s.60(1A) of the *Planning and Environment Act 1987*) if there is an obvious or suspected safety issue or obstacle within the immediate vicinity of the helicopter landing site. It is recommended the responsible authority discuss the issue with the applicant and seek advice from CASA, if considered necessary.

What to consider

Before deciding on an application for a heliport or helicopter landing site, the responsible authority must consider the decision guidelines at Clause 52.15-3.

The responsible authority should assess that the separation distance provided with the application is suitable. The distance will be determined to be suitable if it meets the distance specified in



the clause or includes an acoustic report that demonstrates it meets the noise level criteria set out in the EPA's *Noise Control Guidelines*.

The all-up weight of a helicopter includes the occupants, fuel quantity, engine fluids and removable equipment or cargo.

The frequency of flight movements and hours of operation are key factors that contribute to a helicopter landing site's noise impact on nearby sensitive uses. The exemption limits provide a guide of what is acceptable at a distance of 500 metres. Acoustic advice, or advice from the Environment Protection Authority may be sought for different circumstances.

Applying planning permit conditions for a heliport or helipad

Permit conditions should not be included that:

- require compliance with the Civil Aviation Safety Authority Publication CAAP 92-2. CASA requirements and regulations apply regardless and CASA is responsible for related enforcement
- require compliance with designated flight paths. This is not a planning consideration and only a concern of CASA and Airservices Australia
- require the helipad to only be used by the owner of the land or an associated business. The operator of a helicopter is of little concern to planning.

Permit conditions could be included that:

- restrict the frequency of flights. This may be in accordance with acoustic advice or an agreement with the operator and community.
- require no flights to be undertaken after designated hours without written consent of the responsible authority
- have the use comply with the *Noise Control Guidelines* (Environment Protection Authority, 2008)
- require that the permit holder keep a logbook of the use of the heliport or helicopter landing site and the logbook be made available for inspection by the responsible authority on request

- require the surface of the helicopter landing site to be treated to the satisfaction of the Responsible Authority so as to prevent any loss of amenity to the neighbourhood by the emission of dust.

Dispute resolution

Fly Neighbourly Advice

A Fly Neighbourly Advice (FNA) is a voluntary code of practice established between aircraft operators and communities or authorities to negotiate a reduction of disturbance or adverse amenity impact in an area. It may be instigated by the local government, business operator or community group that is affected by the operation of the aircraft. The development of the FNA is facilitated by the Office of Airspace Regulation, (+61 2 6217 1570).

FNA's must be consistent with CASA regulations and are not part of the planning system.

See the CASA website for more details at www.casa.gov.au.

Noise complaints

Helicopter noise concerns can be directed to Airservices Australia's Noise Enquiry Unit on 1800 802 584. Their role is a co-ordination point for the community to have its voice heard on aircraft noise issues by reporting community concerns to airlines, airports and the government. They also provide information on flight path changes, unusual flight patterns that are a result of weather events or emergencies and respond to enquiries about air traffic patterns in particular areas.

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Planning Technician Harness-Foster reviewed the staff report. Staff noted there are two laydown items expressing opposition.

Eric Lee, applicant, said he was available to answer questions from the Commission.

Chair Venuti opened the public hearing. There were no public comments and the hearing was closed.

In response to questions Mr. Lee said he spoke after talking with ACOE the buildings will be on steel pilings. The only fill he is using is for the driveway. Relating to the wetlands he commented that the ground isn't that wet, but because of the vegetation style it is considered wetlands. The property owners who submitted letters in opposition live across the street. Lastly Mr. Lee clarified that the boardwalk will not be dug into the ground, but will be lying on the ground.

Question was raised to staff regarding the submittal of site drawings for applications and if it is acceptable to ACOE. Staff noted the site drawing is adequate for the city and that ACOE is more interested in what is happening with fill.

SLONE/BOS MOVED TO ADOPT STAFF REPORT PL 14-16 CUP14-03 WITH STAFF RECOMMENDATIONS AND FINDINGS.

Commissioner Slone referenced the concerns raised in the written comments about the environment, but the buildings will be on pilings, alleviating that concern. The applicant hasn't expressed any intent to do any clear cutting of the trees as there appears to be an adequate building and parking area. The non-permanent boardwalk will also have minimal effect on the environment. This will be an opportunity for infilling of the area relating to water and sewer and will provide affordable housing opportunities. He sees a lot of positive aspects to the proposal.

Commissioner Highland noted for the record her continued concern for development in wetlands as any development will disrupt natural drainage.

VOTE: YES: BOS, STEAD, HIGHLAND, VENUTI, SLONE

Motion carried.

Plat Consideration

None

Pending Business

None

New Business

A. Staff Report PL 14-20, Heliports

Planning Technician Harness-Foster reviewed the staff report.



Chair Venuti addressed information he reviewed online relating to FAA recommendations for heliports.

The group talked about the definitions and differences between heliport, helistop, and helipad as outlined in the staff report. No specific recommendation was made regarding incorporating one or all of the definitions but it was suggested that there be 2 categories:

- Heliport, such as at the airport for takeoff and landing, servicing, fueling, and storage.
- Helicopter landing site, which would be a place for landing and takeoff.

It was also suggested that the threshold before it becomes a land use issue could be 4 flights, 2 departures and 2 landings in a time frame from 8:00 a.m. to 8:00 p.m. because of the noise.

Some opinions were that the only place for a helicopter landing site, other than the hospital, should be on the spit. An opposing view was that it could negatively impact the recreational uses on the spit, several operators who want to have landing sites on the spit would raise issues, and that helicopters should only be allowed to take off and land at the airport.

For discussion purposes the Commission reviewed the use of a helipad, where a helicopter can take off and land, but not be serviced, in the city's zoning districts. They agreed it is not appropriate in any of the residential districts, with the exception of the hospital, which is located in residential office.

Some members were supportive of the idea of allowing a helipad in the central business, marine industrial, and east end mixed use districts by CUP only. It was suggested that they may want to consider allowing some servicing options in marine industrial since there is already other types of fuel related servicing taking place out there.

B. Training by Deputy City Clerk Jacobsen

Deputy City Clerk Jacobsen reviewed some meeting rules with the Commission, including why meeting rules are in place, main motions, parameters for discussion, and amending motions. She also touched on the disciplinary process that is outlined in HCC 1.18. for instances where a Commissioner feels a violation has occurred and doesn't feel comfortable addressing it with the person or with staff.

The group discussed other aspects of the meeting process and ways to work with the public to help them understand the processes that are in place for the commission.

C. Staff Report PL 14-19, Land Allocation Plan

The Planning Commission had made no recommendation to Council on the Land Allocation Plan.

D. Staff Report PL 14-18 Storm Water/ Green Infrastructure



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

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

STAFF REPORT PL 14-23

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Dotti Harness-Foster, Planning Technician
MEETING: March 5, 2013
SUBJECT: Heliports

During the February 19, 2014 Planning Commission meeting, the Commission discussed definitions related to “heliports” and permitting options for each zoning district. This staff report summarizes the Commission’s conversation. Please review and make changes if needed. With this information, staff will work with the City Attorney on a draft ordinance for your review.

Heliport: At the heart of a “heliport” conversation is Homer’s “Heliports” definition HCC 21.03.040:

“Heliports” means any place including airports, fields, rooftops, etc., where helicopters regularly land and take off, and where helicopters may be serviced or stored.”

This definition is inclusive of the landing site, a hanger/shop to service and store the helicopter(s) and aligns with the few helicopter operations at the airport. Staff sought to compare Homer’s existing definition with an FAA definition. The challenge is that FAA includes “heliport” within their definition for an airport, in other words, there is no separate “heliport” definition that is adopted by the FAA. ⁱ In addition, Homer’s Title 21 does not include a definition for airport

Based on the Commissioners thumbs, up, down and sideways, “heliports” would be a permitted use at the airport (GC2) and lands in the GC2 district, but location outside of the airport would require a conditional use permit. In the MI district “Heliports” would be a Conditional Use Permit.

Proposed	RR	UR	RO	CBD	TCD	GBD	GC1	GC2*	EEMU	MC	MI	OSR	BCWP
CUP needed								X			X		
Permitted outright								airpt					
Not Allowed	X	X	X	X	X	X	X		X	X		X	X

GC2* refers to airport property only. Proposed "heliports" outside the airport boundary would require a CUP.

Air ambulance

Staff will work with the City Attorney on how best to address the hospital’s existing “helistop” or air ambulance. Solutions may include a definition for hospital that includes air ambulance, or a “helipad/stop” as an accessory use to a hospital. We’ll report back.

Take-off and landings only:

“**Helipad**” refers to land used for take-off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for assembly and distribution of goods or passenger.

Based on the Commissioners conversation, “helipad” was not an acceptable use in Homer. Staff reviewed the purpose of each district, including the Bridge Creek Water Protection and the General Commercial 2 districts.

The purpose of the BCWPD is to protect the city’s water supply and a “helipad” does not have much impact to the quality of Homer’s water supply.

I don’t recall a discussion about “helipad” in the GC2 district, outside the airport boundary.

Please discuss and make changes if needed to the “helipad” land use grid.

HELIPAD	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	EEMU	MC	MI	OSR	BCWP
CUP needed								？**			X		？***
Permitted outright			Attorney *										
Not Allowed	X	X		X	X	X	X		X	X		X	

* Staff will seek recommendation from City Attorney.
** This refers to the area outside the airport boundary.
** *Please discuss “helipads” as a land use, or not, in the BCWPD.

The Commission also discussed when helicopter activity becomes a land use, as in frequency based on the number of flights per day and/or month, with each take-off and landing being a separate flight. Staff will work with the City Attorney on how best to address this, or the best maybe, not to be too descriptive. We'll report back.

- 8 flights in 30 days, and
- 4 flights in 24 hours
- Time of day from 87am to sunset or no later than 8 pm

The Commission also discussed FAA's involvement in Heliport certification. Staff confirmed with the FAA experts that FAA does not certify "heliports". Instead, "heliports" are inclusive of airport certification. The reasons cited for not certifying heliports are:ⁱⁱ

- The typical helicopter does not carry a more than 9 passengers
- Few helicopters are used for "scheduled passenger operations."
- Very few air carriers are involved, in fact only one heliport is voluntarily certified under Part 139.
- Heliport operators are encouraged to follow the FAA Advisory Circular "Heliport Design."

Timeline

This spring staff will work with the City Attorney on a draft ordinance for your review. When the HAPC is satisfied with the draft, we can post it on the City's website. Interested parties would have the summer to consider the ordinance and public hearings would be scheduled for the fall of 2014.

ⁱ Federal Aviation Administration, Part 1 – Section 10 Definition of Terms 150/5370-10F Sept., 30, 2011

ⁱⁱ Federal Aviation Administration, Part 139 Airport Certification, Feb. 3, 2014



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Planning

491 East Pioneer Avenue
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(p) 907-235-3106

(f) 907-235-3118

STAFF REPORT PL 14-26

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Dotti Harness-Foster, Planning Technician
MEETING: March 5, 2014

SUBJECT: Heliports March 2014(2)

Since the packet deadline, staff has investigated further the approval process of South Peninsula Hospital's (SPH) heliport. Though these insights are interesting, the Commission's decisions needs to focus on land use.

Glen Radeke, SPH Facilities & Maintenance Supervisor provided the attached *Helicopter Platform and Walkway* which describes the design standards for SPH's heliport. Tom Schuman, the President of FEC Heliports, specializing in site design, manufacture and installation of heliport equipment provided insights on how the Federal Aviation Administration (FAA) advisories work hand-in-hand with the International Building Code. Below is a synopsis of conversations with Glen Radeke of South Peninsula Hospital, Jack Cushing the one-site project engineer, and Tom Shuman, President of FEC Heliports.

1. As the Commission pointed out, the FAA Advisory for Heliport Design is *advisory* and only a requirement "when Federal funds are specifically dedicated for heliport construction." Tom Shuman, President of FEC Heliports, could not recall a project that he worked on where "federal funds are specifically dedicated for heliport construction," instead it's a mixed bag of funding. The *FAA Advisories* are advisories, but the best liability insurance a facility can 'buy' is to follow the *FAA Advisory*.
2. Building specifications come from the International Building Code (IBC) for strength and the IBC references the *FAA Advisories*.
3. Engineers with different specialties worked hand-in-hand to design a heliport that meets the IBC, Fire Marshal standards and the *FAA advisories*.
4. Only, after the heliport is complete does the FAA issues an **Air Space** Determination Letter, emphasis on **air space**. FAA is looking at approaches, potential wires, light post, flags, in the air obstructions. All aircraft needs to follow FAA standards as they approach airports.

Att: SPH's Helicopter Platform and Walkways

P:\PACKETS\2014 PCPacket\Staff Reports\Heliports\SR 14-26 March 5 Heliports laydown.docx

SECTION 13127

HELICOPTER PLATFORM AND WALKWAYS

PART 1 GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and Division 1 Specification Sections, apply to this Section.

1.2 SUMMARY

- A. This Section includes the following:

- 1. Design build rooftop aluminum helistop including ramp, horizontal structural steel for deck, safety netting, fuel/ water separator, lighting, non-skid paint, FAA markings, FAA submittals and installation.

1.3 SYSTEM DESCRIPTION

- A. General Description: Aluminum deck with aluminum walkway per Drawings including safety netting, fuel/ water separator, lighting package, non-skid paint, FAA markings, FAA submittals and installation. ←

1.4 SYSTEM PERFORMANCE REQUIREMENTS

- A. Structural Performance: Provide helistop framing capable of withstanding design loads within limits and under conditions indicated.
1. Helicopter Weight: 16,000 lbs.
 2. Dynamic loading plus gross weight of the helicopter
 3. Dynamic loading plus a uniform live load of 100-lbs./sq. ft.
 4. Dynamic loading plus concentrated loads spaced at 8'feet with each concentrated load having a magnitude of 1.5 times the gross weight of the helicopter
 5. Uniform wind uplift of 24-lbs./sq. ft.
 6. Uniform load of 50-lbs./l.f. applied in any direction to top rail of handrail and concentrated load of 200 lbs. applied at any point in any direction to safety rail and safety rail post as required.
 7. Concentrated load of 250 lbs. applied over any one square foot of safety netting.

1.5 SUBMITTALS

- A. **Product Data:** Submit manufacturer's specifications to evidence compliance with these specifications.
- B. **Shop Drawings:** Manufacture's project specific drawings showing layout, spacings, sizes, and connections of framing; walkways including fabrication, fastening, erection, and anchorage details, including mechanical fasteners. Show reinforcing channels, opening framing, supplemental framing, strapping, bracing, bridging, splices, accessories, connection details, and attachment to adjoining work.
 - 1. For framing and walkways indicated to comply with design loads, include structural analysis data signed and sealed by the qualified professional engineer responsible for their preparation.
 - 2. Helistop manufacturer shall review shop drawings of steel substructure prior to steel fabrication and coordinate helistop shop drawings with substructure.
- C. **Welding certificates.**
- D. **Qualification Data:** For professional engineer.
- E. **Certificate of Approval:** Helistop manufacturer shall be responsible for obtaining the appropriate Airspace Certification from the FAA and State of Alaska.
 - 1. Submit design calculations and erection drawings, bearing the registered structural engineer's stamp, to the Local Building Code Official and Architect.
- F. **Permits:** General Contractor shall be financially responsible for obtaining permit for helistop.

1.6 QUALITY ASSURANCE

- A. **Installer Qualifications:** Manufacturer authorized installer capable of assuming engineering responsibility and performing work of this Section.
- B. **Engineering Responsibility:** Preparation of Shop Drawings, design calculations, and other structural data by a qualified professional engineer.
- C. **Professional Engineer Qualifications:** A professional engineer who is legally qualified to practice in jurisdiction where Project is located and who is experienced in providing engineering services of the kind indicated. Engineering services are defined as those performed for installations of cold-formed metal framing that are similar to those indicated for this Project in material, design, and extent.
 - 1. **Designer Qualification:** Helistop supplier shall have an approved and documented quality control system equal to MIL-I-45208A or ISO 9000.
- D. **Welding:** Qualify procedures and personnel according to AWS D1.1/D1.1M, "Structural Welding Code--Steel," and AWS D1.3, "Structural Welding Code--Sheet Steel."

1.7 COORDINATION

- A. Coordinate helistop support structure with building structural steel.

PART 2 - PRODUCTS

2.1 MANUFACTURERS

- A. Available Manufacturers: Subject to compliance with requirements, manufacturers offering cold-formed metal framing that may be incorporated into the Work include, but are not limited to, the following:
1. FEC Heliports
a division of Federal Equipment Company
*Helislat*TM System
719 W. Pete Rose Way
Cincinnati, Ohio 45203
Phone: 513-621-5260
Fax: 513-621-0524
tom@federaquipment.com
- B. Support Structure: Extruded 6005-T5 aluminum, 6-inch minimum height by 6-inch minimum width. Slats shall interlock in tongue and groove configuration and shall have petroleum resistant sealant inside each tongue and groove. Minimum extrusion thickness not less than 0.19-inches +/- 0.01-inch. Slats shall have a section modulus of not less than 8.72-inches. Slats shall have an internal extruded cavity to accept a snow melting system. Cavity must allow snow-melting element to have contact with deck surface on 6-inch minimum centers. Deck surface shall be coated with a non-slip coating to ensure safe patient transfer when wet and to assist in sealing deck joints against water and fuel leakage.
- C. Walkway: 6005-T5 alloy aluminum, 3-1/2 inch high by 6-inch wide minimum planks. HP0169 design to connect to *Helislat* tongue and groove system. Walkway shall have same internal snow melt cavity as *Helislat*TM system.
- D. Drainage Gutter: Manufacturer's standard HP0238 gutter along perimeter of deck. Provide grating at ramps and steps. Gutter shall have a 4-inch downspout with external threads for downspout connection.
- E. Safety Net: 5-foot wide with connections and configuration as recommended by manufacture. Safety netting shall be from structural tubing and 1-inch by 9-gage chain link fencing. Netting color as selected by Architect from manufacturer's full range of colors. Heliport supplier shall supply netting, supports and all hardware. Safety netting shall be designed to support 250 lbs/sq. ft. uniform loading.

- F. Fuel/Water Separator: HP0285 Weather, gravity separator, having three chambers, discharge and drain cocks, heater with integral thermostat and high level indicator. Tank shall have a minimum fuel storage capacity of 300 gallons. The tank shall have (2) 6-inch inlets. Separator shall be hung from the structural steel in a cradle below the pad. Separator shall discharge on roof utilizing roof drains.
- G. Accessories and Anchors:
 - 1. Provide manufacturer's standard 1/8-inch neoprene isolation between aluminum and steel support structure.
 - 2. Provide manufacturer's standard HP0226 clamping hardware, isolation pads and other items for separation of aluminum members and materials from other non-aluminum metals.
- H. Lighting Fixtures: Provide HP0207G perimeter lights, HP0182 obstruction lights, beacon, and floodlighting.
- I. Wind Cone and Post: HP0807-L8 externally lighted wind cone. Mount in location indicated on Drawings.
- J. Paint: Manufacturers standard non-skid abrasive deck paint.

PART 3 - EXECUTION

3.1 EXAMINATION

- A. Examine and verify that receiving substrate surfaces of the structure have no defects or errors that will result in poor or potentially defective application or cause latent defects in workmanship.
- B. Starting installation shall imply acceptance of surfaces.

3.2 PREPARATION

- A. Verifications: Field measure and verify dimensions of structure, spacing, clearances, and walkway lengths.

3.3 ERECTION

- A. Install in accordance with manufacturer's latest published requirements, instructions, specifications, details and approved Shop Drawings.
- B. Set helistop members level, aligned and anchored in method approved by the helistop manufacturer and approved Shop Drawings.

- C. Coordinate requirements for on-site support required for erection of items supplied and delivered to the site.
- D. Field drill holes in helistop purlins to align with holes provided in steel column studs. Bolt field connections. Use HP0226 Clamping hardware to connect deck to steel structure. Provide temporary shoring and bracing members.
- E. Slope deck surface to perimeter gutter system. Set deck members to proper slope as shown on approved Shop Drawings
- F. Separate dissimilar metals to prevent galvanic action.

3.4 FIELD FINISHING

- A. Comply with requirements in Section 9 "Painting" and as indicated below.
- B. Apply in accordance with manufacturers written instruction.
- C. Paint markings shall be in accordance with colors indicated on approved Shop Drawings and as dictated by FAA AC 150/5390-2A.

END OF SECTION

Motion carried.

Plat Consideration

None

Pending Business

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

City Planner Abboud reviewed the staff report.

The Commission discussed the proposed amendment to include lots over one acre not serviced by water and sewer. They reviewed the process the city uses for approving plans for homes with septic systems. City Planner Abboud explained that city reviews the plan approved by DEC and that it is being installed by a certified installer.

The general consensus of the group was that it should remain allowable as a conditional use. They expressed concern about ensuring adequacy of the system in place being able to accommodate the additional housing. It was also suggested that there be a separate system in place for the additional dwelling. Another issue raised is that generally people living in the rural district don't want a lot of density in their neighborhoods, and leaving it as a CUP gives people an opportunity to be noticed and give feedback about the development.

The Commission will hold a public hearing at their next meeting and make their recommendations after they hear public input.

- B. Staff Report PL 14-23, Heliports March 2014

Chair Venuti noted that they addressed this during the worksession.

Question was raised whether the hospital heliport will be squared away before they take on the rest of this. City Planner Abboud said there are different ways this can be addressed and he will work with the attorney on the best way to resolve it.

Commissioner Highland expressed her opposition to helipad in the rural office district, with exception of the hospital, and in the bridge creek watershed area. She would be supportive of it in GC2 and marine industrial with a special temporary permit that could be acquired from the Planning Department, but not as a use through a CUP.

Regarding the Bridge Creek Watershed area, City Planner Abboud said he would be reluctant to disallow it as there are areas that are difficult to get to and he doesn't think it would impede on the

water quality that much. The purpose of the area is exclusively to protect the water, aside from that, it's outside the city.

They reviewed the area designated as GC2 and discussed heliport and helipad uses.

SLONE MOVED TO COMBINE THE TWO TERMS AND CALL THEM HELICOPTER OPERATIONS IN CONJUNCTION WITH CUP'S.

Motion failed for lack of a second.

City Planner Abboud said they can continue to work on this topic at future meetings.

C. Staff Report PL 14-25, Itinerant Merchant (IM) and Mobile Food Service Vendors (MFS)

City Planner Abboud reviewed the staff report that included feedback from their February 5th meeting. This is an update and staff will continue to explore solutions with Public Works and the Police Department, and then report back to the Commission.

The Commission didn't have additional input. At their last meeting they had talked about having a hearing in the spring to get feedback from interested parties.

New Business

None

Informational Materials

- A. KPB Plat Committee Notice of Postponement Re: Barnett's South Slope Subdivision Quiet Creek Park Preliminary Plat
- B. KPB Planning Commission Notice of Subdivision/Replat Re: Barnett's South Slope Sub Quiet Creek Park
- C. Email from KPB Platting Staff to Homer Planning Staff with revised Quiet Creek Preliminary Plat
- D. City Manager's Report from the February 24, 2014 City Council Meeting

Comments of the Audience

Members of the audience may address the Commission on any subject. (3 minute time limit)

None

Comments of Staff

There were no staff comments.

Comments of the Commission

Commissioner Highland wanted to make sure that the storm water and green infrastructure will be put on the agenda.



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(p) 907-235-3106
(f) 907-235-3118

Staff Report PL 14-42

TO: Homer Advisory Planning Commission
 THROUGH: Julie Engebretsen, Deputy City Planner
 FROM: Dotti Harness-Foster, Planning Technician
 DATE: May 7, 2014
 SUBJECT: Heliports Draft Ordinance

Introduction: Attached is a draft ordinance based on the heliports and helipads discussions this spring.

As of the writing of this staff report, staff has not had the opportunity to thoroughly review this ordinance. It is provided to the Commission to allow plenty of time read and discuss the proposed changes.

Section 1 includes a definition for “hospital” as defined in AS 47.32.900 which states: "Hospital" means a public or private institution or establishment devoted primarily to providing diagnosis, treatment, or care over a continuous period of 24 hours each day for two or more unrelated individuals suffering from illness, physical or mental disease, injury or deformity, or any other condition for which medical or surgical services would be appropriate; "hospital" does not include a frontier extended stay clinic;"

GC2 district starting on Line 164: The GC2 district encompasses the airport which permits heliports. On state airport property the City has no zoning authority. Starting on Line 164 “helipads” would be conditionally permitted (outside the airport boundary) in the GC2 district.

Bridge Creek Water Protection District (BCWPD) starting on Line 231: The purpose of the BCWPD is to prevent the degradation of the water quality for the City’s water supply. By definition (Line 29) helipad is for take offs and landings only, no permanent facilities, nor any fueling. In addition, many parcels have substandard access and some have no legal access, therefore staff recommends the helipads be a permitted use in the BCWPD.

As you review the draft ordinance, these grids may be helpful. If you have suggestions or edits please contact staff.

Heliports	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	EEMU	MC	MI	OSR	BCWP
CUP needed											X		
Permitted outright								X airport					
Not Allowed	X	X	X	X	X	X	X		X	X		X	x

HELIPAD	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	EEMU	MC	MI	OSR	BCWP
CUP needed			X					x					
Permitted outright													x
Not Allowed	X	X		X	X	X	X		X	X		X	

Attachments: Draft ordinance presented May 7, 2014

P:\PACKETS\2014 PCPacket\Ordinance\Heliports\SR 14-42 Heliports May 7 2014 with RA comments.docx

1 CITY OF HOMER
2 HOMER, ALASKA

3
4 ORDINANCE 14-__ Presented May 7, 2014
5

6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING HOMER CITY CODE 21.03.040, DEFINITIONS;
8 HOMER CITY CODE 21.12.030, 21.14.030, 21.16.030, 21.18.030,
9 21.24.030, 21.26.030, 21.28.030 AND 21.32.030, CONDITIONAL
10 USES AND STRUCTURES; AND HOMER CITY CODE 21.40.050,
11 PERMITTED USES AND STRUCTURES, TO DEFINE THE TERMS
12 HELIPAD AND HOSPITAL, TO DELETE HELIPORT AS A
13 CONDITIONAL USE IN THE RURAL RESIDENTIAL, URBAN
14 RESIDENTIAL, CENTRAL BUSINESS DISTRICT, GENERAL
15 COMMERCIAL 1, GENERAL COMMERCIAL 2, MARINE
16 COMMERCIAL AND OPEN SPACE – RECREATION ZONING
17 DISTRICTS; TO ADD HELIPAD AS A CONDITIONAL USE
18 ACCESSORY TO A HOSPITAL IN THE RESIDENTIAL OFFICE
19 ZONING DISTRICT AND HELIPAD AS A CONDITIONAL USE IN
20 THE GENERAL COMMERCIAL 2 ZONING DISTRICT; AND TO
21 ADD HELIPAD AS A PERMITTED USE IN THE BRIDGE CREEK
22 WATERSHED PROTECTION DISTRICT.
23

24 THE CITY OF HOMER ORDAINS:

25
26 Section 1. HCC 21.03.040 Definitions, is amended by adding definitions of “helipad”
27 and “hospital” to read as follows:
28

29 “Helipad” means any surface where a helicopter takes off or lands, but excludes permanent
30 facilities for loading or unloading goods or passengers, or for fueling, servicing or storing
31 helicopters.
32

33 “Hospital” has the meaning given in AS 47.32.900.
34

35 Section 2. HCC 21.12.030, Conditional uses and structures (Rural Residential), is
36 amended to read as follows:
37

38 21.12.030 Conditional uses and structures. The following uses may be permitted in the
39 Rural Residential District when authorized by conditional use permit issued in accordance with
40 Chapter 21.71 HCC:

- 41 a. Planned unit development, limited to residential uses only;
42 b. Religious, cultural and fraternal assembly;

[Bold and underlined added. Deleted language stricken through.]

- 43 c. Cemeteries;
- 44 d. Kennels;
- 45 e. Commercial greenhouses and tree nurseries offering sale of plants or trees grown on
- 46 premises;
- 47 f. Mobile home parks;
- 48 g. Public utility facilities and structures;
- 49 h. Pipelines and railroads;
- 50 ~~i. Heliports;~~
- 51 ~~ij.~~ Storage of heavy equipment, vehicles or boats over 36 feet in length as an accessory
- 52 use incidental to a permitted or conditionally permitted principal use;
- 53 ~~jk.~~ Day care facilities; provided, however, that outdoor play areas must be fenced;
- 54 ~~kl.~~ Group care home;
- 55 ~~lm.~~ Assisted living home;
- 56 ~~mn.~~ More than one building containing a permitted principal use on a lot;
- 57 ~~no.~~ Indoor recreational facilities;
- 58 ~~op.~~ Outdoor recreational facilities;
- 59 ~~pq.~~ Public school and private school;
- 60 ~~qr.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts,
- 61 provided that it is the only wind energy system of any capacity on the lot.

62
63 Section 3. HCC 21.14.030, Conditional uses and structures (Urban Residential), is

64 amended to read as follows:

65
66 21.14.030 Conditional uses and structures. The following uses may be permitted in the

67 Urban Residential District when authorized by conditional use permit issued in accordance

68 with Chapter 21.71 HCC:

- 69 a. Planned unit development, excluding all industrial uses;
- 70 b. Townhouse developments;
- 71 c. Day care facilities; provided, however, that outdoor play areas must be fenced;
- 72 d. Religious, cultural and fraternal assembly;
- 73 e. Hospitals;
- 74 f. Pipelines and railroads;
- 75 ~~g. Heliports;~~
- 76 ~~gh.~~ Storage of heavy equipment or boats over 36 feet in length as an accessory use
- 77 incidental to a permitted or conditionally permitted principal use;
- 78 ~~hi.~~ Private stables and the keeping of larger animals not usually considered pets,
- 79 including paddocks or similar structures or enclosures utilized for keeping of such animals as an
- 80 accessory use incidental to a primary residential use; such use shall be conditioned on not
- 81 causing unreasonable disturbance or annoyances to occupants of neighboring property, and
- 82 on sufficient land to harbor such animals;

[Bold and underlined added. Deleted language stricken through.]

- 83 ~~ij.~~ Group care home;
84 ~~jk.~~ Assisted living home;
85 ~~kl.~~ More than one building containing a permitted principal use on a lot;
86 ~~lm.~~ Indoor recreational facilities;
87 ~~mn.~~ Outdoor recreational facilities;
88 ~~no.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts,
89 provided that it is the only wind energy system of any capacity on the lot.

90
91 Section 4. HCC 21.16.030, Conditional uses and structures (Residential Office), is
92 amended to read as follows:

93
94 21.16.030 Conditional uses and structures. The following uses may be permitted in the
95 Residential Office District when authorized by conditional use permit issued in accordance with
96 Chapter 21.71 HCC:

- 97 a. Planned unit developments, excluding all industrial uses;
98 b. Townhouses;
99 c. Public or private schools;
100 d. Hospitals and medical clinics;
101 e. Public utility facilities and structures;
102 f. Mortuaries;
103 g. Day care facilities; provided, however, that outdoor play areas must be fenced;
104 h. More than one building containing a permitted principal use on a lot;
105 i. Group care homes;
106 **j. Helipads, but only as an accessory use incidental to a hospital conditional use;**
107 ~~kj.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts;
108 provided, that it is the only wind energy system of any capacity on the lot;
109 ~~lk.~~ Other uses approved pursuant to HCC 21.04.020.

110
111 Section 5. HCC 21.18.030, Conditional uses and structures (Central Business District), is
112 amended to read as follows:

113
114 21.18.030 Conditional uses and structures. The following uses may be permitted in the
115 Central Business District when authorized by conditional use permit issued in accordance with
116 Chapter 21.71 HCC:

- 117 a. Planned unit developments, excluding all industrial uses;
118 b. Indoor recreational facilities and outdoor recreational facilities;
119 c. Mobile home parks;
120 d. Auto fueling stations;
121 e. Public utility facilities and structures;
122 f. Pipeline and railroads;

[Bold and underlined added. Deleted language stricken through.]

- 123 ~~g. Heliports;~~
124 ~~gh. Greenhouses and garden supplies;~~
125 ~~hi. Light or custom manufacturing, repair, fabricating, and assembly, provided such~~
126 ~~use, including storage of materials, is wholly within an enclosed building;~~
127 ~~ij. Shelter for the homeless, provided any lot used for such shelter does not abut a~~
128 ~~residential zoning district;~~
129 ~~jk. More than one building containing a permitted principal use on a lot;~~
130 ~~kl. Group care homes and assisted living homes;~~
131 ~~lm. Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber~~
132 ~~Subdivision to Heath Street;~~
133 ~~na. One small wind energy system having a rated capacity exceeding 10 kilowatts;~~
134 ~~provided, that it is the only wind energy system of any capacity on the lot;~~
135 ~~ne. Other uses approved pursuant to HCC 21.04.020.~~
136

137 Section 6. HCC 21.24.030, Conditional uses and structures (General Commercial 1), is
138 amended to read as follows:

139
140 21.24.030 Conditional uses and structures. The following uses may be permitted in the
141 General Commercial 1 District when authorized by conditional use permit issued in accordance
142 with Chapter 21.71 HCC:

- 143 a. Campgrounds;
144 b. Crematoriums;
145 c. Multiple-family dwelling;
146 d. Public utility facility or structure;
147 e. Mobile home parks;
148 f. Planned unit developments;
149 g. Townhouses;
150 h. Pipelines and railroads;
151 ~~i. Heliports;~~
152 ~~ij. Shelter for the homeless, provided any lot used for such shelter does not abut an RO,~~
153 ~~RR, or UR zoning district;~~
154 ~~jk. More than one building containing a permitted principal use on a lot;~~
155 ~~kl. Day care facilities; provided, however, that outdoor play areas must be fenced;~~
156 ~~lm. Other uses approved pursuant to HCC 21.04.020;~~
157 ~~ma. Indoor recreational facilities;~~
158 ~~ne. Outdoor recreational facilities.~~
159

160 Section 7. HCC 21.26.030, Conditional uses and structures (General Commercial 2), is
161 amended to read as follows:
162

[Bold and underlined added. Deleted language stricken through.]

163
164 21.26.030 Conditional uses and structures. The following uses may be permitted in the
165 General Commercial 2 District when authorized by conditional use permit issued in accordance
166 with Chapter 21.71 HCC

- 167 a. Planned unit development, excluding all industrial uses;
168 b. Townhouse developments;
169 c. Day care facilities; provided, however, that outdoor play areas must be fenced;
170 d. Religious, cultural and fraternal assembly;
171 e. Hospitals;
172 f. Pipelines and railroads;
173 ~~g. Heliports;~~
174 **gh.** Storage of heavy equipment or boats over 36 feet in length as an accessory use
175 incidental to a permitted or conditionally permitted principal use;
176 **hi.** Private stables and the keeping of larger animals not usually considered pets,
177 including paddocks or similar structures or enclosures utilized for keeping of such animals as an
178 accessory use incidental to a primary residential use; such use shall be conditioned on not
179 causing unreasonable disturbance or annoyances to occupants of neighboring property, and
180 on sufficient land to harbor such animals;
181 **ij.** Group care home;
182 **jk.** Assisted living home;
183 **kl.** More than one building containing a permitted principal use on a lot;
184 ~~lm.~~ Indoor recreational facilities;
185 **ma.** Outdoor recreational facilities;
186 **ne.** One small wind energy system having a rated capacity exceeding 10 kilowatts;
187 provided, that it is the only wind energy system of any capacity on the lot;
188 **o. Helipads.**

189
190 Section 8. HCC 21.28.030, Conditional uses and structures (Marine Commercial), is
191 amended to read as follows:

192
193 21.28.030 Conditional uses and structures. The following uses may be permitted in the
194 Marine Commercial District when authorized by conditional use permit issued in accordance
195 with Chapter 21.71 HCC:

- 196 a. Drinking establishments;
197 b. Public utility facilities and structures;
198 ~~c. Heliports;~~
199 **cd.** Hotels and motels;
200 **de.** Lodging;
201 **ef.** More than one building containing a permitted principal use on a lot;
202 **fg.** Planned unit developments, limited to water-dependent and water-related uses,

[Bold and underlined added. Deleted language stricken through.]

- 203 with no dwelling units except as permitted by HCC 21.28.020(o);
204 **gh.** Indoor recreational facilities;
205 **hi.** Outdoor recreational facilities;
206 **ij.** The location of a building within a setback area required by HCC 21.28.040(b). In
207 addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building
208 must meet the following standards:
209 1. Not have a greater negative effect on the value of the adjoining property than
210 a building located outside the setback area; and
211 2. Have a design that is compatible with that of the structures on the adjoining
212 property.

213
214 Section 9. HCC 21.32.030, Conditional uses and structures (Open Space -- Recreation),
215 is amended to read as follows:

216
217 21.32.030 Conditional uses and structures. The following uses may be conditionally
218 permitted in the Open Space – Recreation District when authorized by conditional use permit
219 issued in accordance with Chapter 21.71 HCC:

- 220 a. Public utility facilities and structures;
221 b. Any structures used for uses permitted outright in the district;
222 c. Fishing gear and boat storage;
223 d. Campgrounds;
224 e. Pipelines and railroads;
225 f. Parking areas;
226 ~~g. Heliports;~~
227 **gh.** Other open space and recreation uses;
228 **hi.** Indoor recreational facilities;
229 **ij.** Outdoor recreational facilities.

230
231 Section 10. HCC 21.40.050, Permitted uses and structures (Bridge Creek Watershed
232 Protection District), is amended to read as follows:

233
234 21.40.050 Permitted uses and structures. The following uses and structures are
235 permitted outright in the BCWP district, except when such use or structure requires a
236 conditional use permit by reason of its nature, size or other reasons set forth in this chapter.
237 Permitted uses and structures remain subject to all applicable provisions of this chapter:

- 238 a. Single-family dwelling;
239 b. Duplex dwelling;
240 c. Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2);
241 d. Public parks and playgrounds;
242 e. Rooming houses or bed and breakfast establishments;

[Bold and underlined added. Deleted language stricken through.]

- 243 f. Storage of personal commercial fishing gear in a safe and orderly manner;
- 244 g. Private storage in yards, in a safe and orderly manner, of equipment, including
- 245 trucks, boats, recreational vehicles and automobiles; provided, that all are in good mechanical
- 246 and operable condition, and if subject to licensing, currently able to meet licensing
- 247 requirements; and further provided, that the stored items do not create impervious cover in
- 248 excess of the limits in HCC 21.40.070;
- 249 h. Other customary accessory uses incidental to any of the principal permitted uses
- 250 listed in the BCWP district, such as limited personal use gardening as described in HCC
- 251 21.40.090(c);
- 252 i. Temporary (seasonal) roadside stands for the sale of produce grown on the premises;
- 253 j. Mobile homes, subject to the requirements set forth in HCC 21.54.100;
- 254 k. Day care homes;
- 255 l. Up to four recreational vehicles on a lot as a temporary dwelling not to exceed 90
- 256 days' occupancy per vehicle in any calendar year;
- 257 m. Religious, cultural, and fraternal assembly;
- 258 n. Public schools and private schools;
- 259 o. Day care facilities;
- 260 p. Ministorage;
- 261 q. As an accessory use, one small wind energy system per lot having a rated capacity
- 262 not exceeding 10 kilowatts;
- 263 **r. Helipads.**

264
265 Section 11. This Ordinance is of a permanent and general character and shall be
266 included in the City Code.

267
268 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
269 _____ 2014.

270
271 CITY OF HOMER

272
273
274 _____
275 MARY E. WYTHER, MAYOR

276
277 ATTEST:

278
279
280 _____
281 JO JOHNSON, CMC, CITY CLERK

282
[**Bold and underlined added.** Deleted language stricken through.]

283 YES:
284 NO:
285 ABSTAIN:
286 ABSENT:
287
288 First Reading:
289 Public Hearing:
290 Second Reading:
291 Effective Date:

292
293 Reviewed and approved as to form:

294
295
296 _____
297 Walt E. Wrede, City Manager
298 Date: _____

Thomas F. Klinkner, City Attorney
Date: _____

DRAFT

[Bold and underlined added. Deleted language stricken through.]

STEAD/BOS - MOVED TO ADOPT STAFF REPORT PL 14-40 AND APPROVE BARNETT SUBDIVISION, QUIET CREEK ADDITION 2014 PRELIMINARY PLAT WITH STAFF RECOMMENDATIONS.

Discussion regarding written documentation from the property owner.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Staff Report PL 14-42, Draft Ordinance 14-XX Amending Homer City Code 21.03.040 Definitions to include "Hospital" and "Helipad" and redefining where heliports and helipads are permitted.

Deputy City Planner Engebretsen provided a summary of the staff report.

Discussion ensued regarding the commission's previous action on this ordinance.

HIGHLAND/- MOVED THAT THE COMMISSION ONLY ALLOW HELIPORTS IN THE AIRPORT AREA AND THAT HELIPADS ARE ONLY ALLOWED AT THE AIRPORT.

The motion died for lack of a second.

Discussion ensued on allowing heliports and helipads in Marine Industrial; the difference between a heliport and helipad; locations on the spit zoned Marine Industrial; previous lessons learned; a Conditional Use Permit is required;

ERICKSON/HIGHLAND - MOVED THAT HELIPAD IS ALLOWED WITH A CUP IN MARINE INDUSTRIAL AND HELIPORTS ARE NOT ALLOWED IN MARINE INDUSTRIAL.

Further discussion ensued on allowing helipads or heliports on the spit.

VOTE. NO. BOS, HIGHLAND, VENUTI, STROOZAS

VOTE. YES. ERICKSON, STEAD

Motion failed.

STEAD/ERICKSON - MOVED THAT HELIPADS BE ALLOWED IN MARINE INDUSTRIAL WITH A CUP.

There was a brief discussion on supporting points for allowing a helipad would be consistent if a heliport is already allowed.

VOTE. YES. ERICKSON, STEAD, VENUTI, STROOZAS, BOS

VOTE. NO. HIGHLAND.

Motion carried.

HIGHLAND/BOS - MOVED TO CHANGE HELIPADS BEING PERMITTED OUTRIGHT IN THE BRIDGE CREEK WATER PROTECTION (BCWP) TO REQUIRE A CUP FOR HELIPADS.

There was a discussion on the pros and cons to allowing helipads by CUP process only.

VOTE. NO. STEAD, STROOZAS.

VOTE. YES. VENUTI, HIGHLAND, BOS, ERICKSON.

Motion carried.

Staff explained the table for GC2 that Heliports are permitted outright at the airport and that helipads are allowed only by CUP process for GC2.

Commissioners requested the following changes:

- under the RO Helipads CUP needed insert Hospital.
- remove the permitted outright from the table for Helipad
- remove the permitted outright from the table for Heliports and include an explanation for the airport

NEW BUSINESS

A. Staff Report PL 14-41, Draft Ordinance 14-XX Amending Homer City Code 21.60.060 Table 3 Permitted Sign Characteristics by Zoning District to permit Changeable Copy and Internally Illuminated signs in the Gateway Business District

Staff reviewed the report. Recommendation to allow changeable copy signage and discuss allowing internally lit signage at this meeting.

A lengthy discussion was entertained on the pros and cons of changeable copy and whether the signage was internally lit or externally lit. Staff requested the commission come to consensus on what they would like to see and then the public can weigh in on the guidelines as presented. Currently signage that is externally lit is allowed.

Staff stated that the commission initiated an ordinance. This item can be postponed and discussed later. They can vote on it. The commissioners can recommend no changes be made and Council will make the final decisions.

Staff confirmed any commissioner can initiate a zoning ordinance referencing HCC 21.95.010. The next step is a public hearing held by the commission; the commission will then submit a recommendation to City Council will make the final decision.

Further discussion covered allowing permanent changeable copy signs on private property in the gateway business district, urban residential, rural residential and residential office districts; adding the word "permanent"; adding portable signs not permitted.

Staff summarized the recommendations of the commission and stated this would be back before the commission in June.



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

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

Staff Report PL 14-46

TO: Homer Advisory Planning Commission
 THROUGH: Rick Abboud, City Planner
 FROM: Julie Engebretsen, Deputy City Planner
 DATE: May 21, 2014
 SUBJECT: Heliports

Introduction

The Commission discussed the draft ordinance at the last meeting. Staff amended the table as directed. The Commission was going to review the table one more time at the May 21st meeting. If satisfied, staff will have the attorney amend the ordinance to reflect the table. Staff will also put the ordinance on the City website, and contact local helicopter companies about the proposed changes. There will be a public hearing sometime in the fall.

Heliports	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	EEMU	MC	MI	OSR	BCWP
CUP needed											X		
Not Allowed	X	X	X	X	X	X	X	X* Airport OK	X	X		X	x

Helipad	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	EEMU	MC	MI	OSR	BCWP
CUP needed			X (hospital only)					X			X		X
Not Allowed	X	X		X	X	X	X		X	X		X	

Staff Recommendation:

1. Discuss the definitions, and the districts where heliports and helipads will be permitted.

Attachments

1. May 7th Draft Ordinance (not current with changes to the table)
2. Minutes excerpt of May 7th meeting

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**CITY OF HOMER
HOMER, ALASKA**

ORDINANCE 14-__ Presented May 7, 2014

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.03.040, DEFINITIONS; HOMER CITY CODE 21.12.030, 21.14.030, 21.16.030, 21.18.030, 21.24.030, 21.26.030, 21.28.030 AND 21.32.030, CONDITIONAL USES AND STRUCTURES; AND HOMER CITY CODE 21.40.050, PERMITTED USES AND STRUCTURES, TO DEFINE THE TERMS HELIPAD AND HOSPITAL, TO DELETE HELIPORT AS A CONDITIONAL USE IN THE RURAL RESIDENTIAL, URBAN RESIDENTIAL, CENTRAL BUSINESS DISTRICT, GENERAL COMMERCIAL 1, GENERAL COMMERCIAL 2, MARINE COMMERCIAL AND OPEN SPACE – RECREATION ZONING DISTRICTS; TO ADD HELIPAD AS A CONDITIONAL USE ACCESSORY TO A HOSPITAL IN THE RESIDENTIAL OFFICE ZONING DISTRICT AND HELIPAD AS A CONDITIONAL USE IN THE GENERAL COMMERCIAL 2 ZONING DISTRICT; AND TO ADD HELIPAD AS A PERMITTED USE IN THE BRIDGE CREEK WATERSHED PROTECTION DISTRICT.

THE CITY OF HOMER ORDAINS:

Section 1. HCC 21.03.040 Definitions, is amended by adding definitions of “helipad” and “hospital” to read as follows:

“Helipad” means any surface where a helicopter takes off or lands, but excludes permanent facilities for loading or unloading goods or passengers, or for fueling, servicing or storing helicopters.

“Hospital” has the meaning given in AS 47.32.900.

Section 2. HCC 21.12.030, Conditional uses and structures (Rural Residential), is amended to read as follows:

21.12.030 Conditional uses and structures. The following uses may be permitted in the Rural Residential District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

- a. Planned unit development, limited to residential uses only;
- b. Religious, cultural and fraternal assembly;

[Bold and underlined added. Deleted language stricken through.]

- 43 c. Cemeteries;
- 44 d. Kennels;
- 45 e. Commercial greenhouses and tree nurseries offering sale of plants or trees grown on
- 46 premises;
- 47 f. Mobile home parks;
- 48 g. Public utility facilities and structures;
- 49 h. Pipelines and railroads;
- 50 ~~i. Heliports;~~
- 51 ij. Storage of heavy equipment, vehicles or boats over 36 feet in length as an accessory
- 52 use incidental to a permitted or conditionally permitted principal use;
- 53 ~~jk.~~ Day care facilities; provided, however, that outdoor play areas must be fenced;
- 54 ~~kl.~~ Group care home;
- 55 ~~lm.~~ Assisted living home;
- 56 mn. More than one building containing a permitted principal use on a lot;
- 57 no. Indoor recreational facilities;
- 58 op. Outdoor recreational facilities;
- 59 pq. Public school and private school;
- 60 qr. One small wind energy system having a rated capacity exceeding 10 kilowatts,
- 61 provided that it is the only wind energy system of any capacity on the lot.

62
63 Section 3. HCC 21.14.030, Conditional uses and structures (Urban Residential), is

64 amended to read as follows:

65
66 21.14.030 Conditional uses and structures. The following uses may be permitted in the

67 Urban Residential District when authorized by conditional use permit issued in accordance

68 with Chapter 21.71 HCC:

- 69 a. Planned unit development, excluding all industrial uses;
- 70 b. Townhouse developments;
- 71 c. Day care facilities; provided, however, that outdoor play areas must be fenced;
- 72 d. Religious, cultural and fraternal assembly;
- 73 e. Hospitals;
- 74 f. Pipelines and railroads;
- 75 ~~g. Heliports;~~
- 76 gh. Storage of heavy equipment or boats over 36 feet in length as an accessory use
- 77 incidental to a permitted or conditionally permitted principal use;
- 78 hi. Private stables and the keeping of larger animals not usually considered pets,
- 79 including paddocks or similar structures or enclosures utilized for keeping of such animals as an
- 80 accessory use incidental to a primary residential use; such use shall be conditioned on not
- 81 causing unreasonable disturbance or annoyances to occupants of neighboring property, and
- 82 on sufficient land to harbor such animals;

[Bold and underlined added. Deleted language stricken through.]

- 83 ~~ij.~~ Group care home;
84 ~~jk.~~ Assisted living home;
85 ~~kl.~~ More than one building containing a permitted principal use on a lot;
86 ~~lm.~~ Indoor recreational facilities;
87 ~~mn.~~ Outdoor recreational facilities;
88 ~~no.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts,
89 provided that it is the only wind energy system of any capacity on the lot.

90
91 Section 4. HCC 21.16.030, Conditional uses and structures (Residential Office), is
92 amended to read as follows:

93
94 21.16.030 Conditional uses and structures. The following uses may be permitted in the
95 Residential Office District when authorized by conditional use permit issued in accordance with
96 Chapter 21.71 HCC:

- 97 a. Planned unit developments, excluding all industrial uses;
98 b. Townhouses;
99 c. Public or private schools;
100 d. Hospitals and medical clinics;
101 e. Public utility facilities and structures;
102 f. Mortuaries;
103 g. Day care facilities; provided, however, that outdoor play areas must be fenced;
104 h. More than one building containing a permitted principal use on a lot;
105 i. Group care homes;
106 **j. Helipads, but only as an accessory use incidental to a hospital conditional use;**
107 ~~kj.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts;
108 provided, that it is the only wind energy system of any capacity on the lot;
109 ~~lk.~~ Other uses approved pursuant to HCC 21.04.020.

110
111 Section 5. HCC 21.18.030, Conditional uses and structures (Central Business District), is
112 amended to read as follows:

113
114 21.18.030 Conditional uses and structures. The following uses may be permitted in the
115 Central Business District when authorized by conditional use permit issued in accordance with
116 Chapter 21.71 HCC:

- 117 a. Planned unit developments, excluding all industrial uses;
118 b. Indoor recreational facilities and outdoor recreational facilities;
119 c. Mobile home parks;
120 d. Auto fueling stations;
121 e. Public utility facilities and structures;
122 f. Pipeline and railroads;

[Bold and underlined added. Deleted language stricken through.]

- 123 ~~g. Heliports;~~
124 ~~gh. Greenhouses and garden supplies;~~
125 ~~hi. Light or custom manufacturing, repair, fabricating, and assembly, provided such~~
126 ~~use, including storage of materials, is wholly within an enclosed building;~~
127 ~~ij. Shelter for the homeless, provided any lot used for such shelter does not abut a~~
128 ~~residential zoning district;~~
129 ~~jk. More than one building containing a permitted principal use on a lot;~~
130 ~~kl. Group care homes and assisted living homes;~~
131 ~~lm. Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber~~
132 ~~Subdivision to Heath Street;~~
133 ~~na. One small wind energy system having a rated capacity exceeding 10 kilowatts;~~
134 ~~provided, that it is the only wind energy system of any capacity on the lot;~~
135 ~~ne. Other uses approved pursuant to HCC 21.04.020.~~
136

137 Section 6. HCC 21.24.030, Conditional uses and structures (General Commercial 1), is
138 amended to read as follows:

139
140 21.24.030 Conditional uses and structures. The following uses may be permitted in the
141 General Commercial 1 District when authorized by conditional use permit issued in accordance
142 with Chapter 21.71 HCC:

- 143 a. Campgrounds;
144 b. Crematoriums;
145 c. Multiple-family dwelling;
146 d. Public utility facility or structure;
147 e. Mobile home parks;
148 f. Planned unit developments;
149 g. Townhouses;
150 h. Pipelines and railroads;
151 ~~i. Heliports;~~
152 ~~ij. Shelter for the homeless, provided any lot used for such shelter does not abut an RO,~~
153 ~~RR, or UR zoning district;~~
154 ~~jk. More than one building containing a permitted principal use on a lot;~~
155 ~~kl. Day care facilities; provided, however, that outdoor play areas must be fenced;~~
156 ~~lm. Other uses approved pursuant to HCC 21.04.020;~~
157 ~~ma. Indoor recreational facilities;~~
158 ~~ne. Outdoor recreational facilities.~~
159

160 Section 7. HCC 21.26.030, Conditional uses and structures (General Commercial 2), is
161 amended to read as follows:

162

[Bold and underlined added. Deleted language stricken through.]

163
164 21.26.030 Conditional uses and structures. The following uses may be permitted in the
165 General Commercial 2 District when authorized by conditional use permit issued in accordance
166 with Chapter 21.71 HCC

- 167 a. Planned unit development, excluding all industrial uses;
168 b. Townhouse developments;
169 c. Day care facilities; provided, however, that outdoor play areas must be fenced;
170 d. Religious, cultural and fraternal assembly;
171 e. Hospitals;
172 f. Pipelines and railroads;
173 ~~g. Heliports;~~
174 **gh.** Storage of heavy equipment or boats over 36 feet in length as an accessory use
175 incidental to a permitted or conditionally permitted principal use;
176 **hi.** Private stables and the keeping of larger animals not usually considered pets,
177 including paddocks or similar structures or enclosures utilized for keeping of such animals as an
178 accessory use incidental to a primary residential use; such use shall be conditioned on not
179 causing unreasonable disturbance or annoyances to occupants of neighboring property, and
180 on sufficient land to harbor such animals;
181 **ij.** Group care home;
182 **jk.** Assisted living home;
183 **kl.** More than one building containing a permitted principal use on a lot;
184 ~~lm.~~ Indoor recreational facilities;
185 **ma.** Outdoor recreational facilities;
186 **ne.** One small wind energy system having a rated capacity exceeding 10 kilowatts;
187 provided, that it is the only wind energy system of any capacity on the lot;
188 **o. Helipads.**

189
190 Section 8. HCC 21.28.030, Conditional uses and structures (Marine Commercial), is
191 amended to read as follows:

192
193 21.28.030 Conditional uses and structures. The following uses may be permitted in the
194 Marine Commercial District when authorized by conditional use permit issued in accordance
195 with Chapter 21.71 HCC:

- 196 a. Drinking establishments;
197 b. Public utility facilities and structures;
198 ~~c. Heliports;~~
199 **cd.** Hotels and motels;
200 **de.** Lodging;
201 **ef.** More than one building containing a permitted principal use on a lot;
202 **fg.** Planned unit developments, limited to water-dependent and water-related uses,

[Bold and underlined added. Deleted language stricken through.]

- 203 with no dwelling units except as permitted by HCC 21.28.020(o);
204 **gh.** Indoor recreational facilities;
205 **hi.** Outdoor recreational facilities;
206 **ij.** The location of a building within a setback area required by HCC 21.28.040(b). In
207 addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building
208 must meet the following standards:
209 1. Not have a greater negative effect on the value of the adjoining property than
210 a building located outside the setback area; and
211 2. Have a design that is compatible with that of the structures on the adjoining
212 property.

213
214 Section 9. HCC 21.32.030, Conditional uses and structures (Open Space -- Recreation),
215 is amended to read as follows:

216
217 21.32.030 Conditional uses and structures. The following uses may be conditionally
218 permitted in the Open Space – Recreation District when authorized by conditional use permit
219 issued in accordance with Chapter 21.71 HCC:

- 220 a. Public utility facilities and structures;
221 b. Any structures used for uses permitted outright in the district;
222 c. Fishing gear and boat storage;
223 d. Campgrounds;
224 e. Pipelines and railroads;
225 f. Parking areas;
226 ~~g. Heliports;~~
227 **gh.** Other open space and recreation uses;
228 **hi.** Indoor recreational facilities;
229 **ij.** Outdoor recreational facilities.

230
231 Section 10. HCC 21.40.050, Permitted uses and structures (Bridge Creek Watershed
232 Protection District), is amended to read as follows:

233
234 21.40.050 Permitted uses and structures. The following uses and structures are
235 permitted outright in the BCWP district, except when such use or structure requires a
236 conditional use permit by reason of its nature, size or other reasons set forth in this chapter.
237 Permitted uses and structures remain subject to all applicable provisions of this chapter:

- 238 a. Single-family dwelling;
239 b. Duplex dwelling;
240 c. Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2);
241 d. Public parks and playgrounds;
242 e. Rooming houses or bed and breakfast establishments;

[Bold and underlined added. Deleted language stricken through.]

- 243 f. Storage of personal commercial fishing gear in a safe and orderly manner;
- 244 g. Private storage in yards, in a safe and orderly manner, of equipment, including
- 245 trucks, boats, recreational vehicles and automobiles; provided, that all are in good mechanical
- 246 and operable condition, and if subject to licensing, currently able to meet licensing
- 247 requirements; and further provided, that the stored items do not create impervious cover in
- 248 excess of the limits in HCC 21.40.070;
- 249 h. Other customary accessory uses incidental to any of the principal permitted uses
- 250 listed in the BCWP district, such as limited personal use gardening as described in HCC
- 251 21.40.090(c);
- 252 i. Temporary (seasonal) roadside stands for the sale of produce grown on the premises;
- 253 j. Mobile homes, subject to the requirements set forth in HCC 21.54.100;
- 254 k. Day care homes;
- 255 l. Up to four recreational vehicles on a lot as a temporary dwelling not to exceed 90
- 256 days' occupancy per vehicle in any calendar year;
- 257 m. Religious, cultural, and fraternal assembly;
- 258 n. Public schools and private schools;
- 259 o. Day care facilities;
- 260 p. Ministorage;
- 261 q. As an accessory use, one small wind energy system per lot having a rated capacity
- 262 not exceeding 10 kilowatts;
- 263 **r. Helipads.**

264
265 Section 11. This Ordinance is of a permanent and general character and shall be
266 included in the City Code.

267
268 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
269 _____ 2014.

270
271 CITY OF HOMER

272
273
274 _____
275 MARY E. WYTHE, MAYOR

276
277 ATTEST:

278
279
280 _____
281 JO JOHNSON, CMC, CITY CLERK

282
[**Bold and underlined added.** Deleted language stricken through.]

283 YES:
284 NO:
285 ABSTAIN:
286 ABSENT:
287
288 First Reading:
289 Public Hearing:
290 Second Reading:
291 Effective Date:

292
293 Reviewed and approved as to form:

294
295
296 _____
297 Walt E. Wrede, City Manager
298 Date: _____

Thomas F. Klinkner, City Attorney
Date: _____

DRAFT

[Bold and underlined added. Deleted language stricken through.]

ERICKSON/ BOS MOVED TO REMOVE CONDITION NUMBER 4, PROVIDE DEDICATION FOR A ¼ CUL-DE-SAC AT THE END OF SEASCAPE DRIVE.

There was no discussion.

VOTE: (Amendment)NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no further discussion on the main motion as amended.

VOTE (Main motion as amended): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Pending Business

A. Staff Report PL 14-46, Draft Ordinance on Heliports

The Commission reviewed and agreed that the graphs for heliports and helipads are as they had agreed on previously. The agreed by consensus that it could go forward for public hearing.

New Business

A. Staff Report PL 14-47, Draft Ordinance on Towers

City Planner Abboud reviewed the staff report. He touched on options which include doing nothing, drafting something with the attorney, forming a task force, or working with a consultant.

The Commission talked briefly about the challenges of changing technology and the necessity of having towers where they are needed. There are many different designs for towers, as well as ways to work with topography and deal with line of sight across water. It was suggested that hearing from ACS and/or GCI about what their needs are could be helpful. There are federal regulations that need to be considered as well.

The consensus of the group was that they would like staff to research the regulations of other Alaskan communities and how they determined their regulations.

B. Staff Report PL 14-48, Ordinance 14-20 Farmer's Market/Open Air Business for CBD, GC1, and GC2 Districts

Chair Venuti noted for the record that the Commission heard from Farmers' Market representative and talked about this at the worksession. City Planner Abboud asked that they make a motion and recommendation on open air and what they may or may not modify. His goal is to have something





City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

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

Staff Report PL 14-58

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Dotti Harness-Foster, Planning Technician
DATE: June 18, 2014
SUBJECT: Heliports

Introduction: The attached “heliport” ordinance represents your discussions and motions describing where heliports and helipads would be allowed and how they would be permitted. Staff requests additional review to allow a ‘helipad’ as a permitted use in the BCWPD.

Helipad in the BCWPD: On May 7, 2014 a motion was made to require a Conditional Use Permit for a helipad in the Bridge Creek Watershed Protection District. This could be problematic when one considers that the BCWPD is an overlay district with the purpose to prevent the degradation of water quality. Key is the definition for “helipad” which does not include any buildings, fueling or servicing of helicopters, in other words a “helipad” would have little impact on water quality.

HCC 21.40.010: The purpose of this chapter (BCWPD) is to prevent the degradation of the water quality and protect the Bridge Creek Watershed to ensure its continuing suitability as a water supply source for the City’s public water utility. These provisions benefit the public health, safety, and welfare of the residents of the City of Homer and other customers of the City’s water system by restricting land use activities that would impair the water quality, or increase the cost for treatment.

“Helipad” means any surface where a helicopter takes off or lands, but excludes permanent facilities for loading or unloading goods or passengers, or for fueling, servicing or storing helicopters.

BCWPD is an overlay district: which means that the “underlying” zoning district, in this case, the Rural Residential District, with more stringent provisions, applies. The RR lots within the BCWPD are smaller in acreage and are closer to Skyline Drive. Neither “heliports” nor “helipads” are allowed in the RR district. The remaining BCWPD lots are outside City limits.

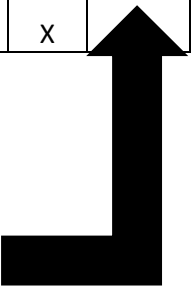
CUP review: One of the review criteria for a CUP is to check for compatibility with the purpose of the zoning district, HCC 21.71.030 (b). A ‘helipad’ is compatible with the purpose of BCWPD. Other conditional uses in the BCWPD target potential impacts to water quality, such as cemeteries, timber harvesting, and agricultural activity, HCC 21.40.060.

Staff recommendations: Based on the purpose of the BCWPD staff recommends a motion to allow ‘helipad’ as a permitted use in the BCWPD, HCC 21.40.050.

These two grids represent the attached draft ordinance.

Heliports	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	EEMU	MC	MI	OSR	BCWP
CUP needed											X		
Not Allowed	X	X	X	X	X	X	X	X (outside of airport)	X	X		X	x

Helipad	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	EEMU	MC	MI	OSR	BCWP
CUP needed			X (hospital only)					X			X		X
Not Allowed	X	X		X	X	X	X		X	X		X	X



Attachments

1. Draft ordinance June 18, 2014
2. Minutes excerpt of May 7th meeting

1 CITY OF HOMER
2 HOMER, ALASKA

3
4 ORDINANCE 14-__

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING HOMER CITY CODE 21.03.040, DEFINITIONS;
8 HOMER CITY CODE 21.12.030, 21.14.030, 21.16.030, 21.18.030,
9 21.24.030, 21.26.030, 21.28.030 AND 21.32.030, CONDITIONAL
10 USES AND STRUCTURES; AND HOMER CITY CODE 21.40.050,
11 PERMITTED USES AND STRUCTURES, TO DEFINE THE TERMS
12 HELIPAD AND HOSPITAL, TO DELETE HELIPORT AS A
13 CONDITIONAL USE IN THE RURAL RESIDENTIAL, URBAN
14 RESIDENTIAL, CENTRAL BUSINESS DISTRICT, GENERAL
15 COMMERCIAL 1, GENERAL COMMERCIAL 2, MARINE
16 COMMERCIAL AND OPEN SPACE – RECREATION ZONING
17 DISTRICTS; TO ADD HELIPAD AS A CONDITIONAL USE
18 ACCESSORY TO A HOSPITAL IN THE RESIDENTIAL OFFICE
19 ZONING DISTRICT AND TO ADD HELIPAD AS A CONDITIONAL
20 USE IN THE GENERAL COMMERCIAL 2 ZONING DISTRICT AND
21 BRIDGE CREEK WATERSHED PROTECTION DISTRICT.

22
23 THE CITY OF HOMER ORDAINS:

24
25 Section 1. HCC 21.03.040 Definitions, is amended by adding definitions of “helipad”
26 and “hospital” to read as follows:

27
28 “Helipad” means any surface where a helicopter takes off or lands, but excludes permanent
29 facilities for loading or unloading goods or passengers, or for fueling, servicing or storing
30 helicopters.

31
32 “Hospital” has the meaning given in AS 47.32.900.

33
34 Section 2. HCC 21.12.030, Conditional uses and structures (Rural Residential), is
35 amended to read as follows:

36
37 21.12.030 Conditional uses and structures. The following uses may be permitted in the
38 Rural Residential District when authorized by conditional use permit issued in accordance with
39 Chapter 21.71 HCC:

- 40 a. Planned unit development, limited to residential uses only;
41 b. Religious, cultural and fraternal assembly;
42 c. Cemeteries;

[Bold and underlined added. Deleted language stricken through.]

- 43 d. Kennels;
- 44 e. Commercial greenhouses and tree nurseries offering sale of plants or trees grown on
- 45 premises;
- 46 f. Mobile home parks;
- 47 g. Public utility facilities and structures;
- 48 h. Pipelines and railroads;
- 49 ~~i. Heliports;~~
- 50 ij. Storage of heavy equipment, vehicles or boats over 36 feet in length as an accessory
- 51 use incidental to a permitted or conditionally permitted principal use;
- 52 jk. Day care facilities; provided, however, that outdoor play areas must be fenced;
- 53 kl. Group care home;
- 54 lm. Assisted living home;
- 55 mn. More than one building containing a permitted principal use on a lot;
- 56 no. Indoor recreational facilities;
- 57 op. Outdoor recreational facilities;
- 58 pq. Public school and private school;
- 59 qr. One small wind energy system having a rated capacity exceeding 10 kilowatts,
- 60 provided that it is the only wind energy system of any capacity on the lot.

61
62 Section 3. HCC 21.14.030, Conditional uses and structures (Urban Residential), is
63 amended to read as follows:

64

65 21.14.030 Conditional uses and structures. The following uses may be permitted in the
66 Urban Residential District when authorized by conditional use permit issued in accordance
67 with Chapter 21.71 HCC:

- 68 a. Planned unit development, excluding all industrial uses;
- 69 b. Townhouse developments;
- 70 c. Day care facilities; provided, however, that outdoor play areas must be fenced;
- 71 d. Religious, cultural and fraternal assembly;
- 72 e. Hospitals;
- 73 f. Pipelines and railroads;
- 74 ~~g. Heliports;~~
- 75 gh. Storage of heavy equipment or boats over 36 feet in length as an accessory use
- 76 incidental to a permitted or conditionally permitted principal use;
- 77 hi. Private stables and the keeping of larger animals not usually considered pets,
- 78 including paddocks or similar structures or enclosures utilized for keeping of such animals as an
- 79 accessory use incidental to a primary residential use; such use shall be conditioned on not
- 80 causing unreasonable disturbance or annoyances to occupants of neighboring property, and
- 81 on sufficient land to harbor such animals;
- 82 ij. Group care home;

[Bold and underlined added. Deleted language stricken through.]

- 83 ~~jk.~~ Assisted living home;
- 84 ~~kl.~~ More than one building containing a permitted principal use on a lot;
- 85 ~~lm.~~ Indoor recreational facilities;
- 86 ~~mn.~~ Outdoor recreational facilities;
- 87 ~~ne.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts,
- 88 provided that it is the only wind energy system of any capacity on the lot.

89
90 Section 4. HCC 21.16.030, Conditional uses and structures (Residential Office), is
91 amended to read as follows:

92
93 21.16.030 Conditional uses and structures. The following uses may be permitted in the
94 Residential Office District when authorized by conditional use permit issued in accordance with
95 Chapter 21.71 HCC:

- 96 a. Planned unit developments, excluding all industrial uses;
- 97 b. Townhouses;
- 98 c. Public or private schools;
- 99 d. Hospitals and medical clinics;
- 100 e. Public utility facilities and structures;
- 101 f. Mortuaries;
- 102 g. Day care facilities; provided, however, that outdoor play areas must be fenced;
- 103 h. More than one building containing a permitted principal use on a lot;
- 104 i. Group care homes;
- 105 **j. Helipads, but only as an accessory use incidental to a hospital conditional use;**
- 106 ~~kj.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts;
- 107 provided, that it is the only wind energy system of any capacity on the lot;
- 108 ~~lk.~~ Other uses approved pursuant to HCC 21.04.020.

109
110 Section 5. HCC 21.18.030, Conditional uses and structures (Central Business District), is
111 amended to read as follows:

112
113 21.18.030 Conditional uses and structures. The following uses may be permitted in the
114 Central Business District when authorized by conditional use permit issued in accordance with
115 Chapter 21.71 HCC:

- 116 a. Planned unit developments, excluding all industrial uses;
- 117 b. Indoor recreational facilities and outdoor recreational facilities;
- 118 c. Mobile home parks;
- 119 d. Auto fueling stations;
- 120 e. Public utility facilities and structures;
- 121 f. Pipeline and railroads;
- 122 ~~g. Heliports;~~

[Bold and underlined added. Deleted language stricken through.]

- 123 ~~gh.~~ Greenhouses and garden supplies;
124 hi. Light or custom manufacturing, repair, fabricating, and assembly, provided such
125 use, including storage of materials, is wholly within an enclosed building;
126 ij. Shelter for the homeless, provided any lot used for such shelter does not abut a
127 residential zoning district;
128 jk. More than one building containing a permitted principal use on a lot;
129 kl. Group care homes and assisted living homes;
130 lm. Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber
131 Subdivision to Heath Street;
132 na. One small wind energy system having a rated capacity exceeding 10 kilowatts;
133 provided, that it is the only wind energy system of any capacity on the lot;
134 ne. Other uses approved pursuant to HCC 21.04.020.
135

136 Section 6. HCC 21.24.030, Conditional uses and structures (General Commercial 1), is
137 amended to read as follows:
138

139 21.24.030 Conditional uses and structures. The following uses may be permitted in the
140 General Commercial 1 District when authorized by conditional use permit issued in accordance
141 with Chapter 21.71 HCC:

- 142 a. Campgrounds;
143 b. Crematoriums;
144 c. Multiple-family dwelling;
145 d. Public utility facility or structure;
146 e. Mobile home parks;
147 f. Planned unit developments;
148 g. Townhouses;
149 h. Pipelines and railroads;
150 ~~i. Heliports;~~
151 ij. Shelter for the homeless, provided any lot used for such shelter does not abut an RO,
152 RR, or UR zoning district;
153 jk. More than one building containing a permitted principal use on a lot;
154 kl. Day care facilities; provided, however, that outdoor play areas must be fenced;
155 lm. Other uses approved pursuant to HCC 21.04.020;
156 ma. Indoor recreational facilities;
157 ne. Outdoor recreational facilities.
158

159 Section 7. HCC 21.26.030, Conditional uses and structures (General Commercial 2), is
160 amended to read as follows:
161
162

[Bold and underlined added. Deleted language stricken through.]

163 21.26.030 Conditional uses and structures. The following uses may be permitted in the
164 General Commercial 2 District when authorized by conditional use permit issued in accordance
165 with Chapter 21.71 HCC

- 166 a. Planned unit development, excluding all industrial uses;
- 167 b. Townhouse developments;
- 168 c. Day care facilities; provided, however, that outdoor play areas must be fenced;
- 169 d. Religious, cultural and fraternal assembly;
- 170 e. Hospitals;
- 171 f. Pipelines and railroads;
- 172 ~~g. Heliports;~~
- 173 **gh.** Storage of heavy equipment or boats over 36 feet in length as an accessory use
174 incidental to a permitted or conditionally permitted principal use;
- 175 **hi.** Private stables and the keeping of larger animals not usually considered pets,
176 including paddocks or similar structures or enclosures utilized for keeping of such animals as an
177 accessory use incidental to a primary residential use; such use shall be conditioned on not
178 causing unreasonable disturbance or annoyances to occupants of neighboring property, and
179 on sufficient land to harbor such animals;
- 180 **ij.** Group care home;
- 181 **jk.** Assisted living home;
- 182 **kl.** More than one building containing a permitted principal use on a lot;
- 183 ~~lm.~~ Indoor recreational facilities;
- 184 **mn.** Outdoor recreational facilities;
- 185 **ne.** One small wind energy system having a rated capacity exceeding 10 kilowatts;
186 provided, that it is the only wind energy system of any capacity on the lot;
- 187 **o. Helipads.**

188
189 Section 8. HCC 21.28.030, Conditional uses and structures (Marine Commercial), is
190 amended to read as follows:

191
192 21.28.030 Conditional uses and structures. The following uses may be permitted in the
193 Marine Commercial District when authorized by conditional use permit issued in accordance
194 with Chapter 21.71 HCC:

- 195 a. Drinking establishments;
- 196 b. Public utility facilities and structures;
- 197 ~~c. Heliports;~~
- 198 **cd.** Hotels and motels;
- 199 **de.** Lodging;
- 200 **ef.** More than one building containing a permitted principal use on a lot;
- 201 **fg.** Planned unit developments, limited to water-dependent and water-related uses,
202 with no dwelling units except as permitted by HCC 21.28.020(o);

[Bold and underlined added. Deleted language stricken through.]

- 203 ~~g~~h. Indoor recreational facilities;
204 ~~h~~i. Outdoor recreational facilities;
205 ij. The location of a building within a setback area required by HCC 21.28.040(b). In
206 addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building
207 must meet the following standards:
208 1. Not have a greater negative effect on the value of the adjoining property than
209 a building located outside the setback area; and
210 2. Have a design that is compatible with that of the structures on the adjoining
211 property.

212
213 21.30.030 Conditional uses and structures.

214 The following uses may be permitted in the Marine Industrial District when authorized
215 by conditional use permit issued in accordance with Chapter 21.71 HCC:

- 216 a. Planned unit development, limited to water-dependent or water-related uses and
217 excluding all dwellings;
218 b. Boat sales, rentals, service, repair and storage, and boat manufacturing;
219 c. Extractive enterprises related to other uses permitted in the district;
220 d. Campgrounds;
221 e. Bulk petroleum storage;
222 f. Heliports;
223 g. Indoor recreational facilities;
224 h. Outdoor recreational facilities;
225 i. Public utility facilities and structures;
226 j. The location of a building within a setback area required by HCC 21.30.040(b). In
227 addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building
228 must meet the following standards:
229 1. Not have a greater negative effect on the value of the adjoining property than a
230 building located outside the setback area; and
231 2. Have a design that is compatible with that of the structures on the adjoining
232 property. [Ord. 13-11(A) § 7, 2013; Ord. 08-29, 2008].

233 ~~k. Helipads.~~

234
235 Section 9. HCC 21.32.030, Conditional uses and structures (Open Space -- Recreation),
236 is amended to read as follows:
237

238 21.32.030 Conditional uses and structures. The following uses may be conditionally
239 permitted in the Open Space – Recreation District when authorized by conditional use permit
240 issued in accordance with Chapter 21.71 HCC:

- 241 a. Public utility facilities and structures;
242 b. Any structures used for uses permitted outright in the district;

[Bold and underlined added. Deleted language stricken through.]

- 243 c. Fishing gear and boat storage;
- 244 d. Campgrounds;
- 245 e. Pipelines and railroads;
- 246 f. Parking areas;
- 247 ~~g. Heliports;~~
- 248 **gh.** Other open space and recreation uses;
- 249 **hi.** Indoor recreational facilities;
- 250 **ij.** Outdoor recreational facilities.

251
252 Section 10. HCC 21.40.050, Permitted uses and structures (Bridge Creek Watershed
253 Protection District), is amended to read as follows:

254
255 21.40.050 Permitted uses and structures. The following uses and structures are
256 permitted outright in the BCWP district, except when such use or structure requires a
257 conditional use permit by reason of its nature, size or other reasons set forth in this chapter.
258 Permitted uses and structures remain subject to all applicable provisions of this chapter:

- 259 a. Single-family dwelling;
- 260 b. Duplex dwelling;
- 261 c. Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2);
- 262 d. Public parks and playgrounds;
- 263 e. Rooming houses or bed and breakfast establishments;
- 264 f. Storage of personal commercial fishing gear in a safe and orderly manner;
- 265 g. Private storage in yards, in a safe and orderly manner, of equipment, including
266 trucks, boats, recreational vehicles and automobiles; provided, that all are in good mechanical
267 and operable condition, and if subject to licensing, currently able to meet licensing
268 requirements; and further provided, that the stored items do not create impervious cover in
269 excess of the limits in HCC 21.40.070;
- 270 h. Other customary accessory uses incidental to any of the principal permitted uses
271 listed in the BCWP district, such as limited personal use gardening as described in HCC
272 21.40.090(c);
- 273 i. Temporary (seasonal) roadside stands for the sale of produce grown on the premises;
- 274 j. Mobile homes, subject to the requirements set forth in HCC 21.54.100;
- 275 k. Day care homes;
- 276 l. Up to four recreational vehicles on a lot as a temporary dwelling not to exceed 90
277 days' occupancy per vehicle in any calendar year;
- 278 m. Religious, cultural, and fraternal assembly;
- 279 n. Public schools and private schools;
- 280 o. Day care facilities;
- 281 p. Ministorage;
- 282 q. As an accessory use, one small wind energy system per lot having a rated capacity

[Bold and underlined added. Deleted language stricken through.]

283 not exceeding 10 kilowatts;

284 ~~r. Helipads.~~

285

286 Section 10. HCC 21.40.060 Conditional uses and structures. (Bridge Creek Watershed
287 Protection District), is amended to read as follows:

288 The following uses are permitted in the BCWP district if authorized by a conditional use
289 permit granted in accordance with Chapter 21.71 HCC and subject to the other requirements of
290 this chapter:

291 a. Cemeteries;

292 b. Public utility facilities and structures;

293 c. Timber harvesting operations, timber growing, and forest crops, provided they
294 conform to HCC 21.40.100;

295 d. Agricultural activity and stables, if they conform to HCC 21.40.090, but not including
296 farming of swine;

297 e. Other uses similar to uses permitted and conditionally permitted in the BCWP
298 district, as approved by written decision of the Planning Commission upon application of the
299 property owner and after a public hearing;

300 f. Uses, activities, structures, exceptions, or other things described as requiring a
301 conditional use permit in HCC 21.40.080(a), 21.40.110(b) or any other provision of this chapter;

302 g. More than one building containing a permitted principal use on a lot. [Ord. 10-05,
303 2010; Ord. 08-29, 2008]

304 **h. Helipads.**

305

306 Section 11. This Ordinance is of a permanent and general character and shall be
307 included in the City Code.

308

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

311

312 CITY OF HOMER

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JO JOHNSON, CMC, CITY CLERK

MARY E. WYTHE, MAYOR

[Bold and underlined added. Deleted language stricken through.]

323

324 YES:

325 NO:

326 ABSTAIN:

327 ABSENT:

328

329 First Reading:

330 Public Hearing:

331 Second Reading:

332 Effective Date:

333

334 Reviewed and approved as to form:

335

336

337

338 _____
Walt E. Wrede, City Manager

339 Date: _____

Thomas F. Klinkner, City Attorney

Date: _____

[Bold and underlined added. Deleted language stricken through.]

Staff will provide further information on view-shed and what other communities regulate and can view-shed be regulated. She requested the commissioners to also consider co-location with towers - more towers but shorter or less towers but taller.

Chair Venuti requested a consultant or professional with towers come and speak to the commission.

B. Staff Report 14-58, Heliports

Deputy City Planner Engebretsen stated the City Planner has requested the commission consider allowing helipads in the Bridge Creek Watershed Protection District.

SLONE/STEAD - MOVED TO ALLOW HELIPADS IN THE BRIDGE CREEK WATERSHED PROTECTION DISTRICT BY CONDITIONAL USE PERMIT.

Commissioner Stroozas declared he may have a conflict since he lives and owns property in that district. Chair Venuti declared this was not a quasi-judicial issue. Staff provided further clarification Commissioner Stroozas belonging to a large class of property owners. Commissioner Slone queried the request since the commission already approved this issue two or three meeting ago to approve this use by CUP process. Staff explained that the request for was permitting the use outright.

Further discussion on the regulations being applied to property outside city limits and accommodating the City Planner's request ensued.

VOTE. YES. HIGHLAND, ERICKSON, BOS, VENUTI
VOTE. NO. SLONE, STEAD, STROOZAS

Motion carried.

C. Staff Report 14-59, Creation of the East End Residential /Commercial Mixed Use District

Chair Venuti read the title into the record.

Deputy City Planner Engebretsen reviewed the staff report. Staff commented regarding considerations to require additional landscaping, and more architectural standards similar to the Gateway Business District.

Discussion was conducted on the following:

- Aesthetics
 - minimal requirements with landscaping
 - screening
 - landscaping buffer along street
 - fencing/screening requirements to separate commercial from residential
- Playgrounds
- Open Air Markets
 - Permitted use
 - concern regarding increased traffic problems
- Changes under Conditional Uses
- Allowing Recreational Vehicles



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 14-85

TO: Homer Advisory Planning Commission / Public
FROM: Rick Abboud, City Planner
DATE: September 17, 2014
SUBJECT: Heliport Public Hearing

Introduction: The Planning Commission wishes to address the many current provisions for “heliports” within the city boundaries. It is currently found as a conditional use in most districts. Not aware of the need for such operations throughout the city, the Commission wishes to refine where helicopters may best fit in with surrounding land uses.

In reviewing the allowance of “heliport” it was found that “helipad” was a use differentiated from “heliport” in that it was basically for loading and unloading of passengers only and would not permanently stage or service helicopters, such as the use found associated with the hospital.

Below is a rundown of the suggested changes. This is a reflection of the complete reference to “heliport and “helipad” in the entire zoning code. In regards to the recommendation made in the Bridge Creek Watershed Protection District, the City of Homer only has the right to make regulation regarding the preservation of water quality and in the case where the district ‘overlays’ the Rural Residential District the rule of the ‘more restrictive’ regulation prevails thus, no heliport/helipad operations would be allowed.

Analysis: Upon recommendation from the Planning Commission the following changes are recommended.

Remove from code the currently listed conditional use of “Heliport” from the following districts:

1. Rural Residential
2. Urban Residential
3. Central Business District
4. General Commercial 1
5. Marine Commercial
6. Open Space-Recreational

Add Helipad as a conditional use to the following districts:

1. Residential Office (only as an accessory use incidental to a hospital conditional use)
2. General Commercial 2
3. Marine Industrial
4. Bridge Creek Watershed Protection

Heliports would remain as a conditional use in the Marine Industrial District and as a permitted use in the General Commercial 2 District (airport)

Staff Recommendation: Take testimony and make recommendations to the City Council for adoption. If testimony is such that a change might be warranted, make motion and move to additional public hearing.

Attachments

1. Draft Ordinance
2. Memo 14-02
3. Letter to interested parties
4. Public comments

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**CITY OF HOMER
HOMER, ALASKA**

ORDINANCE 14-__

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.03.040, DEFINITIONS; HOMER CITY CODE 21.12.030, 21.14.030, 21.16.030, 21.18.030, 21.24.030, 21.26.030, 21.28.030, 21.30.030, 21.32.030 AND 21.40.050, CONDITIONAL USES AND STRUCTURES; AND HOMER CITY CODE AND PERMITTED USES AND STRUCTURES, TO DEFINE THE TERMS HELIPAD AND HOSPITAL, TO DELETE HELIPOINT AS A CONDITIONAL USE IN THE RURAL RESIDENTIAL, URBAN RESIDENTIAL, CENTRAL BUSINESS DISTRICT, GENERAL COMMERCIAL ¹, MARINE COMMERCIAL AND OPEN SPACE – RECREATION ZONING DISTRICTS; TO DELETE HELIPOINT AS A PERMITTED USE IN THE GENERAL COMMERCIAL ² DISTRICT, TO ADD HELIPAD AS A CONDITIONAL USE ACCESSORY TO A HOSPITAL IN THE RESIDENTIAL OFFICE ZONING DISTRICT AND ADD HELIPAD AS A CONDITIONAL USE IN THE GENERAL COMMERCIAL ², MARINE INDUSTRIAL AND BRIDGE CREEK WATERSHED PROTECTION DISTRICT ZONING DISTRICTS;

THE CITY OF HOMER ORDAINS:

Section 1. HCC 21.03.040 Definitions, is amended by adding definitions of “helipad” and “hospital” to read as follows:

“Helipad” means any surface where a helicopter takes off or lands, but excludes permanent facilities for loading or unloading goods or passengers, or for fueling, servicing or storing helicopters.

“Hospital” has the meaning given in AS 47.32.900.

Section 2. HCC 21.12.030, Conditional uses and structures (Rural Residential), is amended to read as follows:

[Bold and underlined added. Deleted language stricken through.]

43 21.12.030 Conditional uses and structures. The following uses may be permitted in the
44 Rural Residential District when authorized by conditional use permit issued in accordance with
45 Chapter 21.71 HCC:

- 46 a. Planned unit development, limited to residential uses only;
- 47 b. Religious, cultural and fraternal assembly;
- 48 c. Cemeteries;
- 49 d. Kennels;
- 50 e. Commercial greenhouses and tree nurseries offering sale of plants or trees grown on
51 premises;
- 52 f. Mobile home parks;
- 53 g. Public utility facilities and structures;
- 54 h. Pipelines and railroads;
- 55 ~~i. Heliports;~~
- 56 ij. Storage of heavy equipment, vehicles or boats over 36 feet in length as an accessory
57 use incidental to a permitted or conditionally permitted principal use;
- 58 jk. Day care facilities; provided, however, that outdoor play areas must be fenced;
- 59 kl. Group care home;
- 60 lm. Assisted living home;
- 61 mn. More than one building containing a permitted principal use on a lot;
- 62 no. Indoor recreational facilities;
- 63 op. Outdoor recreational facilities;
- 64 pq. Public school and private school;
- 65 qr. One small wind energy system having a rated capacity exceeding 10 kilowatts,
66 provided that it is the only wind energy system of any capacity on the lot.

67
68 Section 3. HCC 21.14.030, Conditional uses and structures (Urban Residential), is
69 amended to read as follows:

70
71 21.14.030 Conditional uses and structures. The following uses may be permitted in the
72 Urban Residential District when authorized by conditional use permit issued in accordance
73 with Chapter 21.71 HCC:

- 74 a. Planned unit development, excluding all industrial uses;
- 75 b. Townhouse developments;
- 76 c. Day care facilities; provided, however, that outdoor play areas must be fenced;
- 77 d. Religious, cultural and fraternal assembly;
- 78 e. Hospitals;
- 79 f. Pipelines and railroads;
- 80 ~~g. Heliports;~~
- 81 gh. Storage of heavy equipment or boats over 36 feet in length as an accessory use
82 incidental to a permitted or conditionally permitted principal use;

[Bold and underlined added. Deleted language stricken through.]

83 hi. Private stables and the keeping of larger animals not usually considered pets,
84 including paddocks or similar structures or enclosures utilized for keeping of such animals as an
85 accessory use incidental to a primary residential use; such use shall be conditioned on not
86 causing unreasonable disturbance or annoyances to occupants of neighboring property, and
87 on sufficient land to harbor such animals;

88 ij. Group care home;

89 jk. Assisted living home;

90 ~~kl.~~ More than one building containing a permitted principal use on a lot;

91 ~~lm.~~ Indoor recreational facilities;

92 ma. Outdoor recreational facilities;

93 ne. One small wind energy system having a rated capacity exceeding 10 kilowatts,
94 provided that it is the only wind energy system of any capacity on the lot.

95
96 Section 4. HCC 21.16.030, Conditional uses and structures (Residential Office), is
97 amended to read as follows:

98
99 21.16.030 Conditional uses and structures. The following uses may be permitted in the
100 Residential Office District when authorized by conditional use permit issued in accordance with
101 Chapter 21.71 HCC:

102 a. Planned unit developments, excluding all industrial uses;

103 b. Townhouses;

104 c. Public or private schools;

105 d. Hospitals and medical clinics;

106 e. Public utility facilities and structures;

107 f. Mortuaries;

108 g. Day care facilities; provided, however, that outdoor play areas must be fenced;

109 h. More than one building containing a permitted principal use on a lot;

110 i. Group care homes;

111 **j. Helipads, but only as an accessory use incidental to a hospital conditional use;**

112 kj. One small wind energy system having a rated capacity exceeding 10 kilowatts;
113 provided, that it is the only wind energy system of any capacity on the lot;

114 lk. Other uses approved pursuant to HCC 21.04.020.

115
116 Section 5. HCC 21.18.030, Conditional uses and structures (Central Business District), is
117 amended to read as follows:

118
119
120
121
122

[Bold and underlined added. Deleted language stricken through.]

123 21.18.030 Conditional uses and structures. The following uses may be permitted in the
124 Central Business District when authorized by conditional use permit issued in accordance with
125 Chapter 21.71 HCC:

- 126 a. Planned unit developments, excluding all industrial uses;
- 127 b. Indoor recreational facilities and outdoor recreational facilities;
- 128 c. Mobile home parks;
- 129 d. Auto fueling stations;
- 130 e. Public utility facilities and structures;
- 131 f. Pipeline and railroads;
- 132 ~~g. Heliports;~~
- 133 **gh.** Greenhouses and garden supplies;
- 134 **hi.** Light or custom manufacturing, repair, fabricating, and assembly, provided such
135 use, including storage of materials, is wholly within an enclosed building;
- 136 **ij.** Shelter for the homeless, provided any lot used for such shelter does not abut a
137 residential zoning district;
- 138 **jk.** More than one building containing a permitted principal use on a lot;
- 139 **kl.** Group care homes and assisted living homes;
- 140 **lm.** Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber
141 Subdivision to Heath Street;
- 142 **na.** One small wind energy system having a rated capacity exceeding 10 kilowatts;
143 provided, that it is the only wind energy system of any capacity on the lot;
- 144 **ne.** Other uses approved pursuant to HCC 21.04.020.

145
146 Section 6. HCC 21.24.030, Conditional uses and structures (General Commercial 1), is
147 amended to read as follows:

148
149 21.24.030 Conditional uses and structures. The following uses may be permitted in the
150 General Commercial 1 District when authorized by conditional use permit issued in accordance
151 with Chapter 21.71 HCC:

- 152 a. Campgrounds;
- 153 b. Crematoriums;
- 154 c. Multiple-family dwelling;
- 155 d. Public utility facility or structure;
- 156 e. Mobile home parks;
- 157 f. Planned unit developments;
- 158 g. Townhouses;
- 159 h. Pipelines and railroads;
- 160 ~~i. Heliports;~~
- 161 **ij.** Shelter for the homeless, provided any lot used for such shelter does not abut an RO,
162 RR, or UR zoning district;

[Bold and underlined added. Deleted language stricken through.]

- 163 ~~jk.~~ More than one building containing a permitted principal use on a lot;
- 164 ~~kl.~~ Day care facilities; provided, however, that outdoor play areas must be fenced;
- 165 ~~lm.~~ Other uses approved pursuant to HCC 21.04.020;
- 166 ~~mn.~~ Indoor recreational facilities;
- 167 ~~no.~~ Outdoor recreational facilities.

168
169 Section 7. HCC 21.26.030, Conditional uses and structures (General Commercial 2), is
170 amended to read as follows:

171
172 21.26.030 Conditional uses and structures. The following uses may be permitted in the
173 General Commercial 2 District when authorized by conditional use permit issued in accordance
174 with Chapter 21.71 HCC

- 175 a. Mobile home parks;
- 176 b. Construction camps;
- 177 c. Extractive enterprises, including the mining, quarrying and crushing of gravel, sand
178 and other earth products and batch plants for asphalt or concrete;
- 179 d. Bulk petroleum product storage above ground;
- 180 e. Planned unit developments, excluding residential uses;
- 181 f. Campgrounds;
- 182 g. Junk yard;
- 183 h. Kennels;
- 184 i. Public utility facilities and structures;
- 185 j. Pipelines and railroads;
- 186 k. Impound yards;
- 187 l. Shelter for the homeless, provided any lot used for such shelter does not abut an
188 urban, rural or office residential zoning district;
- 189 m. More than one building containing a permitted principal use on a lot;
- 190 n. Day care facilities; provided, however, that outdoor play areas must be fenced;
- 191 o. Group care homes and assisted living homes;
- 192 p. Other uses approved pursuant to HCC 21.04.020;
- 193 q. Indoor recreational facilities;
- 194 r. Outdoor recreational facilities. [Ord. 08-29, 2008].

195 s. Helipads.

196
197 Section 8. HCC 21.28.030, Conditional uses and structures (Marine Commercial), is
198 amended to read as follows:

199
200 21.28.030 Conditional uses and structures. The following uses may be permitted in the
201 Marine Commercial District when authorized by conditional use permit issued in accordance
202 with Chapter 21.71 HCC:

[Bold and underlined added. Deleted language stricken through.]

- 203 a. Drinking establishments;
204 b. Public utility facilities and structures;
205 ~~c. Heliports;~~
206 ~~cd.~~ Hotels and motels;
207 ~~de.~~ Lodging;
208 ~~ef.~~ More than one building containing a permitted principal use on a lot;
209 ~~fg.~~ Planned unit developments, limited to water-dependent and water-related uses,
210 with no dwelling units except as permitted by HCC 21.28.020(o);
211 ~~gh.~~ Indoor recreational facilities;
212 ~~hi.~~ Outdoor recreational facilities;
213 ~~ij.~~ The location of a building within a setback area required by HCC 21.28.040(b). In
214 addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building
215 must meet the following standards:
216 1. Not have a greater negative effect on the value of the adjoining property than
217 a building located outside the setback area; and
218 2. Have a design that is compatible with that of the structures on the adjoining
219 property.

220
221 Section 9. HCC 21.30.030, Conditional uses and structures (Marine Industrial), is
222 amended to read as follows:

223
224 21.30.030 Conditional uses and structures. The following uses may be permitted in the
225 Marine Industrial District when authorized by conditional use permit issued in accordance with
226 Chapter 21.71 HCC:

- 227 a. Planned unit development, limited to water-dependent or water-related uses and
228 excluding all dwellings;
229 b. Boat sales, rentals, service, repair and storage, and boat manufacturing;
230 c. Extractive enterprises related to other uses permitted in the district;
231 d. Campgrounds;
232 e. Bulk petroleum storage;
233 **f. Helipads;**
234 **gf.** Heliports;
235 **hg.** Indoor recreational facilities;
236 **ih.** Outdoor recreational facilities;
237 **ji.** Public utility facilities and structures;
238 **kj.** The location of a building within a setback area required by HCC 21.30.040(b). In
239 addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building
240 must meet the following standards:
241 1. Not have a greater negative effect on the value of the adjoining property than a
242 building located outside the setback area; and

[Bold and underlined added. Deleted language stricken through.]

243 2. Have a design that is compatible with that of the structures on the adjoining
244 property.

245

246 Section 10. HCC 21.32.030, Conditional uses and structures (Open Space -- Recreation),
247 is amended to read as follows:

248

249 21.32.030 Conditional uses and structures. The following uses may be conditionally
250 permitted in the Open Space – Recreation District when authorized by conditional use permit
251 issued in accordance with Chapter 21.71 HCC:

252 a. Public utility facilities and structures;

253 b. Any structures used for uses permitted outright in the district;

254 c. Fishing gear and boat storage;

255 d. Campgrounds;

256 e. Pipelines and railroads;

257 f. Parking areas;

258 ~~g. Heliports;~~

259 **gh.** Other open space and recreation uses;

260 **hi.** Indoor recreational facilities;

261 **ij.** Outdoor recreational facilities.

262

263 Section 11. HCC 21.40.050, Permitted uses and structures (Bridge Creek Watershed
264 Protection District), is amended to read as follows:

265

266 21.40.060 Conditional uses and structures. The following uses are permitted in the
267 BCWP district if authorized by a conditional use permit granted in accordance with Chapter
268 21.71 HCC and subject to the other requirements of this chapter:

269 a. Cemeteries;

270 b. Public utility facilities and structures;

271 c. Timber harvesting operations, timber growing, and forest crops, provided they
272 conform to HCC 21.40.100;

273 d. Agricultural activity and stables, if they conform to HCC 21.40.090, but not including
274 farming of swine;

275 e. Other uses similar to uses permitted and conditionally permitted in the BCWP
276 district, as approved by written decision of the Planning Commission upon application of the
277 property owner and after a public hearing;

278 f. Uses, activities, structures, exceptions, or other things described as requiring a
279 conditional use permit in HCC 21.40.080(a), 21.40.110(b) or any other provision of this chapter;

280 g. More than one building containing a permitted principal use on a lot.

281 **h. Helipads.**

282

[Bold and underlined added. Deleted language stricken through.]



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

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

Memorandum 14-02

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: September 17, 2014
SUBJECT: AN ORDINANCE OF THE HOMER CITY COUNCIL AMENDING HOMER CITY CODE 21.70.010, ZONING PERMIT REQUIRED, AND 21.90.030, INVALID LAND USE PERMITS, REGARDING THE REQUIREMENT FOR A ZONING PERMIT AND THE RELATIONSHIP OF ZONING VIOLATIONS TO PERMIT ISSUANCE.

Introduction: The Planning Department shall evaluate all amendments to Title 21.

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

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

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

Staff response: The proposed changes do support objectives regarding affordable housing. Permitting otherwise lawful development is much more affordable than destroying or moving away and starting over.

b. Will be reasonable to implement and enforce.

Staff response: The proposed amendment does not introduce any new implementation or enforcement requirements not already in place. It will be reasonable to implement and enforce.

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

Staff response: The proposed amendment does not hinder the future public health, safety and welfare. All new developments will be required to comply with current code.

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

Staff response: The amendments have been reviewed by the City Attorney and are deemed consistent with the intent and wording of the other provision of this title.

21.95.010 Initiating a code amendment.

Staff response: The code amendment was initiated by the City Manager as permitted by HCC 21.95.010(a)

21.95.030 Restriction on repeating failed amendment proposals.

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

Staff Recommendation: Forward positive recommendation for adoption to City Council.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

July 2014

You are being sent this letter because you may have an interest in where “**heliports**” and “**helipads**” are permitted. The Homer Advisory Planning Commission has DRAFTED a “**heliport**” ordinance and would like your feedback. Due to the busy summer season, the Planning Commission is delaying the public hearing until:

Date: Wednesday, September 17, 2014, 6:30 pm

Where: Cowles Council Chambers, City Hall, 491 Pioneer Avenue

Why a change? Currently “**heliports**” are allowed in the residential districts where our neighborhoods and schools are located; yet not listed in the Residential Office district where the hospital is located with air ambulance flights. The draft ordinance helps to maintain neighborhood characteristics while designating appropriate areas for **heliports** and **helipads**.

First, what is the difference between “helipads” and “heliports”? In a nutshell, a “**helipad**” is take-offs and landings location only, with no permanent structures. A “**heliport**” includes hangers, servicing, refueling and storage.

“**Helipad**” means any surface where a helicopter takes off or lands, but excludes permanent facilities for loading or unloading goods or passengers, or for fueling, servicing or storing helicopters.

“**Helipad**” **Location:** The Planning Commission focused on location only, leaving it to the experts to administer flight standards. As proposed, “**helipad**” (take-offs and landings only) would need a Conditional Use Permit at the:

- Hospital
- General Commercial 2 district encompasses the airport and allows **heliports**. “**Helipads**” would be conditionally permitted (outside the airport boundary) in the GC2 district (along Kachemak Drive).
- Marine Industrial district which includes the commercial fish dock area and the east side of the Spit.
- Bridge Creek Watershed Protection District (north of Skyline Drive)

“**Heliports**” means any place including airports, fields, rooftops, etc., where helicopters regularly land and take off, and where helicopters may be serviced or stored.

Understandably, “**heliports**” are allowed at the airport. In addition, as proposed “**heliports**” would need an approved Conditional Use Permit in the Marine Industrial District.

More information is on the City’s web site: www.cityofhomer-ak.gov/planning. Please call Dotti Harness-Foster at 907-235-3106 if you have questions or submit written comments (above in the letterhead).

From: '2&) 5 6 [&2 ^ 2&\)](#) 7 2 # 0 8
Sent: " 9 ^ 5"
To:
Subject: 3 2&) 4 \$ &

To Whom it may concern,

Helicopter service on Kachemak Drive or on the Homer Spit is at odds with the environmental, scenic, spiritual, and tourism interests of the City of Homer. They are noise and visual pollution in the pristine environs that make our area unique. Please contain this disturbance within the Homer Airport, where it belongs, rather than allowing such development to sprawl.

Sincerely,

Alice Porter

Iris Court, Homer
35 year Homer resident
Retired teacher, frequent substitute teacher
Environmental educator
Senior citizen

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9/9/2014

**CITY OF HOMER
PLANNING/ZONING**

From: Jo Johnson
Sent: Tuesday, September 09, 2014 1:59 PM
To: Travis Brown
Subject: FW: proposed helicopter traffic on spit

From: michael Bavers [<mailto:mbavers@yahoo.com>]
Sent: Tuesday, September 09, 2014 12:18 PM
To: Jo Johnson
Subject: proposed helicopter traffic on spit

I am opposed to this. Helicopters are very noisy and disruptive to peaceful and quiet enjoyment. There is already too much helicopter traffic in the area. Their noise is more annoying than most other aircraft, and it lasts longer. Also, it is disturbing to wildlife.

michael bavarsky
po box 15115
fritz creek
9072990163

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9/9/2014

CITY OF HOMER
PLANNING/ZONING

41640 Gladys Ct
Homer, AK 99603

September 10, 2014

Homer Planning Commission
City of Homer
Homer, AK 99603

Dear Planning Commission Members:

I am opposed to helicopter facilities in additional areas of Homer, that is, in any other area besides the hospital and the airport. Permission should not be given for any of the additional facilities on the spit, on Kachemak Drive, or in the Bridge Creek Watershed Area.

I believe additional helicopter sites in Homer would have a major impact:

Increased noise over the town, especially bad in adjacent neighborhoods and below the flight path for takeoffs and landings. Research has shown that helicopters are much more disruptive to people and wildlife than fixed-wing plane flight noise.

Increased danger to neighborhood residents and property and to small planes in the vicinity. Away from the airport, there would be no flight control.

Decreased property values surrounding each facility and the threat to future neighborhood development of not knowing where/when these might be built.

Decreased desirability of Homer as a tourist destination. Homer would eventually become a very noisy place to visit especially out on the spit.

Potential negative effect on and disturbance of migratory birds and wildlife in these areas.

Helicopter traffic should be confined to the airport because there is adequate safety and communication equipment and trained personnel there in case of an accident or fire. There would always be a traffic control official on duty. The noise would not affect all those other areas of town. The airport is centrally located—close to the spit and Kachemak Drive.

Homer is such a beautiful, special place. A treasure to be cherished. Allowing helicopters in those other areas would have a major negative impact on Homer and would not be a wise thing to do.

Lani Raymond

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9/11/2014

CITY OF HOMER
PLANNING/ZONING

Homer Planning Commission Advisory Board
City of Homer
491 E. Pioneer Ave
Homer, AK 99603

September 11, 2014

RE: Helipad/Heliport

Dear Honorable Committee Members:

I am writing to formally request your support for amending the City of Homer's existing ordinance to allow helicopter landings on South Peninsula Hospital's helipad. I am on the Operating Board of South Peninsula Hospital, and would testify in person, however we have a board meeting on Wednesday, September 17th.

I doubt this is a controversial issue, but I do want to voice my support – not as a board member, but as a mother who has had to medivac both of my children out of Homer for medical emergencies. While I pray no one has to experience this, and our helipad sits unused due to our family and friends being whole and healthy – we need to know this service is there if needed.

Finally, I want to thank each of you for committing the time to serve on this committee. As I write this letter, it is September 11th, a day to give thanks for our freedom and our rights as Americans, and your role in our local government is a direct example of that. Thank you for your service, it does not go unnoticed.

If you have any questions concerning this letter or any other hospital matters, please feel free to contact me a 399-4488.

Thank You,

Sincerely,



Julie Woodworth
Homer Citizen
PO Box 1012
Homer, AK 99603

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SEP 11 2014

CITY OF HOMER
PLANNING/ZONING

From: Jo Johnson
Sent: Thursday, September 11, 2014 8:30 AM
To: Travis Brown
Subject: FW: Comments for Planning Commission re: helicopter/heliport hearing
Attachments: Commnets on Heliport.docx

From: Jason Sodergren [<mailto:jason@taiga.com>]
Sent: Wednesday, September 10, 2014 8:01 PM
To: Jo Johnson
Cc: George Matz; Lani Raymond
Subject: Comments for Planning Commission re: helicopter/heliport hearing

Hello.

On behalf of the Kachemak Bay Birders group, I'm attaching comments that we submitted when this topic last arose in May 2013.

Although this attached letter specifically references Conditional Permit Application #13-07, the points made in the letter are relevant to the current proposal to allow helipads with a CUP in General Commercial 2 along Kachemak Drive, Marine Industrial on the spit and the Bridge Creek Watershed Protection District, and as an accessory to the South Peninsula Hospital in the Residential Office Zoning District.

We would appreciate inclusion of this letter in the comments provided to the Planning Commission.

Thank you!

- Jason Sodergren for Kachemak Bay Birders (chair)
jason@taiga.com
907-399-2330

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9/11/2014

**CITY OF HOMER
PLANNING/ZONING**



<http://kachemakbaybirders.org/>

May 29, 2013

Homer Advisory Planning Commission
491 East Pioneer Avenue
Homer, Alaska 99603

Dear Commission Members:

Kachemak Bay Birders, a Homer-based birding club, wishes to comment on the Conditional Use Permit Application 13-07 from Eric Lee to establish a heliport on the Homer Spit. Based on our knowledge of birds in the Homer Spit area, we believe that a heliport meant for general aviation (which is what is being proposed) poses a very high risk to both people and birds. In addition, we know from our observations on the Homer Spit that low flying helicopter traffic is more disruptive to migrating birds than planes, often causing evasive flight.

Not all species of birds pose significant risk to aircraft but large, gliding birds definitely do. Gulls and eagles, which routinely glide up and down the spit at low elevation while foraging, will be particularly risky to helicopters that are landing and taking off on the spit. This situation is totally dismissed by the applicant when he says; "The helicopter creates no more of a hazard than the many aircraft that fly transit the spit to get to and from both the Homer Airport." The aircraft he refers to are not flying at the same elevation as these birds. Not being aware of these subtle differences seems to us to increase the potential for a helicopter/bird collision.

For the past five years the Kachemak Bay Birders has been monitoring the spring shorebird migration on the Homer Spit. Our protocol asks the observer to note any disturbances to shorebirds. From these observations we know that helicopters are more disruptive than planes because their flight pattern approaches flocks of birds feeding and resting in the intertidal area. Only planes taking off are noisy and their flight pattern and noise is away from, not directed to the birds. Numerous scientific studies (available upon request) have documented the disproportional impact of helicopters on migratory birds, compared to fixed-winged aircraft. Again, the applicant over generalizes and does not seem to be aware of what is or is not a risk or disturbance.

We are concerned that the disturbance of a helicopter pad on the spit to migratory shorebirds might reduce the value of Homer as a destination for eco-tourists and birdwatchers, especially during the shorebird festival. Other communities in the region (e.g. Kenai, Seward, Cordova, Yakutat) are beginning to cash in on their migratory birds to attract visitors, sometimes in direct competition to our popular Homer events. Increased helicopter traffic on the spit would devalue

Homer as a destination for human and avian visitors alike, resulting in very tangible negative impacts for the Homer business community.

Unfortunately, the FAA does not oversee development of heliports for general aviation use. The FAA says in its Part 139 Airport Certification document that “it is not in the public interest to certificate heliports at this time and has exempted operators of heliports from complying with Part 139 requirements... Heliports typically are used by general aviation operators and serve very few air carrier operations....Congress has not given FAA the authority to certificate facilities serving general aviation operations.” This means that the burden and knowledge needed to avoid the risks and liabilities associated with this Conditional Use Permit Application now rest with the Homer Advisory Planning Commission. We urge that unless you feel absolutely certain that there will be no risk or nuisance resulting from the proposed heliport that you take the rational precautionary approach and deny the Conditional Use Permit 13-07.

Also, we note that denying this permit application does not preclude offering helicopter services in the Kachemak Bay area. Helicopter service will still be available at the Homer Airport. Though travel of an extra mile or two from a cruise ship may not be as convenient, the extra convenience of a heliport in the middle of the spit is not at all worth the risk and nuisance to the public and birds.

We thank you for this opportunity.

Sincerely,



George Matz, Chair

From: Jo Johnson
Sent: Thursday, September 11, 2014 8:30 AM
To: Travis Brown
Subject: FW: Helipads around Homer

From: Nina Faust [<mailto:fausbail@horizonsatellite.com>]
Sent: Wednesday, September 10, 2014 9:47 PM
To: Jo Johnson
Subject: Helipads around Homer

P.O. Box 2994
Homer, AK 99603

September 10, 2014

Homer Planning Commission
City of Homer
Homer AK 99603

Dear Planning Commission Members:

I am opposed to heliports in areas of Homer other than the airport and the hospital. I do not support allowing helipads in the Bridge Creek area. Even though Conditional Use Permits (CUPs) will be required, I object to the additional noise helicopter take offs and landings would bring to parts of town that are now relatively quiet, the increased hazards to surrounding properties in case of an accident, potential reduction in property values nearby residences may suffer, and finally, the lack of certainty for property owners as to whether or not their properties may have a heliport nearby.

Helicopters are a contentious issue. Other communities have grappled with this problem. One common complaint about helicopter businesses, particularly flightseeing, is noise. I can imagine the frustrations property owners who currently enjoy relative peace and quiet but are adjacent to areas that were zoned commercial by the city will have if a helipad is granted a heliport CUP nearby. I believe the city is better served by keeping this noisy and potentially dangerous activity in the airport area where there are already emergency response vehicles in case of a crash or fire.

If the business requesting a CUP is a flightseeing business, the noise from many take offs and landings will be a huge annoyance to all neighborhoods surrounding the helipad. Conflicts will increase as Homer grows.

Bringing helicopter flights to other parts of the community that were not meant to be a flight zone for frequent helicopter landings is an unreasonable use to impose on those that would have to live with it. These helipads could conflict with and impact nearby Conservation Areas set aside for bird habitat. Also, the FAA would not be controlling the take offs and landings at heliports, an added concern. The airport is in a convenient location, so it would be sensible for companies needing helicopter support to be sited there.

Let's not mix this incompatible use right into the midst of our community. We are truly fortunate not to have this noisy industry plunked down in commercial zones where there are already people living in nearby neighborhoods who have invested in their homes. Granting a CUP for a helicopter-based business surrounded by the rest of the community weighs more heavily toward that one person or

business and does not adequately consider the huge investment by all the rest of the surrounding property owners.

Let's keep Homer a place of quiet beauty by not allowing helicopter traffic into the rest of Homer. Keep helicopters confined to the airport.

Sincerely,

Nina Faust

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9/11/2014

**CITY OF HOMER
PLANNING/ZONING**

Lay Down at September 17, 2014 HAPC Meeting

September 13, 2014

Dear Honorable Homer Planning Advisory Commission,

When the Homer Spit Comprehensive Plan was being developed the prevailing public comment was “do not despoil this unique resource” by overdevelopment, poor architectural design, viewsheds being blocked by condominiums, and of paramount importance preserve the open space and character of Kachemak Bay as a place of quiet beauty. Many people were concerned about noise and the ‘general confusion’ of activity on the Spit. There was a fear that the waterfront and bay could become a hub for everything from hovercrafts, personal jet skis to helicopters buzzing in and out servicing cruise ships and tourists.

Existing marine charter services serve the tourist public well. Do not open the door to helicopter services from the Spit. As written, the proposed Conditional Use change to the code will allow heliports and helipads on the Spit.

In his staff memo, the planning director states; “Understandably, “**heliports**” are allowed at the airport. In addition, as proposed “**heliports**” would need an approved Conditional Use Permit in the Marine Industrial District.” No mention is made of helipads but helipads as a category is allowed as a CU as follows:

21.30.030 Conditional uses and structures. The following uses may be permitted in the 225 Marine Industrial District when authorized by conditional use permit issued in accordance with

226 Chapter 21.71 HCC:

227 a. Planned unit development, limited to water-dependent or water-related uses and

228 excluding all dwellings;

229 b. Boat sales, rentals, service, repair and storage, and boat manufacturing;

230 c. Extractive enterprises related to other uses permitted in the district;

231 d. Campgrounds;

232 e. Bulk petroleum storage;

233 f. Helipads;

234 g. Heliports;

235 h. Indoor recreational facilities;

236 i. Outdoor recreational facilities;

237 j. Public utility facilities and structures;

The Planning Advisory Commission should strike out ‘**Heliports**’ as a Conditional Use for the Marine Industrial District 21.30.030 and develop more relevant review criteria for **Helipads** in the Marine Industrial District.

The existing criteria for approving a conditional use has poor applicability to the Marine Industrial District:

21.71.030 Review criteria (Conditional Use)

The applicant must produce evidence sufficient to enable meaningful review of the application. Unless exceptions or other criteria are stated elsewhere in this code, the application will be reviewed under these criteria:

a. The applicable code authorizes each proposed use and structure by conditional use permit in that zoning district.

- b. The proposed use(s) and structure(s) are compatible with the purpose of the zoning district in which the lot is located.
- c. The value of the adjoining property will not be negatively affected greater than that anticipated from other permitted or conditionally permitted uses in this district.
- d. The proposal is compatible with existing uses of surrounding land.
- e. Public services and facilities are or will be, prior to occupancy, adequate to serve the proposed use and structure.
- f. Considering harmony in scale, bulk, coverage and density, generation of traffic, the nature and intensity of the proposed use, and other relevant effects, the proposal will not cause undue harmful effect upon desirable neighborhood character.
- g. The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area or the City as a whole.
- h. The proposal does or will comply with the applicable regulations and conditions specified in this title for such use.
- i. The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.
- j. The proposal will comply with all applicable provisions of the Community Design Manual. [Ord. 08-60 § 1, 2008; Ord. 08-29, 2008].

I ask the Planning Advisory Commission to please consider the following criteria for a Conditional Use within the Marine Industrial District:

Helipads in the Marine Industrial District shall only be allowed as a conditional use when a helicopter is needed to;

1. Support a Port of Homer authorized related project, service or safety and security function,
2. Provide tender services for offshore or docked vessels,
3. Provide transport of materials and supplies to marine vessels,
4. Support search and rescue operations, oil spill prevention, abatement or cleanup or related services, incident command, Coast Guard or public safety requirements,
5. Provide incidental or short-term use for marine related needs but does not involve a reoccurring use such as tourism related services, support to cruise ships, or cruise ship services or bookings.
6. Helicopter services shall meet strict safety and environmental standards as established by the City of Homer and operate without the need for permanent or temporary support structures or services, unless conditionally approved.

I hope you will carefully consider removing 'Heliports' from the Marine Industrial District and give greater attention to criteria for the conditional use of 'Helipads' on the Homer Spit.

Thank You.

Jack Wiles
 PO Box 639
 Homer AK 99603

RECEIVED

9/15/2014

**CITY OF HOMER
 PLANNING/ZONING**

Lay Down at September 17, 2014 HAPC Meeting



Administration
4300 Bartlett Street
Homer, AK 99603
907-235-0325 ~ 907-235-0253 fax

September 16, 2014

Homer Advisory Planning Commission
491 East Pioneer Avenue
Homer, AK 99603

RE: Heliports and Helipads zoning code amendment

To whom it may concern,

Thank you for the opportunity to voice our support of the proposed changes to the city code which will officially permit a helipad at South Peninsula Hospital.

South Peninsula Hospital has operated with a helipad on site for more than 26 years. The importance of a helipad in our rural community is to both accommodate the need for immediate medical evacuations of patients who cannot be cared for at the hospital, and to receive patients who might arrive from a remote location via helicopter. Though we are a Trauma Level IV facility with all the necessary ancillary support services to care for most of the patient needs, there are highly specific services such as response to some strokes, a burn unit or cardiology care that we do not have. Immediate transport affects the outcomes for such patients needing that care. The difference in time between a helicopter flight directly from the hospital and an ambulance ride to the airport for a fixed wing transport can be more than one hour. With an extensive trauma or critical care event, that hour can be the difference between life and death.

South Peninsula Hospital had 75 medevacs in 2013, 23 of them via helicopter. To date in 2014 there have been 88 medevacs, with 30 of those via helicopter. Other methods of medevacs are fixed wing and road transport.

Our helistop is safe and creates minimal sound pollution. The rooftop stop was constructed in 2009 as part of the hospital expansion. It is a modern design and is 100% compliant with fire suppression requirements. In July of this year we installed a fire pump and deluge valve that connects to a foam fire suppression nozzle. The nozzle automatically oscillates when activated. The new system is manually activated but operates remotely without manpower.

The times of use are random, with no pattern or predictability of traffic. Sound pollution in the neighborhood is kept to a minimum as much as possible, as the amount of time the helicopter is flying overhead or idling at the helistop is brief. After arriving to transport a patient, the helicopter motor is turned off while waiting for the flight nursing team to load the patient. In some cases the helicopter drops off the nursing team then heads to the airport for fuel, returning to pick up the team and patient and head out.

On behalf of the residents of the entire southern Kenai Peninsula hospital service area, thank you for amending the zoning codes as necessary to ensure continued best practices and standards of excellence.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Letson".

Robert Letson
Chief Executive Officer
South Peninsula Hospital
4300 Bartlett St.
Homer, AK 99603
rfl@sphosp.org
(907) 235-0326

RECEIVED

SEP 17 2014

**CITY OF HOMER
PLANNING/ZONING**

Lay Down at September 17, 2014 HAPC Meeting

From: Matt Freund <mdfreund@gmail.com>
Sent: Tuesday, September 16, 2014 11:00 AM
To: Department Planning
Subject: Helipads

Mr. Abboud,

As a new helicopter pilot and Homer property owner, I read your zoning proposal with interest.

As with the Hospital, I would propose Helipad be a permissible accessory use for other zoning districts.

This ensures that a standalone helipad requires approval, but would allow the use of helicopters where they are accessory to the conforming primary use of the property.

The shortest distance between two points is a straight line. Helicopters allow efficient point-to-point travel, especially in a state with challenging terrain and limited road resources. Just as with a critically sick patient at the hospital, the requirement to travel first to the airport, then to a helicopter blunts the time and efficiency advantage, and actually increases the carbon footprint.

If additional restrictions are desired to address what seems to be a non-existent problem, perhaps a weight limit could be considered. Helicopters under 6000 lbs should be exempt.

Please confirm your receipt of this email.

Kind regards,
Matt Freund
316-640-9393

RECEIVED

9/16/2014

**CITY OF HOMER
PLANNING/ZONING**

takes place in the long term with the right outcome that serves the quality for Homer and for the people who live in the area.

Reconsideration

Adoption of Consent Agenda

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

- A. Approval of Minutes of September 3, 2014 meeting

Chair Stead called for a motion to adopt the consent agenda.

HIGHLAND/VENUTI SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Presentations

Reports

- A. Staff Report PL 14-84, City Planner's Report

City Planner Abboud reviewed the staff report.

- B. KPB Planning Commission Report – Franco Venuti

Commissioner Venuti gave his report at the worksession.

Public Hearings

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

- A. Staff Report PL 14-85, Proposed zoning code amendments to change where heliports and helipads are allowed within the City, creates definitions for helipads and changed the definition of hospital.

City Planner Abboud reviewed the staff report.

Chair Stead opened the public hearing.



Scott Adams, city resident, expressed his concern about allowing helicopter landings in the Bridge Creek Watershed. He is not opposed to allowing it at the hospital or at the airport. Since Bridge Creek is city owned, but the outlying area are Borough, they should work together, along with the FAA. The air traffic in Homer is increasing and helicopters don't have to abide by FAA rules so they can fly at any level they want. You have to think about what is going to happen in the future and the flight patterns they will be using. He has had issues with a local company, has been in contact with the FAA for the last 18 months because of the improper flying, and has had helicopters landing in his subdivision. He would like to curtail this before it gets worse.

Derotha Ferraro, Director of Public Relations and Marketing for South Peninsula Hospital, noted the letter in the packet from Bob Letson, CEO, regarding the importance of the helipad at the hospital, the great service it is to the community, and that the community voted on this some years ago. She asked for clarification about the definition of hospital, and if this change will require the hospital to acquire a CUP. She also introduced Glen Radtke, SPH Director of Facilities and said they were available to answer questions the Commission has about their helipad. City Planner Abboud explained that currently there isn't a definition of hospital in city code, so this includes adding the state's definition. He doesn't believe a CUP would be necessary for SPH but encouraged them to contact the planning department.

Robert Archibald, city resident, commented that he doesn't see any reference to helicopter size in this draft ordinance. He encouraged the Commission to consider limiting size. Without limitations on size and horsepower and allowing the use without a CUP he questions how they will limit helicopters. He doesn't agree with any of the amendments that don't require a CUP. He thinks the citizens of this town deserve to have some input into what is landing in their subdivisions. He thinks there will be development at the airport that will allow more area for this use. He doesn't want helicopters landing any closer to the houses than they are now. He doesn't like to see them landing inside city limits. There are places that have fly in subdivisions where a person buys a house on an airstrip; they know what they are getting. If helicopters are allowed to land where ever they want in the city, then people don't have a decision.

Kevin Dee commented that in discussion with the Ageya board they agree that what makes a healthy ecological system is also the presence of wildlife and animals. Homer is expanding and maintaining a healthy ecology in the Bridge Creek Watershed is important. Ageya's business model is built on the wilderness area. Anything that is done to increase traffic or noise could affect quality of life for wildlife and people as well. They also look at is the use of helipads for people in a non-recreational manner, they would advocate for a CUP and FAA attachment. They would be interested in what marking should be there, clearances around helipads and hazards that it may bring. He encouraged that this use should be approached slowly.

There were no further comments and the hearing was closed.

VENUTI/STROOZAS MOVED TO FORWARD THIS DRAFT ORDINANCE REGARDING HELIPOINTS AND HELIPADS TO THE CITY COUNCIL FOR PUBLIC HEARING AND ADOPTION.

Commissioner Highland commented that she doesn't support heliports being allowed outright in GC2. She referenced the information from Jack Wiles that was presented as a laydown that includes ideas regarding criteria for conditional use in the marine industrial district.

HIGHLAND/ERICKSON MOVED TO AMEND THE ORIGINAL MOTION TO ADD "HELIPADS AND HELIPORTS IN THE MARINE INDUSTRIAL DISTRICT SHALL ONLY BE ALLOWED AS A CONDITIONAL USE WHEN A HELICOPTER IS NEEDED TO:

1. SUPPORT A PORT OF HOMER AUTHORIZED RELATED PROJECT, SERVICE OR SAFETY AND SECURITY FUNCTION,
2. PROVIDE TENDER SERVICES FOR OFFSHORE OR DOCKED VESSELS,
3. PROVIDE TRANSPORT OF MATERIALS AND SUPPLIES TO MARINE VESSELS,
4. SUPPORT SEARCH AND RESCUE OPERATION, OIL SPILL PREVENTION, ABATEMENT OR CLEANUP OR RELATED SERVICES, INCIDENT COMMAND, COAST GUARD OR PUBLIC SAFETY REQUIREMENTS,
5. PROVIDE INCIDENTAL OR SHORT-TERM USE FOR MARINE RELATED NEEDS BUT DOES NOT INVOLVE A REOCCURRING USE SUCH AS TOURISM RELATED SERVICES, SUPPORT TO CRUISE SHIPS, OR CRUISE SHIP SERVICES OR BOOKINGS.
6. HELICOPTER SERVICES SHALL MEET STRICT SAFETY AND ENVIRONMENTAL STANDARDS AS ESTABLISHED BY THE CITY OF HOMER AND OPERATE WITHOUT THE NEED FOR PERMANENT OR TEMPORARY SUPPORT STRUCTURES OR SERVICES, UNLESS CONDITIONALLY APPROVED.

Commissioner Venuti commented that as a CUP, an applicant has to come in and convince the commission it is in the interest of public good. He pointed out that 20 years ago much of the heavy equipment involved in developing Bradley Lake was transported from the end of the spit by a large helicopter. He doesn't agree the possibility of that happening again should be eliminated. He doesn't agree that this be added to the CUP criteria.

Commissioners Stroozas and Bos commented in agreement with Commissioner Venuti's remarks.

Chair Stead questioned if search and rescue operations, oil spill prevention, abatement, and so forth currently need a CUP. City Planner Abboud responded that if there is an emergency situation we aren't going to hold it up by having them apply for a CUP.

Commissioner Highland stated that she does not support helicopters anywhere but the airport and the hospital. She could support it in the Marine Industrial district with the amendments she proposed.

VOTE (Amendment): YES: HIGHLAND

NO: ERICKSON, STEAD, VENUTI, STROOZAS, BRADLEY, BOS

Motion failed.

HIGHLAND/ERICKSON MOVED TO AMEND THAT THE PERMITTED USE IN ALL OF GC2 FOR HELIPORTS AND HELIPADS BECOME A CUP EXCEPT FOR AT THE AIRPORT.

Commissioner Highland said she thinks it's a very good idea to require a CUP in any GC2 area outside the airport. Her preference is that they only be allowed at the airport.

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
SEPTEMBER 17, 2014

VOTE (Amendment): YES: ERICKSON, BRADLEY, HIGHLAND, VENUTI
NO: STEAD, STROOZAS, BOS

Motion carried.

ERICKSON/HIGHLAND MOVED TO AMEND THAT THE BRIDGE CREEK WATERSHED HELIPADS NOT BE ALLOWED TO HAVE A HELIPAD.

Commissioner Highland expressed her agreement with the motion. Landings and takeoffs are the most dangerous helicopter operations, and it would be disruptive. The watershed is number one for protection and not worth taking any extra chances.

VOTE (Amendment): YES: STEAD, BRADLEY, VENUTI, HIGHLAND, ERICKSON
NO: STROOZAS, BOS

Motion carried.

There were comments that this is moving in the right direction from what was allowed previously.

VOTE (Main motion as amended): YES: BOS, STEAD, ERICKSON, VENUTI, STROOZAS, BRADLEY
NO: HIGHLAND

Motion carried.

- B. Staff Report PL 14-86, Ordinance 14-45, An Ordinance Amending Homer City Code 21.93.060 Standing- Appeal to Board of Adjustment and 21.93.500 Parties Eligible to Appeal to Board of Adjustment - Notice of Appearance, Providing for the City Planner or Designee to Participate in Appeals to the Board of Adjustment.

City Planner Abboud reviewed the staff report.

Chair Stead opened the public hearing. There were no comments and the hearing was closed.

There was brief discussion of the role of the City Planner regarding Board of Adjustment hearings.

BOS/STROOZAS MOVED THAT THE PLANNING COMMISSION RECOMMENDS THE CITY COUNCIL ADOPT ORDINANCE 14-45.

There was no further discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Plat Consideration

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-50

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Transferring \$67,500 From the Information System Budget to a Designated Project Expense Account Within the Information System Depreciation Reserve Fund.

Sponsor: City Manager

1. City Council Regular Meeting October 13, 2014 Introduction
 - a. Memorandum 13-130 from IT Manager as backup
2. City Council Regular Meeting October 27, 2014 Public Hearing and Second Reading
 - a. Memorandum 13-130 from IT Manager as backup

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 14-50

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE FY 2014 OPERATING BUDGET BY TRANSFERRING
\$67,500 FROM THE INFORMATION SYSTEM BUDGET TO A
DESIGNATED PROJECT EXPENSE ACCOUNT CODE WITHIN THE
INFORMATION SYSTEM DEPRECIATION RESERVE FUND.

WHEREAS, The FY 2014 Information System Operating Budget contained \$30,000 for software and \$37,500 for servers and storage; and

WHEREAS, These funds were approved by the City Council in order to implement Phase I of the proposed IT Infrastructure Project which was fully described in Memorandum 13-130; and

WHEREAS, The funds were placed in the Operating Budget instead of a special project account because it was anticipated that the work would be completed within one year; and

WHEREAS, The project has been delayed and is not likely to be completed in 2014 due to rising server and storage costs which exceed the original estimate and because additional necessary and complimentary upgrades have been identified including improvements to the links between City buildings enabling upgrades to licensed frequencies; and

WHEREAS, The Administration is currently taking another look at funding and implementation strategies for accomplishing all phases of the proposed IT Infrastructure Project; and

WHEREAS, For the reasons described above, it is appropriate to transfer \$67,500 from the Operating Budget to a designated project expense account code within the Information Systems Depreciation Fund so that the funds will not lapse and will be available for three years.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

37 Section 1. The Homer City Council hereby amends the FY 2014 Operating Budget by
38 transferring \$67,500 from the Information Systems budget to a designated project expense
39 account code within the information systems depreciation reserve fund as follows:

40

41 Transfer From:

42

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
44 100-0113-5990	Software	\$30,000
45 100-0113-5990	Servers/Storage	\$37,500

46

47 Transfer To:

48

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
49 156-0398	IT Infrastructure Project	\$67,500
51	Memorandum 13-130	

52

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

55

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

58

59

CITY OF HOMER

60

61

62

MARY E. WYTHE, MAYOR

63

64

65 ATTEST:

66

67

68

JO JOHNSON, MMC, CITY CLERK

69

70

71

72

73

74 YES:

75 NO:

76 ABSTAIN:

77 ABSENT:

78

79

80

81 First Reading:

82 Public Hearing:

83 Second Reading:

84 Effective Date:

85

86

87

88 Reviewed and approved as to form:

89

90

91 _____

92 Walt Wrede, City Manager

93

94 Date: _____

95

96

97

Thomas F. Klinkner, City Attorney

Date: _____



Memorandum 13-130

TO: City Council

THROUGH: Walt Wrede - City Manager

FROM: Nick Poolos – IT Director

DATE: 9/4/13

SUBJECT: IT Infrastructure Project

Phase 1: Server Virtualization and Consolidation

Server Virtualization is using a special software system called a hypervisor to run multiple operating system instances on a single shared physical server. The current performance of an entry level server is more than is needed for any single application. This leads to a rack of mostly idle servers that are still drawing power 24 hours a day, 365 days a year. Running multiple servers is a requirement due to compliance rules and security concerns. For most city systems there is a need to separate certain datasets and users. Also running applications on separate servers isolated vendors from each other and prevents one vendor from blaming another for all issues.

Virtualization also enables some IT efficiencies as the "server" is now isolated from the specific server hardware and is running on a uniform and generalized platform. This allows the virtualization software to pick up and move a running server from one physical host to another and also mirror a running system to a remote site for disaster recovery. The moving of a running server requires that both physical servers be attached to a shared RAID storage system. The ability to move running servers allows IT to maximize the utilization of the servers and minimize downtime. These same tools will allow for point in time copies or snapshots of a running server. Snapshots can be made before any major change, patch or upgrade allowing for a quick recovery in case the changes don't go as planned. This is very important as the City does not have the staff or servers to maintain test environments for our applications where such changes could be tried before attempting with the production server and data. Snapshots are also the key to quick and constant backups. Currently the full backup of the city servers takes about 50 hours this is a concern as the city amasses more data this window will continue to expand. A snapshot can complete in seconds and then the backup software can copy the snapshot to the backup media. This allows for a consistent view of the server and data and since nothing is changing in snapshot the copy can be made quicker.

As a server now really just looks like a program running on the hypervisor, IT can make use of configuration templates. This will cut a new server installation time from 6 to 8 hours to 10-15 minutes. Also vendors are starting to ship "virtual appliances" that are preconfigured servers that install into a customer's virtual infrastructure. The city has already acquired one such system and is considering several others.

Currently there 4 new servers planned. If virtualization does not occur, the average cost of a server is \$2200 --with virtualization the additional servers are covered.

Server Virtualization Project Costs	
Shared RAID Storage System	\$35,000
VMware Virtualization Platform	\$15,000
Virtualization Enabled Backup	\$15,000
CPU and Memory Upgrade	\$2,500
Total	\$67,500

Phase 2: Microsoft Server and Client Management Tools

Currently the City has McAfee antivirus licensed. This software costs approximately \$3100 a year in maintenance. Over the past year McAfee has missed several pieces of malware costing the city approximately 70 man hours both in IT time and lost productivity while the workstation was unavailable. The missed malware is bad enough but McAfee has been actively blocking software updates, including Flash, Acrobat and Java, and installs. IT has spent at least 150 man hours working through these issues. The blocking of Flash, Acrobat and Java has been extremely concerning as there have been numerous wide spread attacks on these applications in the past year.

The client management tools are in a Product called "System Center Client Management Suite". These tools will allow IT to automate client update processes, improve client PC security by restricting the normal user access levels, an ensure compliance through unified security software, patch management, and reporting.

Server and Client Security and Automation	
Microsoft Enterprise CAL (110 FTE)	\$15,000
Microsoft Academic Desktop w/ Enterprise CAL (Library)	\$3,000
MS Server components and Professional Services	\$12,000
Total	\$30,000

This solution needs several new servers to run and thus requires phase 1.

Phase 3: Wireless Metropolitan Area Network (WMAN) Upgrades

Currently the City has 7 sites connected with 802.11a/n (Wi-Fi) radios. Data rates vary by site but are in the 12 – 40 Mbit/s range with 12- 15 Mbit/s being typical of most sites. These radios are using the “unlicensed” 5 Ghz band. There are a very limited number of channels available and they all have power restrictions (800mW, 250mW,200mW). By FCC rules all users of these frequencies must coordinate and resolve conflicts. When the city started using these radios 5GHz was not often found in consumer devices. This situation has changed as many devices have added 5GHz radios and more 802.11 devices are appearing everyday.

There are FCC licensed radios available where the end user obtains an exclusive license for a given frequency on a given link. The FCC maintains a database of these connections and acts as the frequency coordinator, thus guaranteeing an interference free link.

The other issue the city is facing are mandates that networks outside of certain secured buildings are encrypted by devices that have been validated to the FIPS 140-2 standard. Currently the city WMAN links are encrypted but the devices used have not been validated to the FIPS 140-2 standard. The first area to fall under these compliance mandates is Homer Police Department.

IT proposes building out a FIPS 140-2 validated WMAN making use of exclusively licensed FCC frequencies. The primary links should be in 350Mbit/s to 1 Gbit/s range. This will allow for further server consolidation of department servers into the virtual infrastructure. The exact radios and frequencies used will need to be developed during the licensing process. The primary network will be backed up by a citywide 4.9 GHz public safety network for security cameras, communications, etc.

The expected service life of the radios is 6-10 years depending on the model and upgradability. The FCC licenses have 10 year duration and will need be renewed at a reduced cost at that time.

Wireless Metropolitan Area Network	
Microwave Point-to-Point Radios (FIPS140-2)	\$100,000
FCC Licenses (7 or 8 Links)	\$35,000
4.9 Point to Multi Point Base Stations	\$18,000
4.9 "Subscriber" Endpoints	\$7,000
Mounting and Installation	\$20,000
Total	\$180,000

ORDINANCE(S)

CITY MANAGER'S REPORT



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

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

Memorandum 14-168

TO: Mayor Wythe and Homer City Council
THROUGH: Walt Wrede, City Manager
FROM: Julie Engebretsen, Deputy City Planner
DATE: October 21, 2014
SUBJECT: Park, Art, Recreation and Culture Needs Assessment

I'm pleased to report the project is on task and on budget. In just a few more weeks, some initial results will be released at the Community Meeting, scheduled for November 13th at Islands and Ocean. As of Thursday, October 16th, some 420 surveys had been completed. I'll have an updated number on Monday. I will be attending the Council meeting to answer any questions.

At the last Council meeting, questions were raised about the needs assessment.

1. Why doesn't the general community survey ask more questions about funding?

From the consultants about the survey and funding: "To the City Council's concerns: correct, it does not go into detail about funding mechanisms. We wanted to get people thinking about that, but getting too specific too early in the process might be putting the cart before the horse. We're still in the information gathering phase of learning what people are really doing and where some of the common priorities are. Once more of that picture emerges, it will be easier to talk about how to sustainably fund what people are willing to prioritize and maintain. We started by gently asking if people would be willing to explore different options, next we get the actual exploration. We can offer a few suggestions and explain how they work, but we don't want people to be too limited in their thinking too soon – that is asking for conflict, and it might cut off creative new ideas that might be more successful and appropriate."

Later in the project, the community meeting and the telephone survey will explore funding.

The final document will include a section about funding. It will explain various options to educate citizens about the choices the community has: what is a service area, what is and how much is a mill rate, dedicated sales tax, etc. This funding section will provide basic education to people interested in pursuing any or all of these choices. Council wants to talk about the nuts and bolts of funding: the document will help interested citizens speak the language and know the process.

2. Cell phone numbers and the statistically valid survey: The telephone survey, to be completed in 2015, will include some cell phone numbers. The firm Ivan Moore will be conducting the survey, and they have a list of cell phone numbers that they have used for surveys in our area. This is a well-known Alaska firm; and if you have participated in a politic survey by phone, its likely this firm was conducting it. The telephone survey will also be asking more pointed questions about funding.

3. Why can the survey be completed more than once form the same computer?

This allows each member of a family to complete the survey, or at places like the library with public computers, many people can take the survey from the same computer.

CITY ATTORNEY REPORT

COMMITTEE REPORTS

PENDING BUSINESS

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

3 City Manager

4 **RESOLUTION 14-008**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 APPROVING A NEW INTERGOVERNMENTAL WASTEWATER
8 AGREEMENT BETWEEN THE CITY OF HOMER AND KACHEMAK
9 CITY.

10
11 WHEREAS, The City of Homer owns, operates, and maintains the sewer treatment
12 plant and all of the wastewater collection infrastructure, including pipes and related
13 equipment within Kachemak City; and

14
15 WHEREAS, Kachemak City desires to continue to partner with Homer for wastewater
16 collection and treatment to maintain the public health and safety of the greater Homer area;
17 and

18
19 WHEREAS, The City of Homer wishes to continue this cooperative relationship
20 because it is in the best interest of the utility and the community at large; and

21
22 WHEREAS, Homer has the staff, equipment, and management capability to operate
23 and maintain the waste water collection system in the area, including service to Kachemak
24 City; and

25
26 WHEREAS, The existing Intergovernmental Agreement, adopted by the parties in 1988,
27 needs to be updated to reflect current conditions; and

28
29 WHEREAS, The two Cities have finalized a draft of a new Intergovernmental
30 Agreement on wastewater and the draft was reviewed by the Homer City Council at its
31 regular meeting on January 13, 2014.

32
33 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council finds that continued
34 cooperation and partnership with Kachemak City on wastewater collection and treatment is
35 in the best interest of the greater Homer area.

36 BE IT FURTHER RESOLVED that the Homer City Council hereby approves the new
37 Intergovernmental Wastewater Agreement between the City of Homer and Kachemak City; a
38 copy of which is attached and incorporated herein.

39
40 PASSED AND ADOPTED by the City Council of Homer, Alaska, this 13^h day of January,
41 2014.

42
43 CITY OF HOMER

44
45
46 _____
47 MARY E. WYTHER, MAYOR

48
49 ATTEST:
50
51
52 _____
53 JO JOHNSON, MMC, CITY CLERK

54
55 Fiscal Note: N/A

56
57



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 14-125

TO: Mayor Wythe and Homer City Council
FROM: Walt Wrede
DATE: August 18, 2014
SUBJECT: Revised Wastewater Agreement with Kachemak City

Resolution 14-008 entitled "A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, APPROVING A NEW INTERGOVERNMENTAL WASTEWATER AGREEMENT BETWEEN THE CITY OF HOMER AND KACHEMAK CITY" first appeared on the January 27, 2014 City Council agenda. The Council discussed the Draft Agreement at a work session on February 24 and again at a Special Meeting (Executive Session) on March 10. At the March 10 Regular Meeting the Council postponed Resolution 14-008 until August.

The City Council expressed numerous concerns about the Draft Agreement and asked the Manager and the City Attorney to rewrite the Agreement to incorporate its concerns. The Draft Agreement was an amended version of the original Agreement adopted in the 1980's. Some Council members thought the document was confusing and hard to understand. Others did not think that it adequately represented how the City of Homer wastewater utility operates today or the relationship between the two cities with respect to the utility. All Council members provided their specific comments to the Manager in the form of notes written on the Draft Agreement.

Resolution 14-008 is back before the Council and is included on the August 25 meeting agenda. The Wastewater Agreement has been rewritten and it incorporates Council comments to the extent feasible and prudent. Highlights include:

- The requirement that Homer pay for professional consultants at various points is removed. This includes when the rate model is reviewed and when proportional shares for capital improvements benefitting both Cities are determined. Homer could employ professionals if it saw the need but is not required to do so.

- The requirement that proportional shares for capital improvements be based upon 20 year projections is removed. Cost sharing is simply based upon proportional volume at the time of construction.
- The Sections on Kachemak City fees and contributions to certain capital improvements are reorganized and simplified for easier understanding.
- The Rate Review Committee membership has been loosened and made more flexible.
- The meter option for sewer only customers in Kachemak City has been inserted.

I look forward to your comments on this latest version of the Agreement. Copies of this Agreement were provided to Kachemak City on Friday, August 15. It is likely that Kachemak City will not be able to get comments back to me before the meeting. It is also possible that further negotiation will be necessary. Therefore, this resolution may need to be postponed again for another meeting. I bring this new Agreement to you now (possibly prematurely) so that you can see the direction it is going and provide comment. We also wanted to comply with the Council's direction and bring this back to you in August.

RECOMMENDATION: Review the Amended Wastewater Agreement and Approve Resolution 14-008. Postpone until September 8 if necessary.



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 14-169

TO: Mayor Wythe and Homer City Council

FROM: Walt Wrede

DATE: October 27, 2014

SUBJECT: Resolution 14-008 / Wastewater Agreement between Homer and Kachemak City

Introduction

Resolution 14-008 approves an Intergovernmental Agreement for Wastewater Utility Facilities and Service between the cities of Homer and Kachemak City. This resolution first appeared on the January 27, 2014 Council Agenda. It has been postponed several times. Its most recent appearance on the Agenda was August 18, 2014. The Agreement which was included in the August 18 Council packet was substantially rewritten in response to comments and suggestions from the Council. Memorandum 14-125 described and summarized the amendments.

At the August 18 meeting, the Council made a few, relatively minor amendments to the text. Resolution 14-008 was then postponed again until October 27 in order to provide the Kachemak City Council ample time to review and comment on the new amended agreement. The Council also wanted to provide sufficient time for additional negotiation if needed.

Kachemak City Response

The amended Agreement was provided to Mayor Morris a few days after the Council met on August 18. I informed the Mayor that Homer City Council was basically good with the current version of the Agreement as amended. The Kachemak City Council reviewed the amended agreement in early September and I met with Mayor Morris shortly after that meeting. No additional written comments or proposed amendments were submitted from Kachemak City. Mayor Morris transmitted his Council's comments verbally and I told him I would summarize what he said in a Memorandum.

Mayor Morris stated that the Kachemak City Council was comfortable with the revised agreement for the most part but there were still some points of contention. He wanted Homer City Council to be aware of these and requested your consideration:

- The 5th WHEREAS in the recitals: He was disappointed in the change to “one of”. Kachemak City believes that the old agreement was in-fact central to joint funding for the sewer treatment plant and it is important to say that for the historical record and to demonstrate the spirit of partnership that prevailed at the time.
- Section 2.3: There was disappointment with the removal of “less I&I”. Kachemak City believes inflow greatly inflates the amount of water it contributes to the collection system and this skews what Homer thinks they should be charged. We discussed that Homer had a similar I&I issue .
- Section 4.3: Kachemak City was uncomfortable with insertion of the word “periodically”. It requests that annually be inserted to provide some certainty.
- Non-Metered Rate: Kachemak City still has real heartburn with using 3,500 gallons for the non-metered rate assumption.
- General Comment: Kachemak City remains concerned about Homer’s perceived attitude and approach to these negotiations. They are concerned about the disconnect between the two Councils regarding their individual perceptions of the relationship. Kachemak City sees this as a partnership; two Cities working together to provide a vital service to the area. They see themselves as an equal partner who has contributed to the construction of the treatment plant and collection system upgrades that have benefitted both communities. Further, this agreement spells out how they will contribute to future upgrades. Homer, in their view, has acted as though it views Kachemak City as just another customer with no special status. This is very troubling to the Kachemak City Council.

Research Questions

- Sales Taxes: The Council had questions about whether sales taxes are applicable. My understanding at present is that sales taxes would apply for those customers in Kachemak City who chose metered service. Whether Kachemak City should pay sales taxes when it remits payment for non-metered customers is still being reviewed. This is something that will be dealt with by the taxing authorities and does not need to be addressed in the Agreement.
- Access to Infrastructure: Council wanted assurances that the City would have access to sewer infrastructure and equipment on private property and in the ROW outside the Homer City limits. It was suggested something guaranteeing that right should be inserted in the agreement. City Attorney Holly Wells looked at this and concluded that there are sufficient protections in place already in law to insure this and protect the City from liability. She did not recommend that we place additional language in the agreement.

RECOMMENDATION:

Approve Resolution 14-008

KACHEMAK CITY, ALASKA

P.O. BOX 958, (VIA) HOMER, ALASKA 99603

PH. (907) 235-8897 FAX (907)235-8854

kachemak@xyz.net

October 13, 2014

Mayor Beth Wythe and Homer City Council Members
City of Homer
491 E Pioneer Ave
Homer, AK 99603-7624

Dear Mayor Wythe,

At the October 8th meeting of the Kachemak City Council, I was elected the new mayor, replacing Phil Morris, our mayor for the last 14 years, who chose not to run for re-election. I have served on the council for five years and have lived in Kachemak City since 2005 when I retired. My wife and I had lived in Anchorage during our working years, having originally moved to Alaska from Washington state in 1966. We have been property owners in the greater Homer area since the early 70s.

My position, as I see it, is to continue to represent Kachemak City and to watch over our residents' interests, to the best of my ability. I am looking forward to fulfilling that mandate.

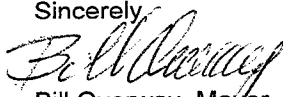
Kachemak City and the City of Homer have a long history of working together to enhance the lives of the 5500+ residents who make up the greater Homer area, the small part of the Kenai Peninsula Borough that we share. At the meeting mentioned above our council voted to join Homer in helping to advance the cause of two organizations that need the support of both of our city governments to further their growth and viability. We have chosen to support the efforts of the Homer Hockey Association and have moved them to the top of our capital improvement list and we have also chosen to support the softball association in their quest for artificial turf at the new Jack Gist field.

The City of Kachemak came into being in 1961 when the small but growing community decided to form a small city. Homer followed in 1964, right after the earthquake. Over time Kachemak City residents have supported all things "Homer". They patronize all of the Homer based small businesses and advocate and volunteer for various non-profits. For those who aren't aware of it, they have contributed financially in a significant way as well. Most recently, in addition to demonstrating their support of the hockey and softball groups, our small city has actively supported a legislative grant for the Kevin Bell Arena to assist them in converting to natural gas. In 2004 Kachemak City, whose population is only around 450, provided \$50,000 in grant money to assist in the construction of the Homer Library.

With the ongoing reduction in the amount of state revenue sharing funds available to each of us, it makes sense that we work together diligently in support of those projects and interests that impact all of our residents, and that we also understand the challenges each of us must face. We look forward to moving ahead together, a continuing partnership that will enhance the daily lives of all of our people.

The remaining details of the current sewer agreement are scheduled to be finalized at your October 27th meeting and we look forward to a positive resolution of existing differences. Please contact me through the Kachemak City office should you have any questions or desire additional input on this issue or any others which you feel impact both Homer and the City of Kachemak.

Sincerely,



Bill Overway, Mayor

WRO:ro

**INTERGOVERNMENTAL AGREEMENT FOR
WASTEWATER UTILITY FACILITIES AND SERVICE
BETWEEN THE CITIES OF HOMER AND KACHEMAK
JANUARY 1, 2014**

AGREEMENT dated as of January 1, 2014, by and between the City of Homer, an Alaska first class city ("Homer"), and the City of Kachemak, an Alaska second class city ("Kachemak").

RECITALS

WHEREAS, Homer owns, operates and maintains a public wastewater utility that provides wastewater collection, transportation and treatment service in Homer and Kachemak; and

WHEREAS, Kachemak desires that Homer continue to provide wastewater collection, transportation and treatment services to maintain the public health and safety of the greater Homer area; and

WHEREAS, Homer has the staff, equipment, and management capability to operate and maintain the wastewater collection, transportation and treatment system that provides wastewater utility service in Kachemak; and

WHEREAS, AS 29.35.010(13) authorizes each party to enter into an agreement with another city; and

WHEREAS, Homer currently provides wastewater collection and treatment services for Kachemak under an Intergovernmental Agreement adopted by the parties in 1988 that was **one of** the basis for the joint funding of the Homer wastewater treatment plant and the Kachemak wastewater collection system, which needs to be updated to reflect current conditions.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows.

AGREEMENT

ARTICLE 1 – DEFINITIONS

1.2 “Capital Cost” means a cost associated with the installation or acquisition of improvements, equipment and property including planning, engineering and design, construction, purchase of equipment and materials, supervision of construction, reasonable administration and interest on borrowed money during construction.

1.2 “Category 1 Improvement” means an improvement to the Utility wastewater collection and transportation system other than normal maintenance and replacement that benefits only customers in either Kachemak or Homer.

Includes amendments from the Homer City Council September 8, 2014 Regular Meeting.

1.3 “Category 2 Improvement” means an improvement to the Utility wastewater collection and transportation system other than normal maintenance and replacement that benefits customers in both Kachemak and Homer, such as existing and future trunk sewers in the East End Road that provide service to customers in both communities.

1.4 “Category 3 Improvement” means an improvement to the Utility wastewater treatment facilities required by regulatory authorities.

1.5 “Category 4 Improvement” means an improvement to the Utility wastewater treatment facilities required to provide additional capacity.

1.6 “Utility” means the wastewater collection, transportation and treatment utility owned and operated by Homer.

ARTICLE II –UTILITY CAPITAL IMPROVEMENTS BENEFITING KACHEMAK CUSTOMERS

2.1 Kachemak shall pay Homer one hundred percent (100%) of the Capital Cost of all Category 1 Improvements in Kachemak.

2.2 Kachemak shall pay Homer part of the Capital Cost of Category 2 Improvements based on the zone connection fee method in Homer City Code 14.12.030 for the area in a benefited zone in Kachemak.

2.3 Kachemak shall pay Homer a percentage of the Capital Cost of Category 3 Improvements and Category 4 Improvements equal to the estimated percentage of the total wastewater, ~~less I&I~~, treated by the Utility’s wastewater treatment facilities that is produced by customers in Kachemak in the year the improvement is made. Homer will determine the estimated percentage of total wastewater that is produced by customers in Kachemak in consultation with a committee representing Utility customers established under Section 4.3.

2.4 The payments that are required under this Article may be made either directly by Kachemak to Homer, or from funds made available to Homer on behalf of Kachemak in the form of matching grants or legislative appropriations from third party agencies, including the Environmental Protection Agency and the State of Alaska Department of Environmental Conservation.

2.5 Kachemak shall obtain and grant to Homer all easements and rights-of-way required to construct, operate, and maintain Utility improvements in Kachemak.

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

ARTICLE III UTILITY SERVICE TO KACHEMAK CUSTOMERS

3.1 A customer in Kachemak may elect to be charged for Utility service on a metered basis. To be charged on a metered basis, a customer shall open a Utility customer account with

Includes amendments from the Homer City Council September 8, 2014 Regular Meeting.

Homer, lease a water meter, pay all associated service charges, and provide at its own expense all labor and material required to install the water meter in a manner and location approved by the Homer Public Works Department.

3.2 Kachemak will collect user fees each month from all non-metered Utility customers in Kachemak, at the rate currently prescribed by Homer for Utility service to non-metered customers in Kachemak. Homer shall bill Kachemak in a single monthly bill for all non-metered Utility customers in Kachemak. Kachemak shall pay the amount billed for a month not later than the fifteenth day of the following month. The entire amount of the bill shall be payable regardless of whether Kachemak has collected all user fees due from non-metered Utility customers in Kachemak. Homer will determine the estimated average volume in gallons per month for non-metered customers in consultation with a committee representing Utility customers established under Section 4.3.

3.3 Kachemak shall adopt in its code of ordinances, the same rules and regulations governing the use of wastewater facilities that Homer adopts from time to time in Title 14 of the Homer City Code.

3.4 At Homer's request, Kachemak shall serve as a clearinghouse for all service connection requests for non-metered Utility customers in Kachemak, collecting from requesting customers and remitting to Homer all required fees.

ARTICLE IV – OBLIGATIONS OF HOMER

4.1 Homer shall provide capacity in any future improvements to Homer's Utility facilities sufficient to serve existing and reasonably projected future Kachemak customers.

4.2 Homer shall operate, maintain and repair Utility facilities in Kachemak and provide for the pumping of private septic tanks on properties in Kachemak connected to Utility facilities.

4.3 Homer shall review Utility rates ~~at least annually~~ **periodically** at the Utility's expense, to establish fair and equitable rates for all Utility customers. In conducting the review Homer may obtain advice from an independent consultant having expertise in wastewater utility rate analysis, and/or a committee representing Utility customers, which shall have at least one member appointed by the City Council of Kachemak. Utility customers in Kachemak shall pay the same rate for Utility service as Utility customers in Homer that receive the same category of service.

4.4 Utility rates for service to customers in Kachemak shall be based on the following: (i) charges to a metered customer shall be equal to the per-gallon and other charges to the same category of metered customer in Homer; (ii) the fee for septic tank pumping shall be equal to the unit cost that Homer selects as the lowest responsive and responsible bid to provide the service under Homer's procurement code; (iii) the sewer usage fee to non-metered customers shall be based on an ~~estimated average residential~~ volume in gallons per month multiplied by the per-gallon charge to the same category of non-metered customer in Homer, which per-gallon

Includes amendments from the Homer City Council September 8, 2014 Regular Meeting.

charge shall include Utility administration, operation, maintenance and depreciation expenses, but exclude the Capital cost of Utility improvements.

4.5 Homer shall provide the planning, engineering, design, construction, construction administration and construction surveillance for all Utility capital improvements, including those in Kachemak.

ARTICLE V – MISCELLANEOUS

5.1 This Agreement supersedes and replaces the Intergovernmental Agreement adopted by the parties in 1988.

EXECUTED the ____ day of _____ 2014.

CITY OF HOMER

Walt Wrede, City Manager

CITY OF KACHEMAK

Philemon Morris, Mayor

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

3 Mayor/City Council

4 **RESOLUTION 14-088**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
7 AMENDING THE SEWER FEE SCHEDULE TO PROVIDE A FEE
8 STRUCTURE FOR METERED SEWER ONLY CUSTOMERS.
9

10 WHEREAS, A new water and sewer rate model was adopted effective January 1, 2014
11 and since that time, the Homer City Council has engaged in discussions regarding how to
12 accurately measure and charge for the consumption and usage of non-metered sewer only
13 customers; and
14

15 WHEREAS, Water and sewer customers are charged for sewer usage based upon water
16 consumption as measured by water meters; and
17

18 WHEREAS, Sewer only customers do not have water meters and therefore, water
19 consumption and wastewater discharge is based for billing purposes upon an assumed
20 average for residential usage; and
21

22 WHEREAS, After much discussion, the Homer City Council has determined that the
23 fairest and most accurate way to measure and charge for usage for sewer only customers is
24 to provide them with the option of installing a water meter and paying normal fees based
25 upon actual water consumption; and
26

27 WHEREAS, It is necessary to amend the sewer fee schedule to provide a fee structure
28 that accommodates metered sewer only customers.
29

30 NOW, THEREFORE, BE IT RESOLVED that Table II of the Sewer Rate Schedule
31 pertaining to sewer only customers is deleted in its entirety and replaced with the following:
32

<u>Rates</u>	<u>Table II</u>	
Sewer ONLY Customer (Non-Metered)		Sewer
	Fees/Rate/Usage	Per Customer/Per Month
Lift Station Customer	\$0.0218/Gal	\$76.30
Non-Lift-Station Customer	\$0.0147/Gal	\$51.45

38	Monthly Service	\$5.00/Customer/Mo.	\$5.00
39	Pumping Fee (if applicable)	\$7.75/Customer/Mo.	\$7.74
40	Assumption: Av. Sewer Usage	3,500 Gal/Mo.	-----

41

42 **Sewer ONLY Customer (Metered)**

43		Fees/Rate	Per Customer Per Month
44	Lift Station Customer	\$0.0218/Gal	-----
45	Non-Lift Station Customer	\$0.0147/Gal	-----
46	Monthly Service	\$19.00/Mo	\$19.00
47	Pumping Fee (If applicable)	\$7.75/Mo.	\$7.75

48

49 BE IT FURTHER RESOLVED that the third paragraph entitled “Sewer System
 50 Dischargers (Sewer ONLY Customers)” under the Section entitled “Customer classification
 51 definitions for determining sewer rates” is deleted in its entirety and replaced with the
 52 following:

53

54 Sewer System Dischargers (Sewer ONLY customers)

55 A. Non-Metered Customers: Customers who use sewer service only shall be charged a
 56 monthly service charge of \$5.00 plus a sewer usage fee based upon the estimated
 57 average residential volume of 3,500 gallons per month multiplied by the applicable
 58 sewage per gallon rate (see table II). Kachemak City Local Improvement District (LID)
 59 members have contributed to the initial cost of the sewer treatment plant and the
 60 collection system within Kachemak City. For Kachemak City LID non-metered
 61 dischargers connected within the LID, the City of Homer shall bill Kachemak City in
 62 one single bill at the Lift-Station Zone rate of \$89.05 (\$76.30 +5.00+7.75) per
 63 month/per customer. Kachemak City shall be responsible for payment to the City of
 64 Homer. Non-metered sewer only customers residing within the City of Homer shall be
 65 direct customers of the Homer Water and Sewer Utility.

66 B. Metered Customers: Sewer only customers in both Homer and Kachemak City have
 67 the option of installing water meters to measure the amount of water that enters the
 68 premises and leaves as wastewater via the sewage collection system. The sewage
 69 rates for metered sewer only customers are presented in Table II. All water meters
 70 must be approved and installed under the direction of the Homer Public Works
 71 Department. Metered customers residing within Kachemak City shall become direct
 72 customers of the Homer Water and Sewer Utility. In addition to the monthly utility
 73 sewer fees shown in Table II, metered sewer only customers are subject to all other
 74 relevant Water and Sewer fees contained in this Schedule, including the one-time

75 water meter lease fee (HCC 14.08.037),service connect and disconnect fees, service
76 call, inspections, and repair fees, sewer connection and extension permit fees, and a
77 15% administration fee for replacement parts for water and sewer services and
78 functions including pressure reducing valves, sewer saddles, or any Public Works
79 Department stock item for resale to the public.

80
81 PASSED AND ADOPTED by the City Council of Homer, Alaska, this _____ day of
82 _____, 2014.

83
84 CITY OF HOMER

85
86
87 _____
88 MARY E. WYTHE, MAYOR

89
90 ATTEST:
91
92
93 _____
94 JO JOHNSON, MMC, CITY CLERK

95
96 Fiscal Note: N/A
97
98

NEW BUSINESS

RESOLUTIONS

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

3 City Manager

4 **RESOLUTION 14-116**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 EXTINGUISHING THE CITY SELF-INSURED EMPLOYEE HEALTH
8 INSURANCE PLAN AND APPROVING A TWO YEAR CONTRACT
9 WITH PREMIER BLUE CROSS.

10
11 WHEREAS, HCC 3.05.043, adopted via Ordinance 94-5, provides for a health insurance
12 reserve fund and the City has successfully operated a self-insured employee health insurance
13 plan for two decades; and

14
15 WHEREAS, The City Administration and its benefits consultant, Mercer Health and
16 Benefits LLC. , have spent the past six months analyzing the performance of the self-
17 insurance fund, projecting costs in 2015 and 2016 if the City remained self-insured, soliciting
18 proposals from private insurance companies, and comparing those proposals with the self-
19 insured plan in terms of both cost and benefits; and

20
21 WHEREAS, The results of this internal review and the recommendations of the City
22 Manager are contained in Memorandum 14-159 which was first provided to Council members
23 on October 13, 2014; a copy of which is attached; and

24
25 WHEREAS, The City Administration has concluded that although the self- insured plan
26 has served the City and its employees well for many years, the health insurance financial and
27 regulatory environment has changed significantly, health care costs have increased
28 exponentially, and the employee demographic has evolved over time; all of which conspire to
29 make self- insurance a much less attractive option; and

30
31 WHEREAS, The Administration concluded further that the employee pool is too small
32 for self-insurance, the self- insured plan is too expensive, the financial risks for the City are
33 too high, the administrative burden is too great, and that the self-insured plan is not
34 sustainable without large budget cuts in other areas, additional reductions in benefits, and
35 increased payroll deductions; and

37 WHEREAS, The City received several attractive proposals from private health
38 insurance companies which were evaluated by the consultant, the City, and the Employee
39 Committee and all agreed that the best proposal was the one submitted by Premera Blue
40 Cross; and

41
42 WHEREAS, The Premera Blue Cross proposal would reduce total health care costs by
43 approximately 30 percent or \$600,000 over projected 2015 self-insured plan costs and
44 provide insurance coverage that is better overall than the existing plan; and

45
46 WHEREAS, Memorandum 14-159 contains a recommendation that the Council move
47 away from the self-insured plan to a fully insured plan with a private sector insurance
48 company, accept the proposal from Premera Blue Cross, and approve a new two year
49 contract; and

50
51 WHEREAS, The Employee Committee had a two hour presentation and discussion with
52 Jeff Paxton of Mercer, reviewed the benefit coverage and cost projections for the current
53 plan, and reviewed the proposals submitted, and concurs with this recommendation.

54
55 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby finds that it is
56 in the best interest of the City to extinguish the self-insured employee health insurance plan.

57
58 BE IT FURTHER RESOLVED that the Council hereby accepts the proposal from Premera
59 Blue Cross, approves a new two year contract based upon the proposal with a term beginning
60 on January 1, 2015, and authorizes the City Manager to execute the appropriate documents.

61
62 BE IT FURTHER RESOLVED that the Council authorizes the City Manager to draft an
63 ordinance amending HCC 3.05.043.

64
65 PASSED AND ADOPTED by the Homer City Council this 27th day of October, 2014.

66
67 CITY OF HOMER

68
69
70 _____
71 MARY E. WYTHE, MAYOR
72
73
74

75 ATTEST:

76

77

78

79 _____
JO JOHNSON, MMC, CITY CLERK

80

81 Fiscal Note: \$600,000 reduction over projected 2015 self-insured plan costs.

82



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 14-159

TO: Mayor Wythe and Homer City Council

FROM: Walt Wrede

DATE: October 13, 2014

SUBJECT: Special Report on Employee Health Insurance

INTRODUCTION

Several times over the past few months I informed the Council that it was my intention to review the employee health insurance benefit and be prepared to make a recommendation on how to proceed next year as part of the regular budget approval process this fall. Jeff Paxton, the City's benefits consultant has been working closely with Andrea Browning, John Li and myself on this project. Jeff has spent the past few months analyzing the performance of the self-insurance fund, projecting costs in 2015 and 2016 if the City stayed self-insured, soliciting proposals from private insurance companies, and comparing those proposals with the self-insurance plan in terms of both cost and benefits.

Jeff received the final proposal in early September. He analyzed the proposals in detail, compared them with the self-insured plan and put together a report that he shared with Andrea, John, and I the week of September 22. Jeff then travelled to Alaska and we met with the Employee Committee for two hours on Tuesday, September 30. Jeff went over the complete report and the Committee reviewed all of the information there including performance and cost projections for the self-insured plan and the quotes we received from the private sector. The staff and the Committee were in agreement about the course of action to recommend to the Council on the big questions: 1) should the City continue to stay self-insured and 2) if the City moves to a private, fully insured plan, which proposal is best in terms of coverage and cost.

ANALYSIS

Self- Insured Plan

Jeff's analysis indicates that the measures taken last year are having the desired effect. The City was insuring less people and utilization patterns were beginning to change. In other words, the trend looked good. But, in reality, all we were doing was restraining growth in the cost of insurance. Health care costs are continuing to rise at alarming rates. Although utilization was down generally, expensive procedures

and hospital visits were driving costs higher. In short, the City's overall costs and level of risk was becoming unacceptably high. The pool and the City's financial resources are simply too small to handle this risk.

Jeff projected that total health insurance costs in 2015 would be \$2,109,542. This takes into account industry trends and utilization trends and assumes increases in the cost of stop loss insurance and the plan third party administrator (Meritain). This is about an 18% increase over projected total costs in 2014. If we assume that the Council is unable to increase its contribution from the past two years (\$1,500 per employee, per month) and keeps the contribution at the same level, the Council contribution would be \$1,854,000. Keep in mind that this is a projected cost. The cost could be higher and the City assumes all of the risk. The remainder of the cost (the difference between the Council contribution and the projected total cost) would be absorbed by the employees. This amounts to about \$255,542. If the Employees assume all of the increase in projected costs, the payroll deductions would increase significantly over last year.

Private Sector Proposals

The request for Proposals /Quotes asked that the companies provide two plan choices for employees similar to what we have now. Four proposals were received and reviewed. They were:

- Aetna (State of Alaska Political Subdivision Group Health Plan)
- Moda Health
- Premera Blue Cross
- United Health Care

All of the proposals were reviewed in detail. They all had strengths and weaknesses in terms of their cost and the coverage provided. In the end, Premera Blue Cross was deemed to be the best proposal by Jeff, the staff, and the Employee Committee. There were a number of reasons for this. First was cost. Premera's quote for medical and vision was \$1,382,692. The dental plan was another \$112,806 for a total quote of \$1,495,498. If compared to projected costs in 2015 with the self-insured plan, (2,109,542), this represents about a 30% percent savings in total costs.

Second, The coverage plan was improved over what we have now, especially with the Core Plan and if employees use in-network providers. For example, in the Core Plan, the coverage is improved in the areas of co-insurance, out of pocket max, office visits, deductibles, emergency visits, and prescription benefits. The plan also contains a hearing benefit and very extensive in-network coverage including facilities in Seattle and the Pacific Northwest.

DISCUSSION

The self-insured employee health insurance plan has served the City and its employees well for several decades. Making a change from self-insured to fully insured is a big step and should not be taken lightly. Once the City takes this leap, it is very unlikely that it will ever go back. However, I believe that the time is right to make this move. The City employee pool is too small for self-insurance. The health insurance financial and regulatory environment has changed rapidly over the last few years and so has the employee demographic. The self-insurance plan is too expensive, the financial risks for the City are too high and the administrative burden too great. Health insurance costs are now driving overall budget

decisions and they threaten existing programs and reserve accounts. The self- insured plan is not sustainable without additional reductions in benefits and increased payroll deductions. The magnitude of the reductions required would essentially result in catastrophic health care coverage.

The City is fortunate to have obtained very attractive and competitive bids from private sector insurance carriers. The changes that were made last year have paid off in a big way. These changes have “right sized” and repositioned the City in a way that made these bids possible. For example, last year, before the changes were instituted, Premera submitted a bid of over \$4 Million. The changes that were made last year were very painful for everyone involved. Employees had to absorb large increases in payroll deductions and a significant reduction in coverage. The whole process took a personal toll on Andrea Petersen and we owe her our gratitude. She took a real bullet for the City and its employees. In the end, these steps were necessary and had to be done.

The Council and the Administration had a common goal. We had to get employee health insurance costs under control before they jeopardized programs and services and drained reserve accounts. We also needed to come into compliance with the Affordable Care Act and at the same time, provide a good insurance benefit for employees. The proposal from Premera allows us to achieve those goals. My recommendation to Council is to accept the Premera proposal and split the savings between the Council and the employees. Specifically, I would:

- Reduce employee payroll deductions by another 28% on average. This is on top of the 20 percent reduction Council approved several months ago. The one exception would be single employees choosing the Buy Up Plan.
- Reduce the Council health insurance contribution in the 2015 Budget from \$1,500 per employee, per month, to \$1,100 per employee per month. This will save the General Fund alone approximately \$364,000.

In short, under this proposal, we have a significant budgetary savings for the Council, a significant reduction in payroll deductions for employees, and better health insurance coverage overall.

At the meeting I will provide copies of the Premera coverage vs. the existing coverage and copies of the proposed payroll deductions vs. the existing deductions. Please let me know if there is other information you would like to see and how you would like to proceed with the final decision making process.

RECOMMENDATION:

1. Move from self- insured to the private sector.
2. Accept the proposal from Premera (A resolution will appear on the next agenda)
3. Discuss, amend if necessary, and approve the allocation of the budgetary savings.



**City of Homer
Medical/Vision/Dental Plan
Effective: January 1, 2015**



MEDICAL	CORE PLAN		BUY-UP PLAN	
	In Network	Out of Network	In Network	Out of Network
Lifetime Maximum Deductible (Single / Family)	Unlimited \$1,500 / \$3,000	Unlimited \$500 / \$1,000	Unlimited \$500 / \$1,000	Unlimited \$500 / \$1,000
Coinsurance (Plan pays / Member pays)	80% / 20% Preferred 60% / 40% Participating	40 / 60% Hospital/CD & Professional ARP/Certified ABA Same as In-Network *	80% / 20% Preferred 60% / 40% Participating	40 / 60% Hospital/CD & Professional ARP/Certified ABA Same as In-Network *
Out of Pocket Max (Deductible Included)	\$4,000 / \$8,000	None	\$3,500 / \$7,000	None
Provider Network Office Visit	Heritage Plus	None	Heritage Plus	None
• Primary Care Physician				
• Specialist				
• Spinal Manipulation (12 visits PCY)				
• Acupuncture (12 visits PCY)				
• Urgent Care				
• Preventive Care				
Diagnostic Lab & X-Ray				
• Complex				
• All Other				
• Preventive				
Hospital				
• Inpatient Facility				
• Outpatient Surgery				
• Emergency (copay waived if admitted)				
• Air or Surface Transportation				
Prescriptions				
• Retail (31-day supply)				
• Mail Order (90-day supply)				
Hearing				
• Exam / Hardware				
VISION				
Vision				
• Exam				
• Hardware				
DENTAL				
Annual Maximum				
Deductible (individual/family)				
Waived for Preventive				
Preventive				
Basic				
Major				
Orthodontia (children only)				
This is a summary of benefits. This is not a contract.				
• CD: Chemical Dependency / ARP: Accepted Rural Provider / ABA: Applied Behavioral Analyst				



PROPOSED HEALTH INSURANCE PREMIUM SCHEDULE CORE MEDICAL

	Employee	Employee + Spouse	Employee + Child	Employee + Children	Employee + Spouse + Child	Employee + Spouse + Children
	Paycheck	Paycheck	Paycheck	Paycheck	Paycheck	Paycheck
All	\$ 34.43	\$ 68.88	\$ 51.71	\$ 77.88	\$ 91.85	\$ 109.91
Medical & Vision	\$ 31.13	\$ 62.26	\$ 45.09	\$ 67.98	\$ 81.95	\$ 93.39
Dental	\$ 3.30	\$ 6.62	\$ 6.62	\$ 9.90	\$ 9.90	\$ 16.52

FULL-TIME EMPLOYEES

PROPOSED HEALTH INSURANCE PREMIUM SCHEDULE Buy-Up MEDICAL PLAN

	Employee	Employee + Spouse	Employee + Child	Employee + Children	Employee + Spouse + Child	Employee + Spouse + Children
	Paycheck	Paycheck	Paycheck	Paycheck	Paycheck	Paycheck
All	\$ 63.30	\$ 132.20	\$ 97.91	\$ 148.55	\$ 172.29	\$ 206.26
Medical & Vision	\$ 60.00	\$ 125.58	\$ 91.29	\$ 138.65	\$ 162.39	\$ 189.74
Dental	\$ 3.30	\$ 6.62	\$ 6.62	\$ 9.90	\$ 9.90	\$ 16.52

PART-TIME EMPLOYEES	
PROPOSED HEALTH INSURANCE PREMIUM SCHEDULE	
Core Medical Plan	
	Paycheck
All	\$ 61.14
Medical & Vision	\$ 57.84
Dental	\$ 3.30
Buy-Up Medical Plan	
	Paycheck
All	\$ 89.19
Medical & Vision	\$ 85.89
Dental	\$ 3.30

Spousal Cost-Sharing Fee (EE Pays)	\$200/month	\$92.30/pp
(Spouse has coverage with employer but elects COH medical plan)		
EE elects spouse MDIV insurance (COH Pays)	\$250/month	\$115.38/pp
EE elects spouse medical insurance (COH PAYS)	\$200/month	\$92.30/pp

2015
PROPOSAL



DRAFT

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

Burgess

3
4 **RESOLUTION 14-112**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 CONFIRMING THE CITY'S INTENT TO ISSUE A REQUEST FOR
8 PROPOSALS FOR EMPLOYEE BENEFIT BROKER AND
9 CONSULTING SERVICES WITH THE CONTRACT TERM TO BEGIN
10 ON JANUARY 1, 2015.

11
12 WHEREAS, The City solicited proposed through the RFP process for employee benefit
13 broker and consulting services in August of 2011; and

14
15 WHEREAS, A committee which included Mayor Wythe and several City employees
16 reviewed the three proposals submitted and recommended that the City enter into a contract
17 with Mercer Health and Benefits LLC (Mercer); and

18
19 WHEREAS, The City Council adopted Resolution 11-092 awarding a contract to Mercer
20 and back-up Memorandum 11-134 contained the reasons and justification for hiring a
21 benefits consultant; and

22
23 WHEREAS, The City Manager signed a Professional Services Agreement with Mercer
24 that had a three year term beginning in October 2011 and ending December 31, 2014; and

25
26 WHEREAS, Mercer has provided a wide range of services to the City, however, the
27 primary focus has been on employee health insurance including compliance with the
28 Affordable Care Act and restructuring the self- insured plan so that it is less costly and
29 sustainable in future years; and

30
31 WHEREAS, The City Administration reports that Mercer has provided excellent
32 services; especially with respect to employee health insurance; and

33
34 WHEREAS, Although the procurement of consultant and technical services can be
35 exempt from bidding requirements (HCC 3.16.060 D), the City Procurement Policies strongly
36 encourage competitive bidding; and

37 WHEREAS, Competitive bidding is generally in the City's interest because it can result
38 in lower costs and improved services.

39
40 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby confirms the
41 City's intent to issue a request for proposals for employee benefit broker and consulting
42 services with the contract term to begin on January 1, 2015.

43
44 BE IT FURTHER RESOLVED that the City Manager is requested and authorized to issue
45 the RFP and execute all necessary paperwork.

46
47 PASSED AND ADOPTED by the Homer City Council this 27th day of October, 2014.

48
49 CITY OF HOMER

50
51
52 _____
53 MARY E. WYTHE, MAYOR

54
55 ATTEST:
56
57
58 _____
59 JO JOHNSON, MMC, CITY CLERK

60
61 Fiscal Note: N/A

62
63

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 11-092

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, AWARDING THE CONTRACT FOR AN INSURANCE BENEFIT BROKER AND CONSULTING SERVICES TO THE FIRM OF MERCER HEALTH BENEFITS OF SPOKANE, WASHINGTON, IN THE AMOUNT OF \$48,000 ANNUALLY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The Request for Proposals was advertised in the Homer News on August 4, 2011, the Homer Tribune on August 10, 2011, the Anchorage Daily News on August 7, 2011, posted on Craigslist on July 29, 2011, and posted on the Clerk's home page; and

WHEREAS, Proposals were due by 4:00 p.m. on Thursday, August 25, 2011 and three proposals were received by the City Clerk's Office; and

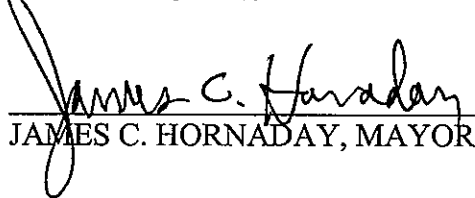
WHEREAS, On September 14, 2011 a committee reviewed the proposals and determined the lowest responsible and responsive bidder is Mercer Health Benefits of Spokane, Washington, submitting a bid in the amount of \$48,000 annually; and

WHEREAS, This award is not final until notice is received by Mercer Health Benefits of Spokane, Washington, from the City of Homer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, hereby awards the contract for an Insurance Benefit Broker and Consulting Services to the Firm of Mercer Health Benefits of Spokane, Washington, in the amount of \$48,000 annually and hereby authorizes the City Manager to execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 26th day of September, 2011.

CITY OF HOMER


JAMES C. HORNADAY, MAYOR

ATTEST:


JO JOHNSON, CMC, CITY CLERK

Fiscal Note: Budgeted in Acct. No. 600-800-5210



**CITY OF HOMER
CITY HALL
PERSONNEL OFFICE**

491 East Pioneer Avenue
Homer, Alaska 99603

Telephone (907) 235-8121 ext 2225
Fax (907) 235-3148
E-mail personnel@cityofhomer-ak.gov

MEMORANDUM 11-134

TO: MAYOR HORNADAY AND CITY COUNCIL
THRU: Walt Wrede, City Manager
FROM: Andrea Petersen, Personnel Director
DATE: September 20, 2011
RE: 2011 Benefit Broker / Consultant Contract Award Recommendation

A team made up of staff and Councilwoman Wythe reviewed and scored the Benefit Broker/Consultant proposals. Three proposals were reviewed and scored based on the requirements in the bid packet:

Mercer \$48,000 Spokane, WA
Park, Smith, Feek \$50,000 Anchorage, AK
Wells Fargo Insurance Services \$25,000 Anchorage, AK

It is recommended to award the proposal to Mercer, Spokane WA, for a total cost of \$48,000 since they were the most qualified and met all the requirements of the bid packet.

The City of Homer utilizes Meritain Health as its third party administrator for the employee health insurance plan, as well as, providing some benefit broker/consultant services. The benefit broker/consultant services with Meritain began in 2006 as a cost savings measure. Transitioning from the Wilson Agency to Meritain has saved the plan approximately \$9,400 annually in broker/consultant service fees; however, this has created a conflict from the City's perspective. During the contract renewal period, Meritain does not conduct RFP's with other third party administrators to ensure the City of Homer is receiving a competitive package. Although the broker/consultant fees have decreased, the administrative costs and the consultation services have not stayed competitive keeping the overall costs high.

In a world of rising costs, greater employee need and rapidly changing healthcare requirements, a benefits broker/consultant is an essential ally for the City of Homer in cost savings, time management, compliance and expertise. A benefits broker/consultant will utilize the entire insurance field of carriers to obtain the best coverage, rates, service, and quality of products. Most carrier agents will only have access to one carrier - the one they are licensed with. An independent broker/consultant will negotiate aggressively with the carriers at each marketing and subsequent renewals to keep the service charges in check. The agent for a single insurer will have less desire to do so as the agent is an employee of the insurer and his/her commissions are directly related to these fees and profit margins. Individual

insurance agents would normally not have any frame of reference as to what is competitive or appropriate versus not competitive. The commissions that a broker/consultant receives are all paid by the insurance companies that the business is placed with. Since the City of Homer deals directly with an insurer, these same fees are currently just going directly to the agent from the insurance company to service the account. We are already paying for these services! However, with a benefits broker/consultant, we will also get the independent consulting services and the objective advice that a consultant would provide, for no extra cost.

Today, the City of Homer is challenged with defining cost-effective opportunities for improvement in the design, delivery and administration of the health and ancillary benefit programs. It is imperative to maintain benefits that are affordable in both design and cost to the individual and the City of Homer while navigating through the complexity of compliance with state and federal regulations, including health care reform. There are several other government agencies utilizing a benefit broker/consultant. This includes KPB, KPSD, CPGH, Fairbanks North Star Borough and Public Employees Local 71 to name a few. In addition, at the recent conference for Alaska's Society of Human Resource Management, Amy Limeres from Birch Horton Bittner & Cherot highly recommended self-insured plans have a benefit broker/consultant to assist with the compliance aspects of Health Care Reform, as well as the strategic planning for employee benefit programs. It would be greatly beneficial for the City of Homer to work with Mercer. This could allow the City of Homer to receive better services at a similar price in the overall costs of the employee benefits package.

RECOMMENDATION: The City Council approves Resolution 11-092.

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

City Clerk

3
4 **RESOLUTION 14-114**

5
6 A RESOLUTION OF THE CITY COUNCIL AMENDING THE CITY OF
7 HOMER FEE SCHEDULE UNDER ADMINISTRATIVE FEES, ANIMAL
8 CONTROL FEES, CITY CLERK FEES, LIBRARY FEES, AND PORT
9 AND HARBOR DEPARTMENT ANNUAL MOORAGE FEES.

10
11 WHEREAS, Administrative fees for electronic transmission have been reduced; and

12
13 WHEREAS, Animal Control fees for dog licenses, kennel licenses, replacement fee for
14 lost license, boarding fee, and pickup at residence have increased; and

15
16 WHEREAS, City Clerk fees for use of city facilities and digital audio CDs have increased;
17 and

18
19 WHEREAS, Library fees for overdue and damaged items have increased; and

20
21 WHEREAS, Fees for Port and Harbor Department annual moorage fees have increased;
22 and

23
24 NOW, THEREFORE, BE IT RESOLVED that the City Council hereby amends the City of
25 Homer Fee Schedule, Administrative Fees, Animal Control Fees, City Clerk Fees, Library Fees,
26 and Port and Harbor Department Annual Moorage Fees as follows:

27
28 **ADMINISTRATIVE FEES FOR THE CITY OF HOMER**

29
30 (The following fees have been set by legislative enactments, Ordinances 05-43(A),04-53(S)(A), 03-36(A),
31 01-13(S)(A); Resolutions 11-074(A), 11-036(A)(S),10-90(A), 06-24(S), 05-125(S), 05-49, 05-22, 04-98(S)(A), 04-96, 04-
32 95, 04-94(S)(A), 03-159, 00-14, 99-116, 99-50, 95-1 and 92-10(A), Regulations Concerning Public Record
33 Inspections dated March 2003.)

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

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

42 upon the information provided, the fee may be reduced or waived in accordance with the following
 43 scale:

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

44
 45 Airport Pickup/delivery \$25
 46 Annual Safety Inspection commercial vehicles \$100
 47 Annual Taxi Permit \$75
 48 Appeal Fees
 49 Water and Sewer Appeals, under HCC 14.04 and 14.08 – shall be set by Resolution; in the event
 50 the appellant is the prevailing party the fee shall be refundable.
 51 Zoning Appeals – fee \$250.00 subject to refund if the appellant is successful on any aspect of
 52 appeal.
 53 Credit Cards are accepted for other than real property lease payments with a minimum of \$10.
 54 Computer Disc (includes 1st class postage): \$10/disc
 55 CD Reproductions: \$20.00
 56 Document copying fees: \$.25/page
 57 Certification Fee: \$10/report
 58 Driver License Records \$10
 59 Fax: w/in Alaska \$1/page, Continental US \$2/1st page, Subsequent pages \$1/page. Other destination
 60 \$5/1st page. Subsequent pages \$2/page.
 61 Electronic Transmission: ~~\$1~~ **\$.25**/page (Scanned PDF document)
 62
 63
 64 Lease application fee \$30
 65 Lease fee \$300
 66 Lease Assignment Fee \$250
 67
 68 Local Bidder's Preference
 69

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

	local bid on amount in excess of \$500,000.00 to \$1,000,000.00
--	---

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

71

72 Photograph Copying: \$10/order (includes shipping and; handling)

73 If done commercially – Actual Costs plus 5%

74

75 Production Fees -

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

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

83

84 Special Assessment Districts (SAD’s):

85

86 HARP (Homer Accelerated Roads Program) SAD’s

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

88 \$17 per front foot for Paving

89 HAWSP (Homer Accelerated Water and Sewer Program) SAD’s

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

92 OTHER SAD’s if approved by the Council are at 100% property owner participation.

93

94 Application Fee \$100

95 Bill Fee \$3.00 per bill

96 Administrative Fee

97 0-500,000 5%

98 over 500,000 \$25,000 plus 2.5%

99

100 Notary \$5.00

101

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

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

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

105 Video Cassette (Police Department) \$30/tape

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

107

108 **ANIMAL CONTROL FEES**

109

110 235-3141 Hours are 11 a.m. to 2 p.m. Monday through Friday.

111

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

113 Dog License

114	Neutered/spayed	\$10.00 \$15.00 /2 years
115	Nonneutered/nonspayed	\$50.00 \$75.00 /2 years
116	Kennel license	\$100.00 \$150.00 /2 years
117	Replacement fee, lost license	\$ 4.00 \$6.00
118	Rabies Voucher	\$ 12.00
119	Quarantine at Home	\$ 40.00
120	Quarantine at Shelter	\$ 40.00 plus daily boarding fee
121	Boarding fee (when available)	\$ 12.00 \$20.00 daily
122	Pickup at residence for owner release	\$ 20.00 \$25.00
123	Turn In	\$ 5.00
124	Turn In for Euthanasia	\$ 15.00

125	Impound fees:			
126		Nonspayed/Nonneutered		Spayed or Neutered
127		1st offense	\$35.00	1st offense \$25.00
128		2nd offense	\$50.00	2nd offense \$40.00
129		3rd offense	\$85.00	3rd offense \$75.00
130		4th offense or greater	\$100.00	same

131 Live Trap:

132 Small trap \$ 70.00 deposit, \$1.00 per day. Seven (7) day rental maximum.

133 Large trap \$150.00 deposit, \$1.00 per day. Seven (7) day rental maximum.

134 Deposit is forfeited if the trap is not returned in seven days. A portion of the deposit,

135 up to the entire amount of the deposit, will be forfeited if the trap is damaged.

136

137 Adoption Fee \$ 15.00

138

139 All impounded animals must be properly licensed and have current rabies vaccinations prior to being

140 released. Owners of impounded animals will be charged a daily boarding fee for every full day that the

141 animal stays in the shelter. Vaccination and license fees shall be the owner's responsibility. Animals

142 being adopted shall be spayed or neutered, properly licensed and vaccinated. Associated fees shall be

143 the responsibility of the adopting party.

144

145 The City shall charge for any additional expense incurred by the City in the actual impoundment,

146 transportation, medical care, housing or feeding of any animal; which expenses shall be paid in full

147 prior to the animal's release.

148

149 **CITY CLERK**

150

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

152 06-40(A).)

153

154 Administrative - 235-3130

155 Cemetery fees amended Resolution 98-28.

156 Cemetery - plot \$200

157

158 Excavation

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

160 infant \$375; \$300 opening, \$75 closing
161 Extraordinary conditions such as weather, heavy snow coverage, ice, frozen ground and
162 etcetera may result in fees charged up to \$200 additional at Public Works discretion.
163

164 City Council and Commission Meeting packet fee

165

166 Per Packet:

167 0 – 25 pages - \$5.00

168 26 – 50 pages - \$10.00

169

170 51 – 100 pages - \$20.00

171 100 – 200 pages - \$25.00

172 200 – 500 pages - \$30.00

173 500+ pages - \$35.00

174

175 Per Month, Per Council or Advisory Body:

176 1 packet same fees as above.

177 2 packets above fee with 10% reduction.

178 3 packets above fee with 12% reduction.

179 4 or more packets above fee with 15% reduction.

180

181 City Hall Facility Use Fee (Resolution 03-159)

182 Government Agencies, generally, are exempt from fees.

183 **Cowles Council Chambers** - Use by non-governmental agency or entity fee is ~~\$15.00~~ **\$30.00**

184 per hour, with a minimum of two hours; maximum fee is ~~\$75.00~~ **\$150.00** per day. **Use of electronic**

185 **equipment is an additional \$30 per day (IT personnel set-up).**

186 **Conference Room – Use by non-governmental agency or entity is \$15.00 per hour, with a**

187 **minimum of two hours; maximum fee is \$75.00 per day.**

188 Cleaning Fee – if the facility is not left as found an additional fee of up to ~~\$30.00~~ **\$60.00** may be

189 applied.

190

191 City Pins and Mugs (Resolution 98-28)

192 Logo Pins \$1.00

193 Logo Mugs \$4.00

194 Scene Mugs \$8.00

195

196 ~~Copies of meeting (audio) tapes \$10.00/each (Reso. 03-159)~~

197 ~~Copies of meeting (digital) CDs~~ **Digital audio CD of meetings** ~~\$10.00~~ **\$20.00/each**

198

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

200

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

203

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

206 **LIBRARY FEES**

207
 208 Closed - Sundays. Open – Mon., Wed., Fri. and Sat. from 10 a.m. to 6 p.m. Tues. and Thurs. from 10
 209 a.m. - 8 p.m.

210
 211 Facility Use Fees for after-hours private use (including building supervision):
 212 Conference Room \$50/hour
 213 Reading Lounge \$50/hour
 214 Children’s Room \$50/hour
 215 Entire facility, excluding staff work space -- \$300 Facility Use Fee
 216 plus \$50/hour staff supervisor. \$300 damage/cleaning deposit.

217
 218 Library Cards Replacement cards \$5/issue
 219 **Limited (Temporary)** card \$10 nonrefundable
 220 **Full (Temporary) Family** card \$50, \$40 refundable; ~~limit of twelve items.~~
 221 Refunds are issued the second check run of each month via check from the
 222 City of Homer. Apply for refund through Library staff and provide forwarding
 223 address. If the refund is not claimed within six months the refund becomes a
 224 donation to the Library.

225
 226 Overdue Items - 14 day circulation (except digital devices) \$0.15/day
 227 ~~(except digital devices) Maximum charge \$6.00~~
 228
 229 7 day and 1 day circulation - \$1.00/day
 230 Digital Devices \$5.00/day
 231 Interlibrary Loans- \$1.00/day
 232 2nd overdue notice - \$1.00/notice
 233
 234 Bill notice - \$1.00/notice
 235 Admin. Fee for Bills Sent to Collection Agency \$25.00

236
 237 **Maximum overdue charge per item (except digital devices) \$6.00**

238
 239 Photo copy \$.15/ea (letter size) and (legal size) per side
 240 \$.25/ea (11”x17”) per side
 241 \$1.00/ea color copies (letter size) and (legal size) per side
 242 \$2.00/ea color copies (11”x17”) per side

243
 244 Interlibrary loan fee \$2 standard size books
 245 \$.15 per page for photo copy
 246 ~~Priority Mail~~ \$4.00 for microfilm/videos/CDS/Audios
 247 ~~Microfilm/videos/CDS/Audios~~
 248 Additional charges may be assessed ~~and mailing costs may exceed~~
 249 ~~these amounts.~~

250 Replacement/Repair of items

251 Lost or damaged items: Replacement cost plus \$7.00 processing
 252 fee per item
 253 Lost or damaged cases, hang-up bags, etc.: Replacement cost or
 254 \$2.00, whichever is greater
 255 _____ Lost map or inserts - _____ \$10/item
 256 _____ Lost out-of print items _____ \$50/Alaskana
 257 _____ \$40/~~nonfiction~~non fiction
 258 _____ \$35/fiction

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

263
 264
 265 _____ Damaged Item _____ ~~\$2.00~~\$1.00/page
 266 _____ ~~\$3.00~~\$2.50/**book jacket or** cover
 267 _____ Damaged beyond repair - Full bindery cost or full replacement cost
 268 plus \$7.00 processing charge.

269
 270 Improper Return of Digital Devices- \$25 fee if not returned to Front Desk staff

271
 272 ~~Please Note: To receive a refund on a lost item, patrons must return the item within sixty days of~~
 273 ~~lost status. Refunds of payment for items deemed valuable to the collection and~~
 274 ~~returned after the 60-day period may be made at the discretion of the Director. No~~
 275 ~~refunds will be given for digital devices.~~

276
 277 **PORT AND HARBOR DEPARTMENT**

278
 279 Harbor Office - 235-3160
 280 Fish Dock - 235-3162

281
 282 (The following fees have been set by legislative enactments to HCC 10, Ord. 95-18(A) and Resolutions 12-037(S),
 283 12-023, 10-89, 06-52, 06-04, 05-123, 04-96, 03-154(S), 03-104, 03-88, 00-39, 99-118(A), 99-101, 99-78(S), 99-30(A),
 284 95-69 (Port/Harbor Tariff No. 600), Resolution 95-19, Resolution 01-84(S)(A), Resolution 02-81(A), Resolution 07-
 285 121, and Resolution 08-123)

286
 287 All rates except load and launch ramp fees and parking fees for Ramps 1 - 4, which are inclusive of sales tax, will
 288 have sales tax applied. The resulting figure will be rounded to the nearest half dollar for billing purposes.

289
 290 Administrative cost for changing boat in slip - \$25.00
 291 A \$30.00 per year charge will be assessed for a listing on a permanent reserved stall assignment.
 292 Large quantity waste oil disposal (with Harbor Master approval) - \$3.25 gallon

293
 294 **PARKING FEES**

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

299 Seasonal permits for day use parking (Ramps 1-4): \$250.00.
 300 Long Term parking permits required for Vehicles 20' or less parked in excess of seven (7) consecutive 24-hour
 301 days.
 302
 303 Long Term Parking annual permit (January 1st through December 31st): fee \$200.00.
 304
 305 Long Term Parking annual permit fee for vessel owners paying annual moorage in the Homer Harbor: fee
 306 \$100.00.
 307
 308 Vehicles over 20' and trailers are not eligible for long term parking permits.
 309
 310 Monthly parking permit for vehicles less than 20': fee \$70.00 for 30 consecutive days.
 311
 312 Monthly parking permit for vehicles over 20': fee \$85.00 for 30 consecutive days in a portion of Lot 9 only.
 313
 314 Long term parking will be enforced year around.
 315
 316 Parking lot restrictions for long term parking, May 1 through October 1, as depicted on attached map
 317 (Attachment A).
 318
 319 Existing code definitions for restricted parking, vehicles, junk vehicles, and fines for violations apply.
 320
 321 Fines, \$25.00 per calendar day, limited to \$250.00 fine per calendar year, with \$200.00 of the fine credited
 322 towards the long term parking annual permit.
 323
 324 Annual Moorage fee - ~~\$40.50~~ **\$41.70** per lineal foot, plus \$50.00 administrative charge.
 325 Reserved Stall - length of the float stall assigned, or overall length of vessel whichever is greater, plus \$50.00
 326 administrative charge.
 327
 328 Float Plane Fee - daily moorage rate of (2) 24' vessels shall be assessed on a daily basis for float planes or a
 329 monthly rate equal to the monthly rate for (2) 24' vessels. Dockage charges will be assessed based on lineal foot
 330 per calendar day or portion thereof as follows:

0' to 100'	\$338.00	451' to 475'	\$1,604.00	651' to 675'	\$3,917. 00 ³³¹
101' to 200'	\$506.00	476' to 500'	\$1,762.00	676' to 700'	\$4,420. 00 ³³²
201' to 300'	\$788.00	501' to 525'	\$1,996.00	701' to 725'	\$5,119. 00 ³³⁴
301' to 350'	\$1,005.00	526' to 550'	\$2,154.00	726' to 750'	\$5,858. 00 ³³⁵
351' to 375'	\$1,098.00	551' to 575'	\$2,334.00	751' to 775'	\$6,644. 00 ³³⁶
376' to 400'	\$1,206.00	576' to 600'	\$2,582.00	776' to 800'	\$7,459. 00 ³³⁷
401' to 425'	\$1,337.00	601' to 625'	\$2,957.00		338
426' to 450'	\$1,490.00	626' to 650'	\$3,443.00		339

341 A service charge of \$52 will be assessed to each vessel.
 342
 343 These charges are applicable to the “outer face” and “trestle berth” of Deep Water Dock and to all berthing
 344 locations on Pioneer Dock. The “inside berth” (berth No.2) of Deep Water Dock will have a 4-hour minimum
 345 dockage charge of 1/6 the daily rate, and a half day (up to 12 hours) docking charge of ½ the daily rate, with no
 346 service charge applicable.
 347

348 PASSED AND ADOPTED by the City Council of Homer, Alaska, this ____ day of
349 December, 2014.

350

351

CITY OF HOMER

352

353

354

355

MARY E. WYTHE, MAYOR

356 ATTEST:

357

358

359

JO JOHNSON, MMC, CITY CLERK

361

362 Fiscal Note: Revenue amounts not defined in CY2015 budget.

363

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 14-115

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING THE PORT OF HOMER TERMINAL TARIFF NO. 600
MOORAGE RATES.

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

WHEREAS, The Port and Harbor Advisory Commission discussed and recommended that the harbor moorage rates should be increased to the Port of Homer Terminal Tariff No. 600, consistent with the Consumer Price Index.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby amends the Port of Homer Terminal Tariff No. 600 as follows:

RULE: 34.18 - HARBOR MOORAGE RATES (A)

EFF: 01JAN2013

SUBSECTION 200

(a) CALCULATION OF MOORAGE RATES:

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

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

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

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

PORT AND HARBOR OF HOMER 4350 HOMER SPIT ROAD HOMER, ALASKA 99603 PHONE: 907.235.3160 TERMINAL TARIFF NO. 600	FMC NO. 600	PAGE	35
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44

45 RULE: 34.18 - HARBOR MOORAGE RATES

46 (continued)

47

48 For billing purposes, when the actual length of the vessel is not immediately available, length
 49 of the vessel as published in “Lloyd’s Register of Shipping” may be used. The City of Homer
 50 reserves the right to: (1) obtained the length from the vessel’s register, or (2) measure the
 51 vessel.

52

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

57

58 (b) ANNUAL MOORAGE FEE:

59 The annual moorage fee for reserved moorage and transient moorage privileges shall be ~~forty~~
 60 ~~dollars and fifty cents~~ **forty-one dollars and seventy cents** (~~\$40.50~~ **\$41.70**) per lineal foot
 61 based on the overall length of the vessel (including all hull attachments such as bowsprits,
 62 davits, dinghies, swimsteps etc.) plus a fifty dollar (\$50.00) administration charge; or for a
 63 reserved stall, the length of the finger float stall assigned, or the overall length of the vessel,
 64 whichever is greater plus a fifty dollar (\$50.00) administration charge.

65

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

72

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

79 made in advance.

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80

81

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82

83 RULE: 34.18 - HARBOR MOORAGE RATES

84 (continued)

85

86 (2) A reserved stall assignment granted after October 1 will be charged a fee based
 87 on the number of months (including the month which it is granted regardless
 88 of the day of the month) left in the fiscal year ending September 30.

89

90 (c) A semiannual transient rate is available on a prepaid basis only for transient vessels
 91 mooring in the Small Boat Harbor for a period of six consecutive months. The
 92 transient semiannual rate is 67% of the annual rate. Vessels that do not renew will
 93 automatically be charged the monthly rate.

94

95 (d) The monthly transient rate will be 17% of the annual rate. Vessels that are properly
 96 registered and pay all moorage fees in advance may deduct fifty cents (\$.50) per foot
 97 per month.

98

99 (e) The daily transient rates are: 3% of the annual rate.
 100 Vessels that properly register and pay all moorage fees in advance may deduct five
 101 dollars per day from the daily rate.

102

103 (f) FLOAT PLANE FEES:
 104 With proper registration and specific permission from the Harbormaster, float planes
 105 may arrange for short-term moorage in the Small Boat Harbor. This is only allowed
 106 when ice and weather conditions prevent float planes from landing on Beluga Lake.

107

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

114
115 PASSED AND ADOPTED by the City Council of Homer, Alaska, this _____ day of
116 December, 2014.

117
118 CITY OF HOMER

119
120 _____
121 MARY E. WYTHER, MAYOR

122 ATTEST:

123
124 _____
125 JO JOHNSON, MMC, CITY CLERK

126
127 Fiscal Note: N/A

**CITY OF HOMER
HOMER, ALASKA**

Mayor, Roberts,
Van Dyke, Zak

RESOLUTION 14-117

A RESOLUTION OF THE HOMER CITY COUNCIL APPROVING THE HIRING
OF AN INTERIM CITY MANAGER FOR A TERM NOT TO EXCEED SIX
MONTHS.

WHEREAS, The City Manager Selection Committee was formed, comprised of Mayor Wythe,
Mayor Pro Tempore Roberts, and Councilmembers Van Dyke and Zak; and

WHEREAS, The Committee was tasked with reviewing applications for the city manager
position and to determine the best course of action for the City in the interim; and

WHEREAS, The Committee recommends that an Interim City Manager be hired to fulfill the
leadership role while the Committee is considering candidates for the permanent city manager
position; and

WHEREAS, Hiring an interim city manager that can work directly with outgoing City Manager
Wrede will be beneficial for the continuity of city operations and provide an overlap of management
for the incoming city manager; and

WHEREAS, The Committee will select and negotiate with the Interim City Manager for a term
not to exceed six months.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves the hiring
of an Interim City Manager for a term not to exceed six months.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 27th day of October, 2014.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal note: Wages to be determined.

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

