



City of Homer

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MANAGER'S REPORT

September 22, 2014

TO: MAYOR WYTHE / HOMER CITY COUNCIL

FROM: WALT WREDE

UPDATES / FOLLOW-UP

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

1. HERC Building Property / Deed Restrictions: The Homer City Council adopted Resolution 13-096 on September 23, 2013. This is the resolution which requests that the Kenai Peninsula Borough amend the deed restrictions on the HERC property to provide the City with the option of selling the property and using the proceeds for the benefit of the general public. A copy of the resolution is attached. You will recall that Mayor Navarre spoke in favor of this option and said he would support it. I reported to the Council about six months ago that I had checked in with the Mayor requesting a status report. The Mayor reported that the Council's request was undergoing a legal review. We also discussed the fact that the Council was actively considering this property as the site of a new public safety building and therefore, quick Borough action was not needed and could be delayed until the site selection process is completed. There was no further discussion about this until last week when suddenly there was a flurry of activity. First, Assembly Member Bill Smith called to say that the Council's resolution had just come to his attention and that he would be sponsoring an ordinance to remove the deed restrictions. His intent was to get it introduced before he left office. A day later, I received an e-mail from the Mayor's staff which included an application form for amendments to deed restrictions and indicated that the Administration was preparing to go ahead with its own ordinance. So, things are moving. The situation on the ground has changed somewhat since the Council adopted this resolution. Please let me know if the Council no longer supports Resolution 13-096.
2. Bishops Beach Mischief: The City continues to receive reports and complaints about problems at Bishops Beach, including Bishops Beach Park and the beach itself. These reports are coming from Old Town residents and as far up the beach as the Crittenden / Hidden Way and Salt Water Drive neighborhoods. The complaints include parties, loud noise, dangerous campfires, habitat damage, reckless driving, harassment of other beach and park users, drugs and alcohol, litter, etc. I am aware that Councilmembers are

receiving calls also. This week I will be getting together with U.S. Fish and Wildlife staff who are concerned about habitat damage there and want to do some restoration.

This is a topic that might need in-depth Council discussion. Below is a range of possible options that could be taken to address the issue. Some of them could be done administratively. Others would require specific Council action and/or appropriation. Support for all of these options has been expressed over time by various members of the community and by community organizations.

- Rehire Beach Patrol Officer
 - Install a gate that keeps vehicles out of the park and closes off the beach access point to vehicles during certain hours.
 - Install surveillance cameras
 - Establish park hours and close the Park during the evening.
 - Amend the Beach Policies with respect to where vehicles are allowed
 - Prohibit camping on the beach
 - Establish a permit system for motorized access to the beach
 - Organize a Neighborhood Watch / Beach Patrol effort
 - Start a reward system for information leading to arrests.
3. FEMA Flood Maps: FEMA has completed new preliminary flood maps for the Homer coastline. The new maps incorporate recent changes to the Spit Floodplain maps and new updated information about the rest of the coast within the City limits. In short, very little has changed in terms of flood hazards. The biggest change is good news for the City. The Public Works complex has been removed from the VE, 100 year flood zone. FEMA held a meeting for City staff and a public meeting on September 11th. These are preliminary maps and can be viewed on line or in the City planning office. An appeal period will begin on October or November of 2014. The appeal period will end in February of 2015. The City is eligible to appeal parts or all of the maps because it is the participant in the National Flood Insurance Program. Aggrieved property owners would bring complaints to the City, along with evidence and back-up, and the City would forward the information to FEMA for review and determination. Appeals must include specific data and facts. Letters of final determination will be issued in May of 2015. The effective date of the new maps will be November 2015. For more information, you can consult the Planning Department.
4. Candidates for Public Office and Information Requests: As you know, it is the campaign season. Candidates for public office often request documents or data from the City for their own information in order to get up to speed on City issues. Sometimes these documents or information are used for campaign purposes. This can be a tricky issue and must be handled carefully. City staff are required to be nonpartisan in local elections and must treat candidates equally. Additionally, incumbent candidates are prohibited from using their offices, or implied authority or influence to get City staff to assist them with their campaigns. An incumbent mayor in an Alaska city was recently publically chastised for using his office to obtain information used for campaign purposes that other candidates might not have access too or know existed. So, in order to address this, we

have been proceeding under the following policy. If a candidate requests information that is a public record, is routine, and could be obtained by any member of the public, we provide the information without asking the candidate to fill out a public records request. We do this because it is in the public interest to have well informed candidates and a well informed electorate. If the records request is not routine, requires a great deal of staff time to produce, or requires the staff to compile new records or records presentation, then a public records request is required and the provisions in HCC 2.84 (Public Release of Records) and the associated regulations apply like they would to any citizen. I think this is a way for the City to be fair and nonpartisan but at the same time, facilitate information release that leads to informed public discourse.

5. Kachemak City Sewer Agreement and Fee Schedule Changes: The Kachemak City Council reviewed the latest amendments to the draft Wastewater Agreement at its meeting on September 10th. I am scheduled to meet with Mayor Morris on September 18 to discuss his Council's reaction and comments. I can provide more information on this discussion at the meeting.
6. 2015 Budget: The Finance Department and the department heads are working hard on the draft 2015 operating budget. We are scheduled to bring the budget to the Council on October 13. One of the things Finance and PW is spending a lot of time on is re-evaluating how labor costs are allocated between Public Works and the Water and Sewer operation. Public Works has undergone some internal re-organization and now is a good time to take a look at labor allocation. This is still under active discussion but Council should expect that some level of labor costs will be shifted from the Water and Sewer Fund to the General Fund. This appears to be the right things to do however, it will have definite implications for the General Fund.
7. Employee Health Insurance: Jeff Paxton will be here on September 30 to meet with us and then the Employee Committee. John, Andrea, and I will have a phone conference with him next week in preparation for the meeting with the Employee Committee. The purpose of the meeting is to go over the year to date performance of the self insurance fund and to review the proposals we have received from the private sector. We have received several attractive bids from the private sector which look attractive and will receive further analysis. We are on track to provide Council with a recommendation on how to proceed as part of the upcoming budget process.
8. Natural Gas Project: The construction project is complete. Final invoices have been submitted and the accounts are closed. Enstar representatives will be here on September 25 to work with the City on a final project close-out.

ATTACHMENTS

1. Resolution 13-096