

City Council
December 8, 2014
Monday



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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2014/2015
DECEMBER/JANUARY

- Monday 8th:** **CITY COUNCIL**
Committee of the Whole 5:00 p.m. and Regular Meeting 6:00 p.m.
- Wednesday 10th:** **CITY MANAGER SELECTION COMMITTEE**
Meeting 4:00 p.m.
- PUBLIC SAFETY BUILDING REVIEW COMMITTEE**
Regular Meeting 5:30 p.m.
- Tuesday 16th:** **PARKS AND RECREATION ADVISORY COMMISSION**
Special Meeting 5:30 p.m.
- Wednesday 17th:** **PORT AND HARBOR ADVISORY COMMISSION**
Regular Meeting 5:00 p.m.
- Thursday 18th:** **EMPLOYEE CHRISTMAS PARTY**
6:00 p.m.
- Thursday, 25th:** City Offices closed for Christmas Day.
- Thursday 1st:** City Offices closed for New Year's Day.
- Tuesday 6th:** **LIBRARY ADVISORY BOARD**
Regular Meeting 5:00 p.m.
- Wednesday 7th:** **PLANNING COMMISSION**
Worksession 5:30 p.m. and Regular Meeting 6:30 p.m.
- Monday 12th:** **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.

MAYOR AND CITY COUNCILMEMBERS AND TERMS
BETH WYTHE, MAYOR – 16
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



COMMITTEE OF THE WHOLE
5:00 P.M. MONDAY
DECEMBER 8, 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.**
- 2. AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)
- 3. CONSENT AGENDA**
- 4. REGULAR MEETING AGENDA**
- 5. COMMENTS OF THE AUDIENCE**
- 6. ADJOURNMENT NO LATER THAN 5:50 P.M.**
Next Regular Meeting is Monday, January 12, 2015 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

CALL TO ORDER
PLEDGE OF ALLEGIANCE
AGENDA APPROVAL

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



REGULAR MEETING
6:00 P.M. MONDAY
DECEMBER 8, 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

REGULAR MEETING AGENDA

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

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

2. AGENDA APPROVAL

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

4. RECONSIDERATION

5. CONSENT AGENDA

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

- A. Homer City Council unapproved Regular meeting minutes of November 24, 2014. City Clerk. Recommend adoption. Page 21
- B. Memorandum 14-176 from Mayor, Re: Appointment of Susan Braund to the Library Advisory Board. Page 37

- C. **Ordinance 14-56**, 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. Planning. Recommended dates: Introduction December 8, 2014, Public Hearing and Second Reading January 12, 2015. Page 41
- Memorandum 14-177 from City Planner as backup. Page 47
- D. **Resolution 14-120**, 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. City Clerk. Page 61
- Memorandum 14-179 from Parks and Recreation Advisory Commission as backup. Page 54
- Memorandum 14-180 from Library Advisory Board as backup. Page 67
- Memorandum 14-181 from Port and Harbor Advisory Commission as backup. Page 69
- Memorandum 14-182 from Public Arts Committee as backup. Page 71
- Memorandum 14-183 from Deputy City Clerk as backup. Page 73
- E. **Resolution 14-121**, A Resolution of the Homer City Council Awarding the Officer Uniform and Homer Jail Laundry Contract to the Firm of Homer Cleaning Center of Anchor Point, Alaska, at a Rate of \$1.95 Per Pound for Jail Linens, \$9.00 Each for Officer Uniform Shirts and Pants, Officer Jackets \$16.00 Each, and a \$20 Special Delivery Fee Per Trip. City Clerk. Recommend adoption. Page 77
- Memorandum 14-184 from Police Chief as backup. Page 79
- F. **Resolution 14-122**, A Resolution of the City Council of Homer, Alaska, Adopting an Alternative Allocation Method for the FY 15 Shared Fisheries Business Tax Program and Certifying That This Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Cook Inlet Fisheries Management Area. City Manager. Recommend adoption. Page 83
- G. **Resolution 14-123**, A Resolution of the City Council of Homer, Alaska, in Support of Full Funding for the State of Alaska Harbor Facility Grant Program in the FY 2016 State Capital Budget. City Manager/Port and Harbor Director. Recommend adoption.

Page 103

- H. **Resolution 14-124**, A Resolution of the City Council of Homer, Alaska, In Support of the Addition of Port and Harbor Employees to the List of Employees Covered by AS 12.55.135. City Manager/Port and Harbor Director. Recommend adoption.

Page 109

- I. **Resolution 14-125**, A Resolution of the Homer City Council Confirming the City Manager's Appointment of Jo Johnson as Acting City Manager for Calendar Year 2015. City Manager.

Page 113

6. VISITORS

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. **Mayor's Recognition** – Finance Department for Certificate of Achievement for Excellence in Financial Reporting

Page 119

- B. Borough Report

- C. Commissions/Board Reports:

1. Library Advisory Board

2. Homer Advisory Planning Commission

a. Minutes of November 5, 2014

Page 121

3. Economic Development Advisory Commission

4. Parks and Recreation Advisory Commission

5. Port and Harbor Advisory Commission

8. PUBLIC HEARING(S)

- A. **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. Introduction October 27, 2014, Public Hearings November 24 and December 8, 2014, and Second Reading December 8, 2014. Page 137

Memorandum 14-178 from Public Arts Committee as backup. Page 139

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. Follows Budget Ordinance 14-51 schedule. Page 147

Resolution 14-115, A Resolution of the City Council of Homer, Alaska, Amending the Port of Homer Terminal Tariff No. 600. City Clerk. Follows Budget Ordinance 14-51 schedule. Page 157

B. **Ordinance 14-54(S)**, An Ordinance of the Homer City Council Amending the FY 2014 Operating Budget by Authorizing the Expenditure of \$255,000 From the Port and Harbor Reserves to Extend Potable Water to Floats K Through Q and to Make Electrical/Structural Upgrades to Floats HH and JJ. City Manager/Port and Harbor Director. Introduction November 24, 2014, Public Hearing and Second Reading December 8, 2014. Page 161

Memorandum 14-173(S) from Port and Harbor Director as backup. Page 165

C. **Ordinance 14-55(S)**, An Ordinance of the Homer City Council Re-appropriating Funds Authorized by Ordinances 12-33(A)(S) and 12-39(S) for the Design and Engineering Phases of the Homer Harbor Improvement Projects to Construction and Replacement of HH and JJ Floats on System 4. City Manager/Port and Harbor Director. Introduction November 24, 2014, Public Hearing and Second Reading December 8, 2014. Page 167

Memorandum 14-174 from Port and Harbor Director as backup. Page 171

9. **ORDINANCE(S)**

10. **CITY MANAGER'S REPORT**

A. City Manager's Report Page 177

B. Bid Report Page 183

C. Games Report

Page 185

1. Alaska State Elks Charitable Trust

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

14. NEW BUSINESS

15. RESOLUTIONS

16. COMMENTS OF THE AUDIENCE

17. COMMENTS OF THE CITY ATTORNEY

18. COMMENTS OF THE CITY CLERK

19. COMMENTS OF THE CITY MANAGER

20. COMMENTS OF THE MAYOR

- A. Recognition of Walt Wrede, City Manager

21. COMMENTS OF THE CITY COUNCIL

22. ADJOURNMENT

Following adjournment, cake and refreshments will be served to celebrate Walt Wrede and his 12 years of outstanding service to the City of Homer. Next Regular Meeting is

Monday, January 12, 2015 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PUBLIC COMMENTS
UPON MATTERS
ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

Session 14-29 a Regular Meeting of the Homer City Council was called to order on November 24, 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:	LEWIS, REYNOLDS, ROBERTS, VAN DYKE, ZAK
	ABSENT:	BURGESS (excused)
	STAFF:	CITY MANAGER WREDE CITY CLERK JOHNSON CITY ATTORNEY KLINKNER DEPUTY CITY PLANNER ENGBRETSEN DEPUTY HARBORMASTER CLARKE FINANCE DIRECTOR LI LIBRARY DIRECTOR DIXON PROJECT MANAGER NELSEN

Councilmember Burgess has requested telephonic participation or excusal.

Mayor Wythe declared Councilmember Burgess' absence as excused. There was no objection from the Council.

The Council met as a Committee of the Whole from 5:00 p.m. to 5:47 p.m. to discuss 2015 Budget, Memorandum 14-172, 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 - Ordinance 14-54(S)**, An Ordinance of the Homer City Council Amending the FY 2014 Operating Budget by Authorizing the Expenditure of ~~\$100,000~~ **\$255,000** From the Port and Harbor Reserves to Extend Potable Water to Floats K Through Q **and to Make Electrical/Structural Upgrades to Floats HH and JJ**. City Manager/Port and Harbor Director. Memorandum 14-173(S) as backup. **Ordinance 14-55(S)**, An Ordinance of the Homer City Council Re-appropriating Funds Authorized by Ordinances 12-33(A)(S) and 12-39(S) for the Design and Engineering Phases of the Homer Harbor Improvement Projects to Construction and Replacement of HH and JJ Floats on System 4. City Manager/Port and Harbor Director. **VISITORS** - Homer Park, Arts, Recreation, Culture Needs Assessment Update. **ANNOUNCEMENTS/PRESENTATIONS/BOROUGH**

REPORT/COMMISSION REPORTS - Alaska Municipal League Reports, Mayor Wythe and Councilmembers Zak and Reynolds. **PUBLIC HEARINGS - 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. Budget amendments. Written public comments. **CITY MANAGER'S REPORT** - City Manager's Report of Natural Gas Distribution System Special Assessment District (Memorandum 14-175). Written public comments. Letter of Support for South Peninsula Behavioral Health Services, MAPP Application for Grant Funding. **NEW BUSINESS - Memorandum 14-172(S)**, from Parks and Recreation Advisory Commission Requesting the Council to Adopt a Resolution to Form a Beach Policy Task Force. Written public comments.

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

LEWIS/REYNOLDS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were no comments of the public.

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 October 27, 2014. City Clerk. Recommend adoption.
- B. **Memorandum 14-171**, from Mayor, Re: Appointments of Amy Alderfer to the Library Advisory Board and Barbara Howard to the Permanent Fund Committee.
- C. **Ordinance 14-54**, An Ordinance of the Homer City Council Amending the FY 2014 Operating Budget by Authorizing the Expenditure of \$100,000 From the Port and

Harbor Reserves to Extend Potable Water to Floats K Through Q. City Manager/Port and Harbor Director. Recommended dates: Introduction November 24, 2014, Public Hearing and Second Reading December 8, 2014.

Ordinance 14-54(S), An Ordinance of the Homer City Council Amending the FY 2014 Operating Budget by Authorizing the Expenditure of ~~\$100,000~~ **\$255,000** From the Port and Harbor Reserves to Extend Potable Water to Floats K Through Q **and to Make Electrical/Structural Upgrades to Floats HH and JJ**. City Manager/Port and Harbor Director.

Memorandum 14-173 from Port and Harbor Director as backup.

Memorandum 14-173(S) from Port and Harbor Director as backup.

- D. **Ordinance 14-55**, An Ordinance of the Homer City Council Re-appropriating Funds Authorized by Ordinances 12-33(A)(S) and 12-39(S) for the Design and Engineering Phases of the Homer Harbor Improvement Projects to Construction and Replacement of HH and JJ Floats on System 4. City Manager/Port and Harbor Director. Recommended dates: Introduction November 24, 2014, Public Hearing and Second Reading December 8, 2014.

Ordinance 14-55(S), An Ordinance of the Homer City Council Re-appropriating Funds Authorized by Ordinances 12-33(A)(S) and 12-39(S) for the Design and Engineering Phases of the Homer Harbor Improvement Projects to Construction and Replacement of HH and JJ Floats on System 4. City Manager/Port and Harbor Director. Memorandum 14-174 from Port and Harbor Director as backup.

- E. **Resolution 14-118**, A Resolution of the Homer City Council Authorizing the City Manager to Enter Into Negotiations With Property Owners of a Roger's Loop Road Parcel to Purchase the Land for a Parking/Staging Area at the Roger's Loop Trailhead. Reynolds. Recommend adoption.
- F. **Resolution 14-119**, A Resolution of the Homer City Council Adopting Strategic Doing as a Model for Plan Implementation and Establishing a Regular Meeting Schedule for Strategic Doing Work Sessions. Mayor. Recommend adoption.

REYNOLDS/LEWIS - MOVED TO APPROVE THE CONSENT AGENDA AS READ.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

A. PARC Needs Assessment

Deputy City Planner Julie Engebretsen and Asia Freeman, working with the Park, Art, Recreation and Culture (PARC) Needs Assessment provided an update on the project. The point of the PARC Needs Assessment is to determine the resources and prioritize the PARC needs for the community for the next 10-15 years.

Project goals include:

1. Identify existing and potential resources - how do people use their spare time? What kind of facilities, programs, and volunteer efforts does the community have?
2. Survey what programs and facilities people would like to have.
3. Conduct a gap analysis between what we have and what we want – future demographic trends; what will people want to do in the future.
4. Measure our community values for art, recreation, and quality of life.
5. How can we pay for these new programs and structures?

The public survey is available on the City's website through December 8th. Residents in surrounding communities are welcome to participate. So far there has been a good diverse participation in the survey. The contractor Agnew::Beck was here last week to conduct focus groups with senior citizens, high school students, and business owners. Preliminary results show people are not aware what is available.

Asia Freeman, PARC committee member, reported 20 PARC providers responded. About 38,925 volunteer hours per year, or 106 hours per day, are provided. An overwhelming 77% of survey takers support exploring new resources and strategies to maintain or expand PARC opportunities. Some themes that emerged: expand trails, more community investment, greater investment and coordination, better use of existing facilities, and desire for more multi-use.

The business focus group would like a new facility to complement existing businesses and organizations. PARC will expand the steering committee to include more members from the business community. There is a growing interest in a conference center with multi-purpose space.

To pay for the facility, sources of funding may include user fees, service area, dedicated sales tax, and foundations with public and private partnerships. In 2013 The Homer Foundation awarded 42% of their scholarships and grants to PARC activities. Other sources of funding include grants from the Park Foundation, New Pathways Alaska, public and private partnerships, concessions, special taxes, and reciprocal membership arrangements with current organizations. After the survey closes the consultant will gather information, conduct their gap analysis, and conduct a statistically valid survey. The draft report will be out in March, with the project completion in April.

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Borough Report

Kelly Cooper, newly elected Kenai Peninsula Borough Assembly Member, congratulated Jo Johnson as Clerk of the Year. Tomorrow evening the Assembly will be having a public hearing on Ordinance 2014-31 authorizing release of a deed restriction at the request of the Homer City Council. The ordinance was brought to the KPB Planning Commission, there was no public testimony, and the commission unanimously recommended a public hearing before the Assembly. The CARTS program saw an 11% increase in trips to Homer this quarter. There were 986 trips to Homer; 59% were paid by the person taking the ride with the remainder paid by an agency for the client.

B. Alaska Municipal League Reports, Mayor Wythe and Councilmembers Zak and Reynolds

C. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
 - a. Minutes of October 15, 2014
3. Economic Development Advisory Commission

Mike Barth, Chair of the Economic Development Advisory Commission, reported the commission was tasked by Council to explore affordable housing. It is a complex issue to find workable solutions. Many good ideas revolve around taxes. Because the City doesn't have a budget to increase affordability of housing, we could incentivize people to build a house on a vacant lot. The City could defer taxes for 3-5 years and in return the City could collect property tax for the lifetime of the house. The tradeoff is giving up a little bit of tax dollars to

make money in the long run. The commission has looked at other communities comparable to Homer to see what tax incentive strategies they offer.

4. Parks and Recreation Advisory Commission

Trisha Lillibridge, Parks and Recreation Advisory Commissioner, reported the commission is full with responsible and experienced people. The last day for the PARC survey is December 8th. Input from the community and surrounding areas is needed. The commission is ready to hold worksessions on the Bishop's Beach area and can start doing so in December. At last month's meeting there were over 30 people there to comment on Bishop's Beach. People have positive things to say about the beach; it is a place to gather coal, walk dogs, and to recreate. The commission will keep an open mind to find something that works well for the community. The commission remains vigilant for the need of a recreational facility in town. The HERC provides the gym, skateboard park, and outdoor basketball court. In October 2015 Homer will be hosting the annual statewide parks and recreation state conference. The motto is "Be the Difference" and it is scheduled for October 7 – 9 at Land's End.

Community Recreation Coordinator Mike Illg reported the HERC building is heated at 55 degrees and there is no deadline to move out. He is looking at more community recreation for the community to generate more revenue.

City Manager Wrede added there is minimum heat and electricity on in the HERC building and it will remain until the Council tells us to close it down. The budget is \$59,000 for both buildings, to include Public Works. There was a time the building cost \$200,000 in utilities. With upgrades to the heating system we are burning less fuel due to minimal heat. Presently 70% of costs are for community recreation and 30% is for Public Works shops.

5. Port and Harbor Advisory Commission

PUBLIC HEARING(S)

- A. **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. Introduction October 27, 2014, Public Hearings November 24 and December 8, 2014, and Second Reading December 8, 2014.

Mayor Wythe opened the public hearing.

Stan Eller, city resident, thanked the Council for their work on employees' health insurance. Next year the City will be paying \$1,100 per month/per employee, down from \$1,744 per month/per employee for 2014.

Mayor Wythe closed the public hearing.

LEWIS/ZAK – MOVED TO AMEND BUDGET FROM ACCOUNT 5210 ECONOMIC DEVELOPMENT TO GIVE \$10,000 TO THE KEVIN BELL ARENA HOMER HOCKEY ASSOCIATION FOR OPERATIONS.

Councilmember Lewis commented the Kevin Bell Arena is an economic engine for the City of Homer in the wintertime. It brings hundreds of people into town who in turn fill the hotels, restaurants, and shop at the stores. The rink is always walking the financial picket fence and always needs all the help it can get. Over the ten years the rink has been in operation the players and parents have raised over \$3M to keep the rink open.

Councilmember Zak favors funding the hockey rink from account 0100-5210 professional services (attorney fees). Councilmember Lewis disagreed on changing the account since the hockey rink advertises the City for the wintertime, while the Chamber of Commerce advertises for the summer.

Councilmember Reynolds agreed the hockey rink is a worthy organization, but there are other groups that could make the same pitch. She asked how we could choose to fund one organization over the other since all organizations are worthy.

Councilmember Roberts agreed the Homer Hockey Association is a worthwhile organization. The Council has provided money to them in past years. The Council has given money to The Homer Foundation to help a lot of nonprofits; it removes the political aspect. She can't support removing funds from the Chamber of Commerce when the Chamber supports a wide variety of businesses.

Councilmember Lewis recalled we just approved a resolution for purchasing land on Roger's Loop to benefit skiers and hikers. The Chamber's funding has grown by over \$30,000 in the last three years. In 2012 we allocated \$20,000 and it is now \$54,000; the Chamber asked for another \$15,000 recently. Funding for the Pratt, The Homer Foundation, and Haven House have remained stagnant.

ZAK/VAN DYKE - MOVED TO AMEND THE ACCOUNT WHERE IT WILL BE DRAWN FROM ACCOUNT 5210 ECONOMIC DEVELOPMENT TO ACCOUNT 0100-5210 CITY COUNCIL PROFESSIONAL SERVICES.

There was no discussion.

VOTE: (secondary amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (primary amendment) YES. LEWIS, ZAK, VAN DYKE

VOTE: NO. ROBERTS, REYNOLDS

Motion failed.

LEWIS/ROBERTS – MOVED TO AMEND TO TAKE \$10,000 FROM THE CHAMBER’S BUDGET FOR THE SENIOR CITIZENS CENTER FOR CAPITAL IMPROVEMENTS FOR NATURAL GAS.

Mayor Wythe asked Councilmember Zak if he needed to declare a conflict as he serves on the Senior Center Board of Directors.

Attorney Klinkner advised Councilmember Zak he did have a conflict of interest since he has an interest in the Senior Center.

Councilmember Zak refrained from discussion on the amendment.

ROBERTS/LEWIS - MOVED TO AMEND THE AMENDMENT THAT THE \$10,000 COMES FROM 0100-5210 (CITY COUNCIL PROFESSIONAL SERVICES).

There was no discussion.

VOTE: (secondary amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

The Council discussed support for the capital project to help the Homer Senior Center with the expense of converting to natural gas. They can use the allocation to generate other funds.

Finance Director John Li noted the Senior Center will need to give us a report on the improvements.

VOTE: (primary amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

LEWIS/ZAK - MOVED TO AMEND TO ALLOCATE \$5,000 FROM CITY COUNCIL PROFESSIONAL SERVICES ACCOUNT 0100-5210 FOR THE PICNIC SHELTER (AT PIER ONE THEATRE).

REYNOLDS/ZAK - MOVED TO AMEND THE AMOUNT TO \$7,500.

Councilmember Reynolds referenced an email the Council received amending the proposed cost to construct the new picnic shelter at \$20,000. It would be ideal for the group behind the proposal to have \$10,000. Dave Brann believes with \$5,000 he could leverage additional funds for the picnic shelter. The \$7,500 seems like a good compromise. The old picnic shelter received a lot of use from Fishing Hole users and visitors, but was removed due to its unsafe, non-repairable condition.

Councilmember Lewis would like to increase the amount, but we cannot hit the Council's professional services account. He knows Dave Brann can take the \$5,000 and get what is needed.

VOTE: (secondary amendment) YES. ROBERTS, REYNOLDS, ZAK

VOTE: NO. LEWIS, VAN DYKE

Motion failed.

VOTE: (primary amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Roberts suggested postponing Councilmember Burgess' budget amendment to the next meeting so he can defend and explain the amendment. There was no objection from the Council.

ROBERTS/REYNOLDS - MOVED TO DECREASE ACCOUNT 156-0393 BY \$8,000 AND INCREASE ACCOUNT 156-0393 BY \$9,500.

City Manager Wrede explained the \$8,000 eliminated was for a hydraulic pump that has since been repaired by Public Works. It operates the Jaws of Life and will last a couple more years as a backup pump. The Fire Chief has indicated a higher priority is a new heavy duty washing machine that will handle turnouts that the firefighters use. The present one is old and needs to be replaced. We are proposing to switch projects; the washing machine will be \$1,500 more.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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. Follows Budget Ordinance 14-51 schedule.

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

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

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

B. **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. Introduction October 27, 2014, Public Hearing and Second Reading November 24, 2014.

Memorandum 14-162 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 14-52 by reading of title only for second and final reading.

LEWIS/REYNOLDS - SO MOVED.

The ordinance is for housekeeping purposes so that licenses are issued by the Animal Shelter.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

C. **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. Introduction October 27, 2014, Public Hearing and Second Reading November 24, 2014.

Memorandum 14-164 from Public Works Director as backup.

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

Mayor Wythe called for a motion for the adoption of Ordinance 14-53 by reading of title only for second and final reading.

LEWIS/REYNOLDS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

CITY MANAGER'S REPORT

- A. Memorandum 14-175 from City Manager, Re: Natural Gas Distribution System Special Assessment District

Mayor Wythe recused herself from discussion and passed the gavel to Mayor Pro Tempore Roberts.

Attorney Klinkner provided insight into the recommendation that condominiums be assessed as one building instead of individually. Based on the litigation on the assessment of condominiums he reviewed the judge's decision and analyzed his approach to the question. Although the decision applies only to one property owner who brought the litigation, they accepted that precedent as an approach for assessing condominiums generally. The judge was most concerned that the assessment was disproportionate because lots not developed into condominiums would be served by one service line from the distribution line and would pay one assessment. The judge was strong on the idea the number of assessments should not exceed the number of service lines to the property. In a condominium building that contains multiple condominium units served by only one service line, there should be only one assessment to the building. That is not the only possible situation for a condominium project. There may be a condominium project where each unit has their own service line; he recommended those units be assessed the full amount, rather than the assessment being

divided by any factor. There may also be a condominium project that has multiple buildings, each building having a separate service line; assessments should be building by building. State Statute requires the assessment be assessed to the condominium unit as a separate parcel of property and that it not be assessed against any common elements in the condominium project such as a parking lot or common area within the building. This is the approach Attorney Klinkner recommends to the Council when assessments are levied.

The Council questioned assessments on parking lots that belong to condominium projects. Attorney Klinkner advised if the parking lot is a common element of the condominium project; review of the declaration that established the condominium project is required. If the lot is just a separate parcel used for parking and is not dedicated to the condominium project it could be disposed at any time and assessed. There was a window of time a property owner could vacate property lines to relieve assessments.

City Manager Wrede reminded the Council this is a status report and the initial recommendation for assessing condominiums. If the Council wants to discuss this in more detail they can do so in executive session. The objection period will be coming up and the Council may hear a lot of things from the public that may cause them to think of things differently.

The Council discussed the short window that a property owner could vacate property lines to reduce the number of liable assessments. Property owners were not provided with a notice they could vacate property lines for less assessments. Deputy City Planner Engebretsen clarified it was an extremely short window to vacate lot lines and record it in the time frame. Notice was not sent to property owners; it was discussed at the neighborhood meetings. That is not uncommon in special assessment districts.

City Manager Wrede acknowledged Elaine Grabowski at the Fire Department who received a State EMS award and the Finance Department who received an award for excellence in financial reporting.

Mayor Pro Tempore Roberts passed the gavel back to Mayor Wythe, who returned to the dais.

Alaska Film Group Article, by Katie Koester

C. Bid Report

CITY ATTORNEY REPORT

- A. City Attorney Report, October 2014

COMMITTEE REPORT

- A. Public Arts Committee

Erin Hollowell, new Public Arts Committee Member, reported the committee met on November 13th and discussed the importance of creating an updated registry of the City's art collection. Currently the registry is incomplete and out of date and paper based. The PAC added a \$4,000 budget request for a contractor to inventory public art in all city facilities. Once completed, the PAC in conjunction with the amazing Deputy City Clerk Renee Krause, will access what type of database will best suit the amount and type of data, and best means to make the information available to public. Michele Miller was elected Chair and Adele Person as Vice Chair. Katie Koester talked to them about an art place grant. The grant would provide funds to develop projects to increase the livability of the city and strengthen the physical and social character of the city around the arts and cultural activities. An additional budget request is for a new mural on the Heath Street wall at Kachemak Center and more new signage for city parks.

- B. Permanent Fund Committee
- C. Employee Committee Report
- D. Port and Harbor Building Task Force
- E. Public Safety Building Review Committee

Mayor Wythe reported the committee met on November 10th and discussed financing and phasing options. The next meeting is scheduled for December 10th at 5:30 p.m.

- F. Vessel Haul-Out Task Force
- G. City Manager Selection Committee

PENDING BUSINESS

NEW BUSINESS

- A. **Memorandum 14-172** from Parks and Recreation Advisory Commission Requesting the Council to Adopt a Resolution to Form a Beach Policy Task Force.

Memorandum 14-172(S) from Parks and Recreation Advisory Commission Requesting the Council to Adopt a Resolution to Form a Beach Policy Task Force.

REYNOLDS – MOVED FOR THE APPROVAL OF THE RECOMMENDATIONS OF MEMORANDUM 14-172.

Motion failed for lack of a second.

RESOLUTIONS

COMMENTS OF THE AUDIENCE

Amy Springer, city resident, expressed objection to the assessments for condominium owners and asked that her condominium building receive one assessment.

Mike Barth disclosed he is the President of Chamber of Commerce. On a personal comment he disagrees the Homer Hockey Association is as much of an economic driver as the Chamber of Commerce is.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner encouraged anyone who is concerned with the City's compliance in natural gas assessments for condominiums to review AS 34.08.720(B) before raising further objections. He congratulated the City Clerk.

COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comment.

COMMENTS OF THE CITY MANAGER

City Manager Wrede commented there are two substitute ordinances (Ordinances 14-54(S) and 14-55(S)) that explain where the money is going for floats on the harbor. Maps are available for review.

COMMENTS OF THE MAYOR

Mayor Wythe commented she was invited to make the awards for the BIZ-Idea presented through the Library. It was fun and interesting to hear the business ideas people have. The

Entrepreneur of the Year award went to Allen Engebretsen of Bay Weld Boats. On the trip to AML she again heard how horrible the economy and how horrible the State's budget is. They provided a nice training program for city managers to help figure out ways to get to "yes" when you have projects.

Mayor Wythe recognized City Clerk Johnson on receiving the Clerk of the Year award.

COMMENTS OF THE CITY COUNCIL

Councilmember Reynolds is feeling more empowered after attending AML. Her written report is included in the supplemental packet. AML was a great opportunity and a wonderful investment. It was supportive to be around other newly elected officials and a group that had more experience. The training was put together well. She congratulated Jo, the Finance Department, and Elaine Grabowski, along with the volunteers that work on the commissions and committees.

Councilmember Roberts welcomed Kelly Cooper as the new Kenai Peninsula Borough Assembly Representative. She is heartened to hear the EDC is working on affordable housing. It is an important thing to look at in keeping younger people and senior citizens in the community. She commented on non-profits in the City's budget. She likes hockey, but believes it is a slippery slope to put more non-profits in the budget. The Homer Foundation is growing some money for the City and she encouraged the hockey people to look there. She congratulated Jo.

Councilmember Zak congratulated Jo. At AML he was pleased to see the southern end of the gas line will continue to Nikiski. It will be a huge economic impact to Nikiski, Kenai, Soldotna, and Homer. As to the budget we are well below where we need to be with reserves. We cannot continue to operate as we are to meet our reserve need for the future. We are looking for public input as to how to meet the needs. As businesses grow and property taxes increase there will be some additional funds. It's great to see all the work with the PARC survey. The arts council, museum, and senior center are all valuable to the community. The HERC building is included in the budget. It is a great example as to how the Council was able to work with the community to keep the building open and reduce costs.

Councilmember Van Dyke thanked Bryan for being the current Beau. He thanked Jo and said she got the reward she deserved.

Councilmember Lewis told Jo "nice job." Barb is channeling through him at times since he is sitting in her seat. He is disappointed the rink didn't get funding. The Homer Foundation will give small little grants. The budget amendment was for operations; they may give donations for equipment. He is hoping Bryan or Gus will bring it back at the next meeting.

Mayor Wythe announced Walt is leaving us and his last meeting is December 8th. There will be a party after the council meeting and people may comment at the end of the meeting.

ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:55 p.m. The next Regular Meeting is Monday, December 8, 2014 at 6:00 p.m. and Committee of the Whole 5:00 p.m. A Special Meeting is scheduled for Monday, December 1, 2014 at 6:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

JO JOHNSON, MMC, CITY CLERK

Approved: _____



City of Homer

www.cityofhomer-ak.gov

Office of the Mayor

491 East Pioneer Avenue
Homer, Alaska 99603

mayor@ci.homer.ak.us

(p) 907-235-3130

(f) 907-235-3143

Memorandum 14-176

TO: HOMER CITY COUNCIL
FROM: MARY E. WYTHE, MAYOR
DATE: DECEMBER 2, 2014
SUBJECT: APPOINTMENT OF SUSAN BRAUND TO THE LIBRARY ADVISORY BOARD

Susan Braund is appointed to the Library Advisory Board to fill the seat vacated by Terry Smith. Her appointment will expire April 1, 2016.

RECOMMENDATION:

Confirm the appointment of Susan Braund to the Library Advisory Board.

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

NOV 26 2014 4:01:53 PM

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: Therese Smith Date: NOV 26, 2014
 Physical Address: Bluff Drive, Homer AK 99603
 Mailing Address: PO Box 1193, Homer AK 99603
 Phone Number: _____ Cell #: 907-444-6944 Work #: N/A
 Email Address: tsmithalaska@gmail.com

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

	ADVISORY PLANNING COMMISSION	1 ST & 3 RD WEDNESDAY OF THE MONTH AT 6:30 PM WORKSESSION PRIOR TO EACH MEETING AT 5:30 PM
	ECONOMIC DEVELOPMENT ADVISORY COMMISSION	2 ND TUESDAY OF THE MONTH AT 6:00 P.M.
	PARKS & RECREATION ADVISORY COMMISSION	3 RD THURSDAY OF THE MONTH AT 5:30 P.M.
	PORT & HARBOR ADVISORY COMMISSION	4 TH WEDNESDAY OF THE MONTH OCT-APRIL AT 5:00 P.M. MAY - SEPTEMBER 6:00 PM
	PERMANENT FUND COMMITTEE	2 ND THURSDAY OF THE MONTH AT 5:15 P.M. FEBRUARY, MAY, AUGUST & NOVEMBER
	PUBLIC ARTS COMMITTEE	2 ND THURSDAY OF THE MONTH AT 5:00 P.M. FEBRUARY, MAY, AUGUST & NOVEMBER
X	LIBRARY ADVISORY BOARD	1 ST TUESDAY OF THE MONTH AT 5:00 P.M.
	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.
	OTHER - PLEASE DESIGNATE	

I have been a resident of the city for ___ yrs 8 mos. I have been a resident of the area for ___ yrs 8 mos. 26-year
I am presently ~~employed at~~ Retired ~~US Gov't Employee~~ State residents

Please list any special training, education, or background you may have which is related to your choice of commission, committee, board or task force:
Government employee 25 years +
PTA member 5 years +
Active library volunteer, previous library employee,
ASD (Anchorage) library volunteer, 5 years +

Have you ever served on a similar commission, board, committee or task force? If so please list when, where and how long:
see above

Why are you interested in serving on the indicated commission, committee, board or task force?
Libraries are the grocery stores for the community's
brains. I love being part of the team to support education.

Do you currently belong to any organizations specifically related to the area of your choice(s) you wish to serve on?
Member of Islands + Oceans Friends.
"Library enthusiast" and book addict (haha)

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:
Previously LAB member briefly, interrupted by being
an employee at the library (temp for summer) -

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!

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-56

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.

Sponsor: Planning

1. City Council Regular Meeting December 8, 2014 Introduction
 - a. Memorandum 14-177 from City Planner as backup

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**CITY OF HOMER
ORDINANCE 14-56**

Planning

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.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.70.010, Zoning permit required, is amended to read as follows:

21.70.010 Zoning permit required. a. Except as provided in subsection (c) of this section, a zoning permit shall be obtained from the City Planner for the following:

1. Erection, construction or ~~moving~~ **expansion** of any building or structure.

2. Site development activities that trigger other review or approval requirements under the Homer Zoning Code, such as, but not limited to, the requirement of a site plan, development activity plan or stormwater protection plan.

3. **An increase in the height, or an exterior dimension of any floor, of an existing building, or an increase in the height, or the footprint area,** ~~A change or expansion of **an existing** any building, structure or lot.~~

4. A change or expansion of the use of a lot.

b. The zoning permit required by this section shall be obtained prior to the commencement of any ~~work, change or expansion of a building, structure, lot or use, or other~~ activity for which the permit is required. Failure to do so is a violation.

c. The following are exempt from the requirement to obtain a zoning permit, but not from compliance with applicable requirements of the Homer Zoning Code, such as, but not limited to, the development activity plan or stormwater protection plan:

1. **Any change to an existing building that does not increase the height, or exterior dimension of any floor, of the building, and any change to an existing structure that does not increase the height, or footprint area, of the structure.**

2. Erection or construction of a one-story detached accessory building used as a tool and storage shed, playhouse, or other accessory use, provided the building area does not exceed 200 square feet; and further provided, that there is already a main building on the same lot.

~~3.~~ Fences or walls used as fences, unless otherwise regulated by the Homer City Code.

~~4.~~ Removal of any building or structure.

~~5.~~ Termination of any type of use.

85 First Reading:
86 Public Hearing:
87 Second Reading:
88 Effective Date:

89
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91 Reviewed and approved as to form:

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94 _____
95 Walt Wrede, City Manager

96
97

Date: _____

Thomas F. Klinkner, City Attorney

Date: _____



City of Homer

www.cityofhomer-ak.gov

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491 East Pioneer Avenue
Homer, Alaska 99603

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

Memorandum 14-177

TO: MAYOR WYTHE AND HOMER CITY COUNCIL

FROM: RICK ABBOUD, CITY PLANNER

DATE: October 7, 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:

This ordinance was a subject of business at the September 17, 2014 meeting of the Commission and a subsequent public hearing was held at the October 15th meeting. No comments or testimony from the public was made. The Commission voted unanimously in support of sending the proposed ordinance for adoption by the City Council.

The ordinance was produced by the City Attorney. The reason for the ordinance is summed up well in staff report PI 14-88. Basically, this addresses the possibly perceived rigidity of the code and is intended to allow for reasonable permitting of structures that comply with current regulations. Any violations found during the process can still be addressed by the Planning Director in a manner similar to the authority used for code enforcement. It is a response to the realities currently presented in the city with regards to development that is regulated in code and those that may not present a health, safety or welfare issue.

Recommendation:

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

Attachments:

Staff Report 14-88

Draft Ordinance 14-56

Ordinance review memo

Excerpts from Planning Commission meeting minutes 9.17.14 and 10.15.14



City of Homer

www.cityofhomer-ak.gov

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Homer, Alaska 99603

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

Staff Report PL 14-88

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: October 15, 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: This particular section of code has been cited in regards to recent appeals of Planning Commission decisions in CUP's. The City Attorney has provided a suggested code amendment for your review.

Attached is a draft of an ordinance amending the Zoning Code regarding the issuance of zoning permits and relationship between permit issuance and zoning violations:

1. The ordinance defines more clearly the activities that require a zoning permit, in particular a zoning permit for alteration of an existing building, which is required only when the alteration changes the exterior dimensions of the building.
2. The ordinance prohibits the issuance of a permit under the Zoning Code unless all structures and uses permitted under the permit conform to the Zoning Code, and leaves it to the discretion of the permitting authority whether to require correction of other Zoning Code violations on the property.

Analysis: Code language may now be interpreted that all alterations need a zoning permit, even though we do not have a building inspector. It seems to be a waste of time and money to make someone gain a permit for an activity that the City does not have any regulation regarding, such as a residential interior remodel or roof replacement and such. This proposed amendment addresses this issue.

Currently if one were to make an inflexible interpretation of code, no zoning permits (as in all permits reference in zoning code, not just CUP's) could be issued unless it was determined that a property has maintained complete compliance with all development regulations and permits. While there may be some better reasons than others why someone may not be in

compliance, permits might only be issued after correction, as in correction that would not require a permit (sometimes this may be nearly impossible, how could you move a building without gaining a permit to do so??). This code language in its present form introduces a 'catch 22' situation. Our city's most experienced litigant has stated he believes all development found to not be in compliance must be removed prior to issuing a permit and no permit may be issued after the fact. While in a perfect world everyone would do their due diligence and get a permit for absolutely everything they do and not make any errors in construction, but this is just not realistic. Sometimes the only reasonable option is to gain a permit.

Staff Recommendation: Review the proposed amendment and have a discussion. A public hearing could be scheduled if so desired.

Attachments:

1. Proposed Ordinance
2. Memorandum per HCC 21.95.040

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**CITY OF HOMER
ORDINANCE 14-xx**

City Manager

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.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.70.010, Zoning permit required, is amended to read as follows:

21.70.010 Zoning permit required. a. Except as provided in subsection (c) of this section, a zoning permit shall be obtained from the City Planner for the following:

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2. Site development activities that trigger other review or approval requirements under the Homer Zoning Code, such as, but not limited to, the requirement of a site plan, development activity plan or stormwater protection plan.

3. **An increase in the height, or an exterior dimension of any floor, of an existing building, or an increase in the height, or the footprint area,** ~~A change or expansion of an existing any building, structure or lot.~~

4. A change or expansion of the use of a lot.

b. The zoning permit required by this section shall be obtained prior to the commencement of any ~~work, change or expansion of a building, structure, lot or use, or other~~ activity for which the permit is required. Failure to do so is a violation.

c. The following are exempt from the requirement to obtain a zoning permit, but not from compliance with applicable requirements of the Homer Zoning Code, such as, but not limited to, the development activity plan or stormwater protection plan:

1. **Any change to an existing building that does not increase the height, or exterior dimension of any floor, of the building, and any change to an existing structure that does not increase the height, or footprint area, of the structure.**

2. Erection or construction of a one-story detached accessory building used as a tool and storage shed, playhouse, or other accessory use, provided the building area does not exceed 200 square feet; and further provided, that there is already a main building on the same lot.

~~3.~~ Fences or walls used as fences, unless otherwise regulated by the Homer City Code.

~~4.~~ Removal of any building or structure.

~~5.~~ Termination of any type of use.

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

88 Second Reading:

89 Effective Date:

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92 Reviewed and approved as to form:

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95 _____

96 Walt Wrede, City Manager

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98 Date: _____

Thomas F. Klinkner, City Attorney

Date: _____



City of Homer

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Homer, Alaska 99603

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

Memorandum

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
MEETING: October 15, 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.

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

Planning Staff review of the **code amendment** per 21.95.040

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 Homer Comprehensive Plan page 4-14. Goal 3, Objective A states "Create a clear, coordinate regulatory framework that guides development", going on to recommend implementation strategy 2, "Provide a clear and predictable approval process for every development including organizing project review and permitting and providing appropriate staff review".

Charging and processing payments for activities that are not currently regulated by the City of Homer does not promote an appropriate review.

b. Will be reasonable to implement and enforce.

Staff response: The proposed amendments will eliminate the spurious process of requirements for activities not currently regulated by City Code. It will be reasonable to implement and enforce.

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

Staff response: The amendment does not act as a detriment to present and future public health, safety and welfare. It promotes these values in that it does not require citizens to become frustrated with erroneous development hurdles.

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

Staff response: This amendment is consistent with the intent, wording and purpose of HCC Title 21. The city attorney has reviewed and amended the ordinance for consistency.

Pending Business

- A. Staff Report PL 14-87, Proposal to amend to the Bridge Creek Watershed Protection District.

City Planner Abboud noted they heard some new information tonight at the worksession and he reviewed the staff report and draft ordinance.

There was discussion about current lot sizes, proposed development area, and regulations currently in place relating to subdividing. They acknowledged the proposed ordinance is a starting draft based on information the Commission addressed so far. It is something the property owners can consider and give feedback about. The protection district seems to be working now, so they have time to get input.

Other comments included concerns about driveways and parking. Many of the homes have minimal driveways and parking, which becomes a safety concern in the winter. Also, Mr. Shavelson's suggestion to work with a hydrologist would be fitting for the Commission's work on this. Adding it to the CIP could be an option for getting help with funding to pay for the work. It would also be helpful to look at the information the Inletkeeper has accumulated over the years.

There was consensus of the Commission to hold a public hearing at the October 16 meeting.

New Business

- A. 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.

There was discussion about follow-up after permits are issued. It was explained that presently things may or may not be verified, and many permits get issued because what the applicant is asking for is legally permissible, although they may have an issue on their property.

Further discussion centered on the notion of building permits or zoning permits being documentation of work completed on homes, for example, throughout the years. That is how it is done in other communities, and despite the resistance to rules, some of that should be regulated in Homer. The "buyer beware" mentality of properties in the city is shameful.

Point was raised that this ordinance addresses zoning code, which is about land use. City Planner Abboud noted that site visits are done as much as possible to follow up on the work after the permit is issued.

HIGHLAND/BOS MOVED TO HOLD A PUBLIC HEARING ON STAFF REPORT PL 14-88.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Informational Materials

- A. City Manager's Report, September 8, 2014
- B. Joanne Thordarson Letter – view obstruction with new development in Forest Glenn Subdivision

Comments of the Audience

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

Scott Adams, city resident, commented about the Bridge Creek/ Kelly Ranch area. He is surprised the Borough allowed that subdivision to go in and some of those back lots should never have been sold. Some of the property on Skyline that is away from the water areas could use some tweaking because most of the acreage is over three acres and they have been on the market for a good ten years. He thinks it should be based on individual lots and not the general area because of the difference in lot size and location within the watershed district. He hopes they do step back and look at the watershed district. In the discussion about regulating development in Homer, their work on steep slope put restrictions on property there. He lives in that area and will be abiding by those rules. He noted that he lives in the area that was annexed and was told the area would get water, only to find out ten years later it isn't feasible. That kind of puts a sting on things. He likes where they are going, he thinks a building inspector might be a direction we are headed. He explained a situation with a neighbor who bought a house that was owner built and the issues she has had to face.

Comments of Staff

City Planner Abboud said they have been working on strategic planning with the Mayor and Council, including some review of the Comp Plan. He will bring the Commission the information to review. The Commission will be looking at some Comp Plan updates in the near future.

Deputy City Clerk Jacobsen reminded the group about the upcoming Volunteer Appreciation Event and also early voting for the municipal elections.

Comments of the Commission

Commissioner Highland said it was a good meeting. She asked about comments she heard about NAPA complaining about having to repaint their building and sign issues. City Planner Abboud reviewed information about corporate branding and the colors those corporate businesses use to advertise. The NAPA building sign and legacy are beyond our code. If someday there are changes, they will need to conform to code. Ms. Highland asked if an acknowledgement could be sent to Joann Thordarson regarding her letter in the informational items.

Commissioner Bradley said she will be absent on October 1st.

- 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

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

3 City Clerk

4 **RESOLUTION 14-120**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 ESTABLISHING THE 2015 REGULAR MEETING SCHEDULE FOR
8 THE CITY COUNCIL, ECONOMIC DEVELOPMENT ADVISORY
9 COMMISSION, LIBRARY ADVISORY BOARD, PARKS AND
10 RECREATION ADVISORY COMMISSION, ADVISORY PLANNING
11 COMMISSION, PORT AND HARBOR ADVISORY COMMISSION,
12 PERMANENT FUND COMMITTEE, AND PUBLIC ARTS COMMITTEE.
13

14 WHEREAS, Pursuant to Homer City Code Section 1.14.020, the City Council annually
15 sets the schedule for regular and some special meetings, noting the dates, times and places
16 of the City Council, Advisory Commissions, and the Library Advisory Board meetings; and
17

18 WHEREAS, The public is informed of such meetings through the kiosks located at
19 Captain's Coffee, Harbormaster's Office, Redden Marine Services of Homer, and the City
20 Clerk's Office, Clerk's Calendar on KBBI, the City Clerk's Home Page on the Internet, and
21 postings at the Clerk's Office at City Hall, and the Public Library; and
22

23 WHEREAS, HCC 1.14.020 - 040 states that meetings may be advertised in a local paper
24 of general circulation at least three days before the date of the meeting and that special
25 meetings should be advertised in the same manner or may be broadcast by local radio at
26 least twice a day for three consecutive days or two consecutive days before the day of the
27 meeting plus the day of the meeting; and
28

29 WHEREAS, HCC 1.14.010 notes that the notice of meetings applies to the City Council
30 and all commissions, boards, committees, subcommittees, task forces and any sub-unit of
31 the foregoing public bodies of the City, whether meeting in a formal or informal meeting; that
32 the failure to give the notice provided for under this chapter does not invalidate or otherwise
33 affect any action or decision of a public body of the City; however, this sentence does not
34 change the consequences of failing to give the minimum notice required under State Statute;
35 that notice will ordinarily be given by the City Clerk; and that the presiding officer or the
36 person or persons calling a meeting are responsible for notifying the City Clerk of meetings in
37 sufficient time for the Clerk to publish notice in a newspaper of general circulation in the City;
38 and
39

40 WHEREAS, This Resolution does not preclude additional meetings such as emergency
41 meetings, special meetings, worksessions, and the like; and
42

43 WHEREAS, Council adopted Resolution 06-144 on October 9, 2006 establishing the
 44 Regular Meeting site for all bodies to be the City Hall Cowles Council Chambers.

45
 46 NOW, THEREFORE, BE IT RESOLVED by the Homer City Council, that the 2015 meeting
 47 schedule is established for the City Council, Economic Development Advisory Commission,
 48 Library Advisory Board, Parks and Recreation Advisory Commission, Advisory Planning
 49 Commission, Port and Harbor Advisory Commission, Permanent Fund Committee, and Public
 50 Arts Committee of the City of Homer, Alaska, as follows:

51
 52 Holidays - City Offices closed:

January 1*, New Year's Day, Thursday	February 16*, Presidents' Day, the third Monday	March 31*, Seward's Day, last Monday	May 25*, Memorial Day, last Monday	July 3*, Independence Day, Friday	September 7*, Labor Day, first Monday
October 19*, Alaska Day, Monday	November 11*, Veterans Day, Wednesday	November 26* Thanksgiving Day, Thursday	November 27*, Friday, the day after Thanksgiving	December 25*, Christmas, Friday	

53
 54 *Indicates holidays - City offices closed.
 55 **If on a Sunday, the following Monday is observed as the legal holiday; if on a Saturday, the
 56 preceding Friday is observed as the legal holiday pursuant to the City of Homer Personnel
 57 Rules and Regulations.

58
 59 CITY COUNCIL (CC)

January 12, 26	February 9, 23	March 9, 23	April 14, 28	May 11, 26*	June 8, 22
July 13**, 27	August 10, 24	September 14, 28	October 6 Election	October 12, 26, for Oath of Office 20*	Canvass Board October 9 or 12
November 3 Run- Off Election	November 9**, 23	December 14****	December 21**** if needed		

60
 61 City Council's Regular Committee of the Whole Meetings at 5:00 p.m. to no later than 5:50
 62 p.m. prior to every Regular Meeting which are held the second and fourth Monday of each
 63 month at 6:00 p.m. ***The City Council traditionally reschedules regular meetings that fall on
 64 holidays or High School Graduation days, for the following Tuesday. Council will not conduct
 65 a First Regular Meeting in July.

66

67 AML Annual Conference Week is tentatively scheduled for November 16 – 20, 2015.

68 *Tuesday meeting due to Memorial Day/Alaska Day.

69 **There will be no First Regular Meeting in July or November.

70 **** The City Council traditionally cancels the last regular meeting in December and holds the
 71 first regular meeting and one to two Special Meetings as needed. Generally the second
 72 Special Meeting the third week of December, will not be held.

73

74 ECONOMIC DEVELOPMENT ADVISORY COMMISSION (EDC)

January 13	February 10	March 10	April 14	May 12	June 9
July 14	August 11	September 8	October 13	November 10	December 8

75

76 Economic Development Advisory Commission Regular Meetings are held on the second
 77 Tuesday of each Month at 6:00 p.m.

78

79 LIBRARY ADVISORY BOARD (LAB)

January 6	February 3	March 3	April 7	May 5	June 2
July 7	August 4	September 1	October 6	November 3	December 1

80

81 Library Advisory Board Regular Meetings are held on the first Tuesday of each month at 5:00
 82 p.m.

83

84 PARKS AND RECREATION ADVISORY COMMISSION (P/R)

	February 19	March 19	April 16		
May 21	June 18		August 20		
September 17	October 15	November 19			

85

86 Parks and Recreation Advisory Commission Regular Meetings are held on the third Thursday
 87 of each month at 5:30 p.m. with the exception of January, July, and December.

88

89 PLANNING COMMISSION (P/C)

January 7, 21	February 4, 18	March 4, 18	April 1, 15	May 6, 20	June 3, 17
July 15**	August 5, 19	September 2, 16	October 7, 21	November 4**	December 2**

90

91 Advisory Planning Commission Regular Meetings are held on the first and third Wednesday of
 92 each month at 6:30 p.m. **There will be no First Regular Meeting in July or Second Regular
 93 Meetings in November and December.

94

95

96

97 PORT AND HARBOR ADVISORY COMMISSION (P/H)

January 28	February 25	March 25	April 22	May 27	June 24
July 22	August 26	September 23	October 28	November 18	December 16

98
99 Port and Harbor Advisory Commission Regular Meetings are held on the fourth Wednesday of
100 each month at 5:00 p.m., with the exception of May, June, July and August meetings that are
101 held at 6:00 p.m. The Regular Meetings in the months of November and December are
102 traditionally scheduled for the third Wednesday of the month.

103
104 PERMANENT FUND COMMITTEE (PFC)

February 12	May 14	August 13	November 12
-------------	--------	-----------	-------------

105
106 Permanent Fund Committee Regular Meetings are held quarterly on the second Thursday of
107 the months of February, May, August, and November at 5:15 p.m.

108
109 PUBLIC ARTS COMMITTEE (PAC)

February 12	May 14	August 13	November 12
-------------	--------	-----------	-------------

110
111 Public Arts Committee Regular Meetings are held quarterly on the second Thursday of the
112 months of February, May, August, and November at 5:00 p.m.

113
114 PASSED AND ADOPTED by the Homer City Council this 8th day of December, 2014.

115
116 CITY OF HOMER

117
118
119 _____
120 MARY E. WYTHE, MAYOR

121 ATTEST:

122
123
124 _____
125 JO JOHNSON, MMC, CITY CLERK

126
127 Fiscal Impact: Advertizing of meetings in regular weekly meeting ad and advertizing of any
128 additional meetings.



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 14-179

TO: MAYOR WYTHE AND CITY COUNCIL
FROM: PARKS AND RECREATION ADVISORY COMMISSION
THRU: RENEE KRAUSE, CMC, DEPUTY CITY CLERK
DATE: NOVEMBER 12, 2014
SUBJECT: 2015 MEETING SCHEDULE

The Parks and Recreation Advisory Commission reviewed the 2015 Regular Meeting Schedule at a Special Meeting on November 6, 2014 and approved the schedule as presented in the memorandum from the City Clerk.

Following is the excerpt of the minutes reflecting the action of commission:

NEW BUSINESS

A. Memorandum from the City Clerk re: 2015 Regular Meeting Schedule

Chair Steffy stated he would entertain a motion approving the schedule.

MACCAMPBELL/LOWNEY - MOVED TO APPROVE THE 2015 REGULAR MEETING SCHEDULE AS PRESENTED IN THE MEMORANDUM FROM THE CITY CLERK.

There was no discussion.

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

Motion carried.

Recommendation:

Informational in nature. No action requested.



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Memorandum 14-180

TO: MAYOR WYTHE AND CITY COUNCIL
FROM: LIBRARY ADVISORY BOARD
THRU: RENEE KRAUSE, CMC, DEPUTY CITY CLERK
DATE: OCTOBER 29, 2014
SUBJECT: 2015 MEETING SCHEDULE

The Library Advisory Board at the regular meeting on October 7, 2014 reviewed the 2015 regular meeting schedule and approved it as shown in the draft Resolution 14-XXX. Following is the excerpt from the minutes regarding the discussion and subsequent approval:

NEW BUSINESS

*A. Approval of the 2015 Meeting Schedule
Chair Gordon read the title into the record.*

There was a brief clarification regarding the approval of this schedule is for 2015, but it was also approved and effective this year when they agreed to reduce the meetings. So next month they will not be meeting. Boardmember Utley and Gordon suggested they schedule a special meeting. Ms. Krause informed the Board that they cannot call for a special meeting since the only reason they did not meet was that they were unable to obtain a quorum since all members knew of the requirement of once per month meetings when they signed up. Also, it would have to go before Council to schedule a special meeting.

The Board declined the suggestion of scheduling a special meeting.

STROBEL/PORTER – MOVED TO APPROVE THE 2015 MEETING SCHEDULE AS PRESENTED.

There was no further discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Recommendation: Informational in nature. No action required.



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(f) 907-235-3143

Memorandum 14-181

TO: JO JOHNSON, MMC, CITY CLERK
FROM: PORT AND HARBOR ADVISORY COMMISSION
THRU: RENEE KRAUSE, CMC, DEPUTY CITY CLERK
DATE: OCTOBER 29, 2014
SUBJECT: 2015 MEETING SCHEDULE

The Port and Harbor Advisory Commission at the regular meeting on October 22, 2014 reviewed the 2015 regular meeting schedule and approved it as shown in the draft Resolution 14-XXX. Following is the excerpt from the minutes regarding the discussion and subsequent approval:

NEW BUSINESS

A. Memorandum from City Clerk Re: Approval of the 2015 Meeting Schedule

Chair Ulmer requested a motion to approve the 2015 meeting schedule.

ZIMMERMAN/STOCKBURGER – MOVED TO APPROVE THE 2015 MEETING SCHEDULE.

There was a brief discussion on removing the November meeting. It was noted that the commission could address this at the September or October meeting in 2015.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Recommendation: Informational in nature. No action required.



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Memorandum 14-182

TO: JO JOHNSON, MMC, CITY CLERK
FROM: PUBLIC ARTS COMMITTEE
THRU: RENEE KRAUSE, CMC, DEPUTY CITY CLERK
DATE: NOVEMBER 14, 2014
SUBJECT: 2015 MEETING SCHEDULE

The Public Arts Committee at the regular meeting on November 13, 2014 reviewed the 2015 regular meeting schedule and approved it as shown in the draft Resolution 14-XXX. Following is the excerpt from the minutes regarding the discussion and subsequent approval:

NEW BUSINESS

A. Memorandum from City Clerk Re: Approval of the 2015 Meeting Schedule

The title was read into the record.

GRONING-PERSON/HOLLOWELL – MOVED TO APPROVE TO 2015 REGULAR MEETING SCHEDULE AS PRESENTED.

There was a brief discussion on members availability. Ms. Hollowell will not be attending the August meeting as she is out of town that month.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Recommendation: Informational in nature. No action required.



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491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 14-183

TO: JO JOHNSON, MMC, CITY CLERK

FROM: MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

DATE: DECEMBER 2, 2014

SUBJECT: 2015 MEETING SCHEDULE APPROVAL BY THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION AND ADVISORY PLANNING COMMISSION

The Economic Development Advisory Commission met on October 14, 2014 and considered their 2015 regular meeting schedule. It was approved as presented by consensus of the body.

The Advisory Planning Commission met on October 15, 2014 and approved their 2015 regular meeting schedule with the adoption of their consent agenda.

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
OCTOBER 15, 2014

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

ECONOMIC DEVELOPMENT ADVISORY COMMISSION
REGULAR MEETING
OCTOBER 14, 2014

- They would like information about zoning for multi-family housing within the city.
- It is challenging for developers in that lots in Homer are costly, and it is also costly to build. It would likely take a lot of time to recoup the money spent on new development.
- Carol Swartz from the college might be a good resource to address student housing needs.

Chair Barth called for a short recess at 6:53 p.m. The meeting resumed at 6:58 p.m.

Chair Barth invited Cinda Martin up to talk to the Commission. She wanted to remind them there have been other projects done in town for rentals for seniors, disabled and low income renters. Those developments were done in partnership with Alaska Housing. The Senior Center and the Kenai Peninsula Housing Initiative (KPHI) are two groups who have participated with Alaska Housing for these developments. She has a contact at KPHI and will contact her to get some information to provide to the Commission. Steven Rouse, KPHI Director, would be a good resource to talk to the Commission about the work he does and how he gets funding for projects.

A. Memorandum from City Clerk Re: 2015 Meeting Schedule

The Commission reviewed the 2015 meeting schedule. The 2015 meeting schedule was approved by consensus of the Commission.

D. Memorandum from Deputy City Clerk Re: Rescheduling the Regular Meeting of November 11, 2014

The Commission reviewed the memorandum and agreed to reschedule their November meeting to Monday, November 10th at 6:00 p.m. in the City Hall conference room.

INFORMATIONAL ITEMS

- A. 2014 Alaska Construction Spending Forecast
- B. Email from Attorney Klinkner RE: Open Meetings and Advisory Commissions
- C. Park, Art, Recreation and Culture (PARC) Needs Assessment Flier

Chair Barth noted that the information regarding the Open Meetings Act clarifies that there was an amendment from two members to three as the number who can talk, before it becomes a risk of violation of the OMA.

COMMENTS OF THE AUDIENCE

Thomas Daly, owner of HiSpeed Company, with locations in Kenai, Soldotna, and Anchorage, said they are a high tech company who wants to come to Homer. He shared his experience in trying to conduct hi speed demonstrations at Islands and Ocean in Homer, and no one attended. He also shared challenges with trying to submit bids to provide services to the City of Homer for the major pieces in his line. They are a Toshiba full line dealer. He gave his presentation to the City Manager and the Mayor at Chamber of Commerce meeting when they were the only three in the room. Mr. Daly talked about the challenges of government contracts and the negative effects of spending money outside of the City and Borough. He noted throughout his comments that if the city wants to invite business to the community, they need to be willing to invest in those they invite.

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 14-121

A RESOLUTION OF THE HOMER CITY COUNCIL AWARDING THE OFFICER UNIFORM AND HOMER JAIL LAUNDRY CONTRACT TO THE FIRM OF HOMER CLEANING CENTER OF ANCHOR POINT, ALASKA, AT A RATE OF \$1.95 PER POUND FOR JAIL LINENS, \$9.00 EACH FOR OFFICER UNIFORM SHIRTS AND PANTS, OFFICER JACKETS \$16.00 EACH, AND A \$20 SPECIAL DELIVERY FEE PER TRIP.

WHEREAS, In accordance with the Procurement Policy, the Invitation to Bid was advertised in the Homer News on November 6 and 13, 2014 and posted on the Clerk's home page; and

WHEREAS, Bids were due on November 20, 2014 and two bids were received; and

WHEREAS, Proposals were opened and reviewed and the firm of Homer Cleaning Center of Anchor Point, Alaska, was determined to be the low responsive bidder and found to be qualified to complete the work; and

WHEREAS, The cost of laundry services for the Homer Police Department, as reflected in the low bid, is within the budget authorized by the City Council; and

WHEREAS, This award is not final until written notification of award is received by Homer Cleaning Center, from the City of Homer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves the contract award for the officer uniform and Homer Jail laundry contract to Homer Cleaning Center of Anchor Point, Alaska, at a rate of \$1.95 per pound for jail linens, \$9.00 each for officer uniform shirts and pants, officer jackets \$16.00 each, and a \$20 special delivery fee per trip.

PASSED AND ADOPTED by the Homer City Council this 8th day of December, 2014.

CITY OF HOMER

MARY E. WYTHE, MAYOR

43 ATTEST:

44

45

46

47 _____
JO JOHNSON, MMC, CITY CLERK

48

49 Fiscal Note: Account Nos. 100-0164-5626 and 100-0163-5601 for laundry expenses.

50



CITY OF HOMER

POLICE DEPARTMENT

4060 HEATH STREET HOMER, AK 99603-7609

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

Memorandum 14-184

DATE: November 21st, 2014
TO: Walt Wrede, City Manager
FROM: Mark Robl, Chief of Police
SUBJECT: Laundry Contract

We recently sent out an RFP for our laundry contract. This contract has not been re-bid for several years. The low bidder for the contract is the Homer Cleaning Center. They have been doing a good job on our laundry for a long time. I recommend we obtain council approval to enter into a new laundry contract with the Homer Cleaning Center.

Fiscal Note: Laundry expenses as charged to 100-0164-5626 and 100-0163-5601

**CITY OF HOMER
INVITATION TO BID**

**OFFICER UNIFORM AND HOMER JAIL LAUNDRY
HOMER POLICE DEPARTMENT**

OCT 29 2014

Sealed bids for Officer Uniform and Homer Jail Laundry will be received at the office of the City Clerk, City of Homer, 491 East Pioneer Avenue, Homer, Alaska, until **2:00 p.m., Thursday, November 20, 2014** at which time they will be publicly opened and read. The time of receipt will be determined by the City Clerk's time stamp. Bids received after the time fixed for the receipt of the bids shall not be considered. **All bidders must submit a City of Homer Plan Holders Registration form to be on the Plan Holders List and to be considered responsive.** Plan holder registration forms, and Plans and Specifications are available on line at <http://www.cityofhomer-ak.gov/rfps>

This project consists of laundering and pressing officer uniforms and laundering linens from the Homer Jail. Frequency would be at two times per week and at the Homer Police Department's request. Officer uniforms consist of shirts and pants that would be laundered and pressed. Charge is expected to be per article of clothing. Homer Jail linens consist of towels, sheets and blankets to be charged per pound for laundering. Laundered items will be delivered back to Homer Police Department in a timely fashion from pick up date. All laundered items to be accounted for.

Please direct all questions regarding this service to: Chief Mark Robl, Homer Police Department, 4060 Heath Street, Homer, Alaska, 99603, (907) 235-3150

Plan holder registration forms, and Plans and Specifications are available online at <http://www.cityofhomer-ak.gov/rfps> **All bidders must submit a City of Homer Plan Holders Registration form to be on the Plan Holders List and to be considered responsive.**

The City of Homer reserves the right to accept or reject any or all bids, to waive irregularities or informalities in the bids, and to award the contract to the lowest responsive bidder.

Dated this 28th day of October, 2014

City of Homer

Walt Wrede, City Manager

Publish: Homer News November 6 and 13, 2014

Acct. No. 100.0160.5227

**CITY OF HOMER
 BID TALLY SHEET**

PROJECT: ITB Officer Uniform & Homer Jail Laundry Contract
DUE DATE & TIME: November 20, 2014
CITY CLERK'S OFFICE

BIDDER NO.	BIDDER NAME & ADDRESS	
1.	Homer Janitorial 1390 Hillside Pl. Homer, AK 99603	Clothing \$9.95 per article Towels, Sheets, & Blankets \$2.10 per pound
2.	Homer Cleaning Center PO Box 1363 Anchor Point, AK 99556	Jail Linens \$1.95 per pound Uniforms per article: Shirts \$9.00 Pants \$9.00 Jackets \$16.00 Special Delivery Fee per trip: \$20
3.		
4.		

Staff Present: Melissa Jacobsen, Deputy City Clerk Jo Earls, Accounting Technician

Comments: _____

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

3 City Manager

4 **RESOLUTION 14-122**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 ADOPTING AN ALTERNATIVE ALLOCATION METHOD FOR THE FY 15
8 SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING
9 THAT THIS ALLOCATION METHOD FAIRLY REPRESENTS THE
10 DISTRIBUTION OF SIGNIFICANT EFFECTS OF FISHERIES BUSINESS
11 ACTIVITY IN THE COOK INLET FISHERIES MANAGEMENT AREA.
12

13 WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY 15
14 Shared Fisheries Business Tax Program, the municipality must demonstrate to the
15 Department of Commerce, Community and Economic Development that the municipality
16 suffered significant effects during calendar year 2013 from fisheries business activities; and
17

18 WHEREAS, 3AAC 134.060 provides for the allocation of available program funding to
19 eligible municipalities located within fisheries management areas specified by the
20 Department of Commerce, Community and Economic Development; and
21

22 WHEREAS, 3AAC 134.070 provides for the use, at the discretion of the Department of
23 Commerce, Community and Economic Development, of alternative allocation methods which
24 may be used within fisheries management areas if all eligible municipalities within the area
25 agree to use the method, and the method incorporates some measure of the relative
26 significant effect of fisheries business activity on the respective municipalities in the area; and
27

28 WHEREAS, The Homer City Council proposes to use an alternative allocation method
29 for allocation of FY 15 funding available within the Cook Inlet Fisheries Management Area in
30 agreement with all other municipalities in this area participating in the FY 15 Shared Fisheries
31 Business Tax Program.
32

33 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, by this
34 Resolution, certifies that the following alternative allocation method fairly represents the
35 distribution of significant effects during 2013 of fisheries business activity in the Cook Inlet
36 Fisheries Management Area:
37

38 50% divided equally and 50% divided on a per capita basis.
39

40 PASSED and ADOPTED by the City Council of Homer, Alaska this 8th day of December,
41 2014.
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CITY OF HOMER

MARY E. WYTHE, MAYOR

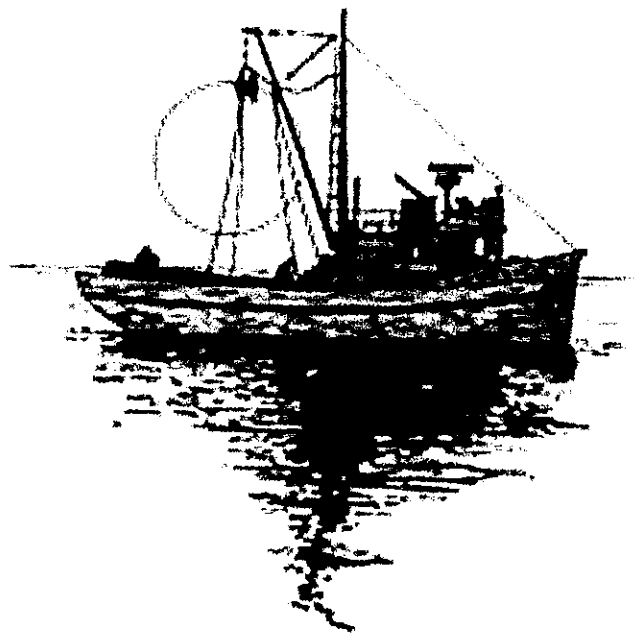
ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: Previous year's Acct. No. 400-603-4206 and budgeted for previous years.

**DCCED
SHARED FISHERIES BUSINESS
TAX PROGRAM
FY 15 LONG-FORM APPLICATION
FOR**

FMA 14: COOK INLET



**APPLICATION MUST BE SUBMITTED TO DCCED
NO LATER THAN FEBRUARY 15, 2015**

**State of Alaska
Sean Parnell, Governor**

**Department of Commerce, Community, and
Economic Development
Susan K. Bell, Commissioner**

**Division of Community and Regional Affairs
Lawrence Blood, Acting Director**

FY 15 SHARED FISHERIES BUSINESS TAX PROGRAM

PROGRAM DESCRIPTION

The purpose of the Shared Fisheries Business Tax Program is to provide for an annual sharing of fish tax collected outside municipal boundaries to municipalities that can demonstrate they suffered significant effects from fisheries business activities. This program is administered separately from the state fish tax sharing program administered by the Department of Revenue which shares fish tax revenues collected inside municipal boundaries.

Program Eligibility

To be eligible for an allocation under this program, applicants must:

1. Be a municipality (city or borough); and
2. Demonstrate the municipality suffered significant effects as a result of fisheries business activity that occurred within its respective fisheries management area(s).

Program Funding

The funding available for the program this year is equal to half the amount of state fisheries business tax revenues collected outside of municipal boundaries during calendar year 2013.

Program funding is allocated in two stages:

1st Stage: Nineteen Fisheries Management Areas (FMAs) were established using existing commercial fishing area boundaries. The available funding is allocated among these 19 FMAs based on the pounds of fish and shellfish processed in the whole state during the 2013 calendar year. For example, if an area processed 10% of all the fish and shellfish processed in the whole state during 2013, then that area would receive 10% of the funding available for the program this year. These allocations are calculated based on Fisheries Business Tax Return information for calendar year 2013.

2nd Stage: The funding available within each FMA will be allocated among the municipalities in that area based on the level of fishing industry significant effects suffered by each municipality compared to the level of effects experienced by the other municipalities in that FMA.

Some boroughs, because of their extensive area, are included in more than one fisheries management area. In these cases, the borough must submit a separate program application for each area.

FY 15 SHARED FISHERIES BUSINESS TAX PROGRAM

PROGRAM DESCRIPTION

There are Two Application Methods Possible: Standard and Alternative

Standard Method: In the Standard Method, established by the department, each municipality in the FMA must determine and document the cost of fisheries business impacts experienced by the community in 2013. These impacts are submitted by each municipality in their applications. The department will review the applications and determine if the impacts submitted are valid. Once the impacts have been established for each of the municipalities in the FMA, the department will calculate the allocation for each municipality using the following formula:

One half of the funding available within a FMA is divided up among participating municipalities on the basis of the relative dollar amount of impact in each municipality. The other half of the funding available to that area is divided equally among all eligible municipalities.

Alternative Method: Alternative allocation methods may be proposed by the municipalities within the FMA. The department will consider approving the use of a proposed alternative method only if all the municipalities in the area agree to use the method, and if the method includes some measure of the relative effects of the fishing industry on the respective municipalities in the area.

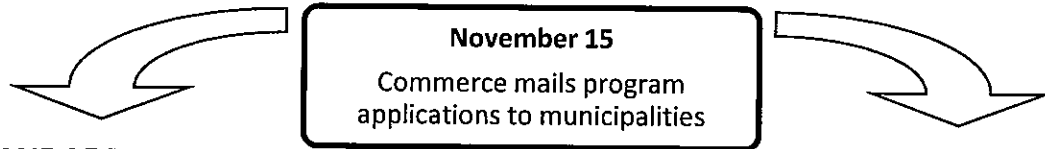
This application packet contains the instructions and forms for applying under either of these methods.

- The **yellow pages** are for applications using the standard method.
- The **pink pages** are to be used for alternative method applications.

The chart on the following page summarizes the process for these two methods.

FY 15 SHARED FISHERIES BUSINESS TAX PROGRAM

PROGRAM DESCRIPTION



STANDARD METHOD

By no later than February 15

Each municipality determines and documents the cost of fisheries impacts on the community and submits this information with their application.



By no later than April 15

Commerce reviews applications, makes a determination as to the validity of the submitted impacts, and notifies the municipalities of this determination.



Within 30 days

Municipalities have 30 days in which to appeal Commerce's determinations regarding submitted impacts.



Within 20 days

Commerce will respond to appeals within 20 days after receiving them.



After all appeals are resolved

Commerce will perform the formula calculations for each FMA based on the relative impacts approved for each municipality in the FMA, and distribute the funding allocations.

ALTERNATE METHOD

By no later than January 15

All municipalities in an FMA work together to develop an alternate allocation formula and submit their proposal to Commerce. Municipalities are encouraged to consult with Commerce during this effort regarding the acceptability of alternative methods.



By no later than February 1

Commerce reviews alternate proposals, determines if proposals are acceptable, and notifies the municipalities of this determination. If the proposal is accepted, municipalities may then use the Alternative Method application. If the proposal is not acceptable to Commerce, the department will work with municipalities in an area to resolve problems. If the problems cannot be resolved, the municipalities in that FMA must apply using the Standard Method application.



By no later than February 15

Each municipality must submit an Alternative Method application. Commerce will distribute allocations after all applications within that FMA have been received and verified.

FY 15 Shared Fisheries Business Tax Program Application Instructions

STANDARD METHOD

The Process

- In the standard method application process each municipality determines and documents the cost to the municipality of fisheries industry significant effects suffered by the community in 2013.
- Details for each of these effects are submitted by municipalities using the Declaration of Significant Effects application forms on the following pages.
- The municipality must also submit an approved resolution by the governing body certifying that the information submitted in the application is correct and complete. A sample resolution is included in this packet.
- The department will review the applications and determine if the significant effects submitted are valid.
- Once the effects have been established for each of the municipalities in a Fisheries Management Area, the department will calculate the funding allocation for each municipality using the following formula:

One half of the funding available within a FMA is divided up among participating municipalities on the basis of the relative **dollar amount of impact** in each municipality. The **other half** of the funding available to that area is divided equally among all eligible municipalities.

Guidelines for Completing the Declaration of Significant Effects Forms

Some important definitions: The Shared Fisheries Business Tax Program provides for a sharing of State Fisheries Business Tax with municipalities that can demonstrate they suffered *significant effects* during the *program base year* from *fisheries business activity* in their respective fisheries management area.

For the purposes of this program, "fisheries business activity" means:

- activity related to fishing, including but not limited to the catching and sale of fisheries resources;
- activity related to commercial vessel moorage and commercial vessel and gear maintenance;
- activity related to preparing fisheries resources for transportation; and,
- activity related to processing fisheries resources for sale by freezing, icing, cooking, salting, or other method and includes but is not limited to canneries, cold storages, freezer ships, and processing plants.

And, "significant effects" means:

- municipal expenditures during the program base year demonstrated by the municipality to the department to be reasonable and necessary that are the result of fisheries business activities on the municipality's:
 - population;
 - employment;
 - finances;
 - air and water quality;
 - fish and wildlife habitats; and,
 - ability to provide essential public services, including health care, public safety, education, transportation, marine garbage collection and disposal, solid waste disposal, utilities, and government administration.

And, "program base year" means:

- calendar year 2013.

A municipality does not need to have actually made expenditures in 2013 in order to include them as significant effects in the application. If a fishing business activity impacts a municipality in a manner that will result in a cost to the municipality, then the municipality can claim that impact as a significant effect. For example, a city's pier might have been damaged by an improperly docked fish processing vessel. The city might not have the funds to repair the pier during 2013, but the city has obtained final engineering estimates for the cost of repairs. In this case, the city could declare the repair cost estimates as significant effects on their application. However, **these costs may not be claimed again** if the city subsequently expended the monies to repair the pier at a later date (this would result in a double counting of significant effects).

If a significant effect claimed in the application reflects expenditures that were determined by the municipality to be necessary, but for which the municipality was unable to make an expenditure during the program base year, the application must include a finding by the municipal governing body which documents and clearly describes the procedures and methods by which the need and the estimated cost of such expenditures were determined.

Only that part of overall community impacts which are directly attributable to fishing business activity should be included as significant effects in the application. For example, a city water supply system may be impacted by the fresh water needs of the local fishing fleet and fish processing facilities. However, a city in this situation should not claim the entire cost of operating or maintaining the water system as a "significant effect" for the purposes of this program. In this case, the city must determine and document its estimate of the share of the use, and "wear and tear," of the water system that can reasonably be attributed to fisheries business activity. A place is provided on the *Declaration of Significant Effects* forms for municipalities to explain how they arrived at such estimates.

Examples of eligible significant effects. The kinds of negative effects which a municipality might possibly claim to have suffered are many. It is the responsibility of each municipality to describe, document and justify its particular claims of negative impacts during 2013 resulting from fisheries business activities. For the purposes of this program, all significant effects must be presented in terms of expenditures of municipal funds, either actual or determined necessary. For example, a sudden population increase of 1,000 people is not in itself a negative effect. It is the demonstrable impacts on the city budget of dealing with these extra people that

may be considered as significant effects for this program. The following examples represent the kinds of community impacts which are clearly eligible for inclusion in a city's *Declaration of Significant Effects* forms.

- a municipality's expenses during 2013 in repairing a dock damaged by a fishing vessel;
- a municipality's costs of hiring extra police, teachers or medical staff to cover periods during 2013 when fish processing workers or fishing crew and their families expanded the municipality's population;
- a city 2013 loan which was used to improve the city's water system to meet increased demands for fresh water by local fish processors. Only that part of the debt service which can be directly attributable to supporting the fishing industry may be counted as a significant effect.
- special expenditures made by a city during 2013 to assist or help re-train workers who lost their jobs in the fishing industry because of a downturn in fishing activity;
- a borough's expenditures for operating and maintaining harbor facilities during 2013;
- that part of operating and maintaining a city's water and sewer system or landfill during 2013 that is directly attributable to the fishing industry.

Examples of events which are not eligible to be significant effects

The following are examples of municipal expenditures or events which are **not eligible** for inclusion in a *municipality's Declaration of Significant Effects* forms:

- Municipal expenditures that occurred before or after 2013 which are the result of fishing business activities;
- Revenues which a city did not receive during 2013 because of a downturn in local fishing business activity.

If you're not sure whether an event is a valid "significant effect" or not, contact DCCED.

Specific Instructions for Completing the Standard Method Application

The completed standard method application submitted by each municipality will contain three elements:

- a set of *Declaration of Significant Effects* forms (one separate form for each significant effect claimed by the municipality). **Three copies of this form are included in the application- please make as many additional copies of this form as you need.**
- a *Cover Page* that provides the total number and cost of the significant effects claimed by the municipality.
- an *approved resolution* by the governing body adopting the application as true and correct. A sample resolution is included in the application.

Instructions for the Cover Page/Summary

The *Cover Page* must be completed and submitted as part of the application. This form summarizes the information found in the application. The number of significant effects claimed should be equal to the number of *Declarations of Significant Effects* forms submitted with the application and the total dollar amount should equal the sum of all the dollar amounts stated in Part 2 on the *Declarations of Significant Effects* forms.

Instruction for the *Resolution* form

Municipalities may use this form, or a similar form, to comply with the requirement that the submitted application be certified by the municipality's governing body.

**Submit your completed application by no later than
February 15, 2015, to:**

**Department of Commerce, Community,
and Economic Development
Division of Community and Regional Affairs
Shared Fisheries Business Tax Program
P.O. Box 110809
Juneau, AK 99811-0809**

**If you have any questions regarding this program, please call
Danielle Lindoff at 465-4733**

**FY 15 SHARED FISHERIES BUSINESS
TAX PROGRAM**

**STANDARD METHOD APPLICATION
for FMA 14: COOK INLET**

Name of Municipality: _____

Address: _____

Contact Person: _____

Phone Number: _____

Total # of Significant Effects Claimed: _____

Total \$ of Significant Effects Claimed: \$ _____

Return this cover page along with
Declaration of Significant Effects forms and resolution to:

Department of Commerce, Community, and
Economic Development
Division of Community and Regional Affairs
Shared Fisheries Business Tax Program
P.O. Box 110809
Juneau, AK 99811-0809

**FY 15 Shared Fisheries Business Tax Program
DECLARATION OF
SIGNIFICANT EFFECTS FORM**

(One Separate Form for Each Significant Effect Claimed)

1. Description of the fisheries business activity which resulted in the significant effect:

2. Municipal expenditure is: actual determined necessary

3. Describe how the municipal expenditure figure listed under Part 2 was determined: (Every municipal expenditure marked "determined necessary" must be supported by a resolution that documents and clearly demonstrates the procedures and methods by which the needs and estimates were determined).

4. Total Significant effect (municipal expenditure) made necessary during 2013 by the fisheries business activity listed in #1: \$ _____

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?
 yes no

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

**FY 15 Shared Fisheries Business Tax Program
DECLARATION OF
SIGNIFICANT EFFECTS FORM**

(One Separate Form for Each Significant Effect Claimed)

1. Description of the fisheries business activity which resulted in the significant effect:

2. Municipal expenditure is: actual determined necessary

3. Describe how the municipal expenditure figure listed under Part 2 was determined: (Every municipal expenditure marked "determined necessary" must be supported by a resolution that documents and clearly demonstrates the procedures and methods by which the needs and estimates were determined).

4. Total Significant effect (municipal expenditure) made necessary during 2013 by the fisheries business activity listed in #1: \$ _____

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?
 yes no

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

**FY 15 Shared Fisheries Business Tax Program
DECLARATION OF
SIGNIFICANT EFFECTS FORM**

(One Separate Form for Each Significant Effect Claimed – make copies if more sheets are needed)

1. Description of the fisheries business activity which resulted in the significant effect:

2. Municipal expenditure is: actual determined necessary

3. Describe how the municipal expenditure figure listed under Part 2 was determined: (Every municipal expenditure marked "determined necessary" must be supported by a resolution that documents and clearly demonstrates the procedures and methods by which the needs and estimates were determined).

4. Total Significant effect (municipal expenditure) made necessary during 2013 by the fisheries business activity listed in #1: \$ _____

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?
 yes no

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

FY 15 Shared Fisheries Business Tax Program
Standard Method Resolution

(City or Borough)

RESOLUTION NO. _____

A RESOLUTION CERTIFYING THE FY 15 SHARED FISHERIES BUSINESS TAX PROGRAM APPLICATION TO BE TRUE AND CORRECT

WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY 15 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2013 from fisheries business activities; and

WHEREAS, the Department of Commerce, Community, and Economic Development has prepared specific application forms for the purpose of presenting the municipality's claims as to the significant effects suffered by the municipality during calendar year 2013; and

WHEREAS, 3 AAC 134.100 requires the governing body of the municipality to include with the municipality's FY 15 program application an approved resolution certifying the information contained in the application to be true and correct;

NOW THEREFORE BE IT RESOLVED THAT:

The _____ by this resolution certifies
(Governing Body)

the information contained in the _____
(City or Borough)

FY15 Shared Fisheries Business Tax Program Application to be true and correct to the best of our knowledge.

PASSED AND APPROVED by a duly constituted quorum of the

_____ this ____ day of _____, 20 ____
(Governing Body)

SIGNED _____
Mayor

ATTEST _____
Clerk

FY 15 Shared Fisheries Business Tax Program Application Instructions

ALTERNATE METHOD The Process

- In the alternate method application process all municipalities in a fisheries management area may work together to develop an alternative allocation formula for distributing the available program funding among municipalities in the area. It is advised that the department be consulted during this process if the municipalities have questions or concerns about what constitutes an acceptable alternative to the standard allocation method.
- All the municipalities in an area must reach an agreement in writing on an alternative allocation formula.
- By January 15, the department must receive the proposed alternative method. If the alternative method is not acceptable, the department will work with the municipalities to resolve the problems.
- If the municipalities in an area fail to satisfy the department regarding the acceptability of the alternative allocation method proposed, then each municipality in the region must return to the standard application process and submit separate applications as required by that process.
- If the department finds the alternative allocation method satisfactory, each municipality must then complete an alternative method application consisting of a cover page and resolution. The resolution must be adopted by the governing body and it must clearly describe the approved alternative allocation method within that area. After all alternative method applications within an area have been received and approved; the department will perform the allocations and distribute program funds.

Specific Instructions for an Alternative Method Application

In the alternative method application, an approved resolution constitutes the application. No other forms need to be submitted. A sample resolution has been attached for your use.

General Guidelines for Developing an Alternative Allocation Method

All municipalities in a fisheries management area must agree on the alternative method:

There must be unanimous agreement among all eligible municipalities in a fisheries management area with regard to alternative allocation methods. It is the responsibility of community leaders in the area to work together to negotiate an alternative which is acceptable to all municipalities. The department may be consulted at any time regarding what kinds of formula approaches are considered acceptable by the department.

Alternative methods must incorporate some measure of the relative significant effects experienced by the respective municipalities in the area. The measure of significant effects may take many forms. One area might agree to use the number of commercial fishing boat visits-per-year per community as a measure of significant effects. Another area might use the linear foot-length of public docks as a measure. Another area might use community population figures as an indication of the significant effects of fisheries business activity. Another area might share one half of the funding equally between the respective municipalities and share the other half based upon community population figures. Areas may decide to use one measure, or may use a combination of measures.

**Submit your completed application
by no later than February 15, 2015 to:**

**Department of Commerce, Community,
and Economic Development
Division of Community and Regional Affairs
Shared Fisheries Business Tax Program
P.O. Box 110809
Juneau, AK 99811-0809**

**If you require assistance in completing this application,
please call Danielle Lindoff at 465-4733.**

FY 15 Shared Fisheries Business Tax Program
Alternative Method Resolution

(City or Borough)

RESOLUTION NO. _____

A RESOLUTION ADOPTING AN ALTERNATIVE ALLOCATION METHOD FOR THE FY15 SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT THIS ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF SIGNIFICANT EFFECTS OF FISHERIES BUSINESS ACTIVITY IN FMA 14: COOK INLET

WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY 15 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2013 from fisheries business activities; and,

WHEREAS, 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas specified by the Department of Commerce, Community, and Economic Development; and,

WHEREAS, 3 AAC 134.070 provides for the use, at the discretion of the Department of Commerce, Community, and Economic Development, of alternative allocation methods which may be used within fisheries management areas if all eligible municipalities within the area agree to use the method, and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area; and,

WHEREAS, The _____ proposes to use an alternative allocation
(Governing Body)

method for allocation of FY15 funding available within the FMA 14: COOK INLET in agreement with all other municipalities in this area participating in the FY15 Shared Fisheries Business Tax Program;

NOW THEREFORE BE IT RESOLVED THAT: The _____ by this resolution
(Governing Body)

certifies that the following alternative allocation method fairly represents the distribution of significant effects during 2013 of fisheries business activity in FMA 14: COOK INLET:

All municipalities share equally 50% of allocation; all municipalities share remaining 50% on a per capita basis.

PASSED and APPROVED by a duly constituted quorum of the _____ this
____ day of _____ 20____.

SIGNED _____
Mayor

ATTEST _____
Clerk

**FY 15
Shared Fisheries Business Tax Program**

FMA 14: Cook Inlet Area						
Alternative Method*	Total allocation:	50% Divided	50% per capita	50% divided share	50% per capita share	Calculated Allocation
Community	Population	50% divided share	50% per capita share	50% per capita share	50% per capita share	Calculated Allocation
Anchorage	301,134	\$2,783.63	\$17,747.69	\$17,747.69	\$17,747.69	\$619.50
Homer	5,136	\$2,783.63	\$302.70	\$302.70	\$302.70	\$93.13
Kachemak	455	\$2,783.63	\$26.82	\$26.82	\$26.82	\$84.80
Kenai	7,247	\$2,783.63	\$427.11	\$427.11	\$427.11	\$96.88
Kenai Pen Boro	56,862	\$2,783.63	\$3,351.23	\$3,351.23	\$3,351.23	\$185.11
Seldovia	245	\$2,783.63	\$14.44	\$14.44	\$14.44	\$84.43
Seward	2,487	\$2,783.63	\$146.57	\$146.57	\$146.57	\$88.41
Soldotna	4,284	\$2,783.63	\$252.48	\$252.48	\$252.48	\$91.61
Totals	377,850	\$22,269.04	\$22,269.04	\$22,269.04	\$22,269.04	\$1,343.87
Community Count	8					

* All municipalities share 50% of allocation equally; share remaining 50% on a per capita basis.

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

3 City Manager/
4 Port and Harbor Director

5 **RESOLUTION 14-123**

6
7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, IN
8 SUPPORT OF FULL FUNDING FOR THE STATE OF ALASKA HARBOR
9 FACILITY GRANT PROGRAM IN THE FY 2016 STATE CAPITAL BUDGET.
10

11 WHEREAS, The majority of the public boat harbors in Alaska were constructed by the
12 State in the 1960's and 1970's and serve as critical transportation links and the hubs for
13 waterfront commerce and economic development in Alaskan coastal communities; and
14

15 WHEREAS, These harbor facilities are ports of refuge and areas for protection for
16 ocean-going vessels and fishermen throughout the State of Alaska, especially in coastal
17 Alaskan communities; and
18

19 WHEREAS, Over the past 30 years the State of Alaska has transferred ownership of
20 most of these State-owned harbors to local municipalities with many of these harbor facilities
21 in poor condition due to failure to keep up with maintenance; and
22

23 WHEREAS, When local municipal harbormasters formulated their annual harbor
24 facility budgets they inherited a major financial burden that their local municipal
25 governments could not afford; and
26

27 WHEREAS, In response to this financial burden, the Governor and Alaska Legislature
28 passed legislation supported by the Alaska Association of Harbormasters and Port
29 Administrators (AAHPA) to create the Harbor Facility Grant Program, AS 29.60.800; and
30

31 WHEREAS, The AAHPA endorses the Department of Transportation and Public
32 Facilities administrative review process to review, score, and rank applicants to the Harbor
33 Facility Grant Program since State funds may be limited; and
34

35 WHEREAS, For each harbor facility grant application these municipalities have
36 committed to invest 100% of the design and permitting costs and 50% of the construction
37 cost; and
38

39 WHEREAS, The City of Homer is currently performing a large harbor float
40 refurbishment project that received 50% of its funding through this program and recognizes
41 that this critical harbor infrastructure maintenance improvement would not have been
42 possible without the State's assistance; and

43 WHEREAS, The City of Homer recognizes the value of investing tax dollars into ports
44 and harbors in Alaska as a good investment that produces far reaching regional benefits to
45 the tax payers; and

46
47 WHEREAS, The State of Alaska Municipal Harbors Grant program vets good solid
48 projects though its application process that achieve these regional benefits and help
49 communities maintain this high value harbor infrastructure in perpetuity; and

50
51 WHEREAS, Municipalities of the Aleutians East Borough, the City and Borough of Sitka,
52 the City of Seward, the City of Ketchikan, the City of Coffman Cove, and the Municipality of
53 Anchorage have offered to contribute over \$14,262,722 in local match funding for FY 2016
54 towards seven harbor projects of significant importance locally as required in the Harbor
55 Facility Grant Program; and

56
57 WHEREAS, Completion of these harbor facility projects is all dependent on the 50%
58 match from the State of Alaska's Harbor Facility Grant Program; and

59
60 WHEREAS, During the last eight years the Municipal Harbor Facility Grant Program has
61 only been fully funded twice, creating a backlog of projects necessary to repair and replace
62 these former State-owned harbors in excess of \$90,000,000.

63
64 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, by this
65 Resolution, urges full funding in the amount of \$14,262,722 by the Governor and the Alaska
66 Legislature for the State of Alaska's Municipal Harbor Facility Grant Program in the FY 2016
67 State Capital Budget in order to ensure enhanced safety and economic prosperity among
68 Alaskan coastal communities.

69
70 PASSED and ADOPTED by the City Council of Homer, Alaska this 8th day of December,
71 2014.

72
73 CITY OF HOMER

74
75 _____
76 MARY E. WYTHE, MAYOR

77
78 ATTEST:

79
80 _____
81 JO JOHNSON, MMC, CITY CLERK

82
83
84 Fiscal Note: N/A



Senator XXXXXXX

Address

City, AK XXXXX

Attached are two resolutions of support unanimously approved by the Alaska Association of Harbormasters and Port Administrators (AAHPA) at our recent conference. The first resolution recommends full funding for the State of Alaska's Harbor Facility Grant Program. During the past 6 years this successful 50/50 grant program has helped more than 20 municipalities around Alaska upgrade or rebuild their harbors that were turned over to them by the State of Alaska in 2005-6. This year the municipalities of the Aleutians East Borough, the City and Borough of Sitka, the City of Seward, the City of Ketchikan, the City of Coffman Cove and the Municipality of Anchorage have offered to contribute \$14,262,722 in local match funding for FY 2016 towards seven harbor projects of significant importance locally and for Alaska. Your continued support of this program is critical for sustaining Alaska's maritime infrastructure.

The second resolution was submitted by Sitka Ports and Harbors and also received unanimous support from AAHPA members. Port and Harbor employees would be included in State of Alaska Statue AS 12.55.135 along with peace officers, fire fighters, correctional officers, etc. Harbormasters and their staffs from around the state shared stories of abuse, both verbal and physical endured over the past years. We would appreciate your support for both of these resolutions.

If you have any questions, feel free to contact me at 907-766-2448, or pbenner@haines.ak.us or your local port/harbor representative.

Sincerely,

Phillip P. Benner

President

Alaska Association of Harbormaster's and Port Administrator's

Alaska Association of Harbormasters and Port Administrators



RESOLUTION NO. 2014-01

A RESOLUTION OF THE ALASKA ASSOCIATION OF HARBORMASTERS AND PORT ADMINISTRATORS IN SUPPORT OF FULL FUNDING FOR THE STATE OF ALASKA HARBOR FACILITY GRANT PROGRAM IN THE FY 2016 STATE CAPITAL BUDGET.

Whereas, the Alaska Association of Harbormasters and Port Administrators recognizes the majority of the public boat harbors in Alaska where constructed by the State during the 1960s and 1970s; and

Whereas, these harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

Whereas, these harbor facilities are ports of refuge and areas for protection for ocean-going vessels and fishermen throughout the State of Alaska, especially in coastal Alaskan communities; and

Whereas, the State of Alaska over the past nearly 30 years has transferred ownership of most of these State owned harbors, many of which were at or near the end of their service life at the time of transfer, to local municipalities; and

Whereas, the municipalities took over this important responsibility even though they knew that these same harbor facilities were in poor condition at the time of transfer due to the state's failure to keep up with deferred maintenance; and

Whereas, consequently, when local municipal harbormasters formulated their annual harbor facility budgets, they inherited a major financial burden that their local municipal governments could not afford; and

Whereas, in response to this financial burden, the Governor and the Alaska Legislature passed legislation, supported by the Alaska Association of Harbormasters and Port Administrators, to create the Harbor Facility Grant program, AS 29.60.800; and

Whereas, the Alaska Association of Harbormasters and Port Administrators, is pleased with the Department of Transportation and Public Facilities administrative process to review, score and rank applicants to the Harbor Facility Grant Program, since state funds may be limited; and

Whereas, for each harbor facility grant application, these municipalities have committed to invest 100% of the design and permitting costs and 50% of the construction cost; and

Whereas, the municipalities of the Aleutians East Borough, the City and Borough of Sitka, the City of Seward, the City of Ketchikan, the City of Coffman Cove, and the Municipality of Anchorage have offered to contribute \$14,262,722 in local match funding for FY2016 towards seven harbor projects of significant importance locally as required in the Harbor Facility Grant Program; and

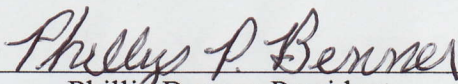
Whereas, completion of these harbor facility projects is all dependent on the 50% match from the State of Alaska's Harbor Facility Grant Program; and

Whereas, during the last eight years the Municipal Harbor Facility Grant Program has only been fully funded twice; and

Whereas, during the last eight years the backlog of projects necessary to repair and replace these former State owned harbors has increased to over \$90,000,000.

Now therefore be it resolved that the Membership of the Alaska Association of Harbormasters and Port Administrators urges full funding in the amount of \$14,262,722 by the Governor and the Alaska Legislature for the State of Alaska's Municipal Harbor Facility Grant Program in the FY 2016 State Capital Budget in order to ensure enhanced safety and economic prosperity among Alaskan coastal communities.

Passed and approved by a duly constituted quorum of the Alaska Association of Harbormasters and Port Administrators on this 15th day of October, 2014.


Phillip Benner, President

ATTEST:

Kim Elliot

Kim Elliot, Executive Secretary

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

3 City Manager/
4 Port and Harbor Director

5 **RESOLUTION 14-124**

6
7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, IN
8 SUPPORT OF THE ADDITION OF PORT AND HARBOR EMPLOYEES TO
9 THE LIST OF EMPLOYEES COVERED BY AS 12.55.135.

10
11 WHEREAS, Alaska Statute AS 12.55.135, Sentences of Imprisonment for Misdemeanors,
12 establishes minimum terms of imprisonment for defendants convicted of assaulting or
13 harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional
14 employees, emergency medical technicians, paramedics, ambulance attendants or other
15 emergency responders or medical professionals; and

16
17 WHEREAS, Port and Harbor employees in communities throughout the State of Alaska
18 routinely perform enforcement and emergency response duties commensurate with those
19 performed by peace officers, fire fighters, correctional employees, emergency medical
20 technicians, paramedics, ambulance attendants, or other emergency responders or medical
21 professionals; and

22
23 WHEREAS, Defendants convicted of assaulting or harassing port and harbor
24 employees in several recent cases have received sentences well below the minimums
25 established in AS 12.55.135 for defendants convicted of assaulting or harassing uniformed or
26 otherwise clearly identified peace officers, fire fighters, correctional employees, emergency
27 medical technicians, paramedics, ambulance attendants, or other emergency responders or
28 medical professionals; and

29
30 WHEREAS, The Alaska Association of Harbormaster and Port Administrators desires to
31 strengthen the deterrent to unlawfully assault or harass port and harbor employees
32 throughout the State of Alaska.

33
34 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, by this
35 Resolution, supports the addition of port and harbor employees to the list of employees
36 covered by Alaska Statute 12.55.135, Sentences of Imprisonment for Misdemeanors, which
37 establishes minimum terms of imprisonment for defendants convicted of assaulting or
38 harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional
39 employees, emergency medical technicians, paramedics, ambulance attendants, or other
40 emergency responders or medical professionals.

42 PASSED and ADOPTED by the City Council of Homer, Alaska this 8th day of December,
43 2014.

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CITY OF HOMER

MARY E. WYTHE, MAYOR

52 ATTEST:

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56 _____
57 JO JOHNSON, MMC, CITY CLERK

58
59

60 Fiscal Note: N/A

61

Alaska Association of Harbormasters and Port Administrators



RESOLUTION NO. 2014-02

A RESOLUTION OF THE ALASKA ASSOCIATION OF HARBORMASTERS AND PORT ADMINISTRATORS IN SUPPORT OF THE ADDITION OF PORT AND HARBOR EMPLOYEES TO THE LIST OF EMPLOYEES COVERED BY AS 12.55.135.

Whereas, State of Alaska statute AS 12.55.135. Sentences of Imprisonment for Misdemeanors establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

Whereas, port and harbor employees in communities throughout the State of Alaska routinely perform enforcement and emergency response duties commensurate with those performed by peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

Whereas, defendants convicted of assaulting or harassing port and harbor employees in several recent cases have received sentences well below the minimums established in AS 12.55.135 for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

Whereas, the Alaska Association of Harbormaster and Port Administrators desires to strengthen the deterrent to unlawfully assault or harass port and harbor employees throughout the State of Alaska.

Now therefore be it resolved that the Membership of the Alaska Association of Harbormaster and Port Administrators supports the addition of port and harbor employees to the list of employees covered by State of Alaska statute AS 12.55.135. Sentences of Imprisonment for Misdemeanors, which establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters,

correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals.

Passed and approved by a duly constituted quorum of the Alaska Association of Harbormasters and Port Administrators on this 15th day of October, 2014.

Phillip P. Benner

Phillip Benner, President

ATTEST:

Kim Elliot

Kim Elliot, Executive Secretary

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 14-125

A RESOLUTION OF THE HOMER CITY COUNCIL CONFIRMING THE
CITY MANAGER'S APPOINTMENT OF JO JOHNSON AS THE
ACTING CITY MANAGER FOR CALENDAR YEAR 2015.

WHEREAS, Homer City Code 1.20.010(b) states that the City Manager shall annually appoint an Acting City Manager, subject to the City Council confirmation which is revocable at any time, by the Council; and

WHEREAS, Pursuant to Homer City Code Section 1.20.010(b) the Acting City Manager shall assume the duties and powers of the City Manager in his absence.

NOW, THEREFORE, BE IT RESOLVED by the Homer City Council that Jo Johnson is hereby appointed by City Manager Walt Wrede and confirmed by the Homer City Council as Acting City Manager for the Calendar Year 2015.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 8th day of December, 2014.

CITY OF HOMER

MARY E. WYTHER, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A

VISITORS

ANNOUNCEMENTS
PRESENTATIONS
BOROUGH REPORT
COMMISSION REPORTS



The Government Finance Officers Association
of the United States and Canada

presents this

AWARD OF FINANCIAL REPORTING ACHIEVEMENT

to

Finance Department
City of Homer, Alaska

The award of Financial Reporting Achievement is presented by the Government Finance Officers Association to the individual(s) designated as instrumental in their government unit achieving a Certificate of Achievement for Excellence in Financial Reporting. A Certificate of Achievement is presented to those government units whose annual financial reports are judged to adhere to program standards and represents the highest award in government financial reporting.

Executive Director

Date November 5, 2014





Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**City of Homer
Alaska**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

December 31, 2013

Executive Director/CEO

Session 14-19, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on November 5, 2014 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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

ABSENT: BOS

STAFF: DEPUTY CITY PLANNER ENGBRETSSEN
DEPUTY CITY CLERK JACOBSEN
PUBLIC WORKS DIRECTOR MEYER

Approval of Agenda

Chair Stead called for the approval of the agenda.

VENUTI/HIGHLAND 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).

None

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 October 15, 2014 meeting

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

HIGHLAND/VENUTI SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

Reports

A. Staff Report PL 14-91, City Planner's Report

Deputy City Planner Engebretsen reviewed the staff report. In response to questions she gave an overview of the Safe Routes to School Grant.

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 14-92 Proposed Conditional Fence Permit for a 70 ft long 7ft tall fence along Mullikin Street 3945 Mullikin Street

Deputy City Planner Engebretsen reviewed the staff report.

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

STROOZAS/HIGHLAND MOVED TO APPROVE STAFF REPORT PL 14-92 AND A CONDITIONAL FENCE PERMIT AT 3945 MULLIKIN ST. WITH STAFF RECOMMENDATIONS AND FINDINGS.

It was suggested that there doesn't seem to be any special circumstances to justify needing the additional height, and that a fence of this size along the section of road will likely dominate the site. Other comments included in looking at the location of the house and the slope of the lot the additional height could be justified for privacy. The artistic design of the fence also includes using different length boards.

VOTE: YES: STEAD, HIGHLAND, ERICKSON, VENUTI, STROOZAS, BRADLEY

Motion carried.

B. Memorandum 14-03, Continued Public Hearing for 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.

Deputy City Planner Engebretsen noted correspondence included in the packet; as well as the additional laydown materials including letters from Carol Griswold, Phil Clay, Tammy Clay, and Lance and Rachel Prouse, also an additional laydown from Bob Shavelson and Cook Inletkeeper.

Chair Stead opened the public hearing.

Bob Shavelson, Executive Director of Cook Inletkeeper and city resident, commented in support of slowing down the process of amending the Bridge Creek Watershed District. He noted any proposed changes have to be consistent with the Comprehensive Plan and he thinks this fails to meet that

standard. The standard of promoting present and future public health, safety, and welfare and creating clear consistent regulation for small parcel development in the watershed does not get to the criteria the Commission is required to look at before forwarding this to council. There are certain due diligence requirements that he doesn't feel have been met here. He believes there needs to be some hydrologic study to understand what type of development can be done here. He reiterated that it is cheaper to prevent pollution to a drinking water supply than to treat it after the fact. He doesn't feel like there is enough information to make an informed decision.

Commissioner Venuti raised question about the water quality data and Mr. Shavelson said he sent the water data to planning late today. The caveat to the data is that they haven't gone through final quality control on the data and the data needs to be verified.

Commissioner Stroozas commented about the .19% increase of impervious surface that is being addressed in lots that are three acres or smaller. After 11 years with the current regulations we are asking to mitigate property for a small amount of owners who are unable to enjoy a reasonable amount of their property. If at a point in the future there is dramatic high density development in the area, additional changes can be made if needed. Mr. Shavelson said he doesn't believe there is enough factual information to determine the impact of the proposed changes. The purpose of the ordinance was not to prevent a catastrophe, it was meant to effect daily, weekly, and yearly chronic pollution that comes from non-point source pollution.

Joel Cooper, Bridge Creek watershed resident, recognized the land where he built his home is unique and as a landowner has an obligation to help protect it. Remember this is the city's drinking water supply, so don't look at it through the lens of development on a regular scale, it has to be looked at differently. He agrees they need to do a hydrological review of the area, and work with USGS to get a better idea of the water quality there. He also encouraged calculating the impervious cover in that concentrated area, that is a conduit for pollutants into the water shed. Developing this in small parcels would be like death by 1000 cuts to the watershed.

Nancy Hillstrand, owner of about 350 acres in the watershed, commented she does everything she can to protect the property and had planned to put into a conservation easement to protect the water quality. She feels like this change is going backward. She addressed the Beluga Lake plan and suggested it be used as a template, along with the Soil and Water Conservation District information on soils and what is going on there. This is the information that needs to be on the table before making these decisions, because protecting the city's water source is probably the most important job this group will do. She recommended a coalition, like they have done for Woodard Creek, to look at all this data so that we don't make a mistake.

Kevin Dee, Bridge Creek watershed resident, commented that he is willing to work within the current regulations relating to developing his property in order to keep the watershed intact. He agrees that there needs to be more facts on the table so they can make a decision that maintains the purpose of the watershed. It should be fact driven rather than based on a set of opinions. He isn't hearing anything about subdivision mitigation plans that would tie into small lots.

Carey Meyer, City of Homer Public Works Director, commented that he has talked to property owners with lots smaller than 3 acres to figure out a way to develop their lot, and it becomes very difficult. He noted his understanding that in the district there are 93 lots that are 3 acres or less and that there

won't be any more lots created in the district that are three acres or less. He recommended they look at a 1000 gallon retainage instead of 40 gallons. 40 gallons doesn't mitigate enough runoff from a site. He also suggested the potential for dry wells as mitigation factors.

Commissioner Highland noted that a majority of the 93 lots aren't developed and they don't know what it will look like with the 4.2% with the lots developed.

Mike Hayes, property owner along Twitter Creek, recognizes that this district is a special place. He has 10 acres with three of them in the watershed. He feels that people should be able to live within the limits outlined in code and agrees it is important that the Commission continue to study this before making any changes.

There were no further comments and the public hearing was closed.

Deputy City Planner Engebretsen had no rebuttal comments.

VENUTI/STROOZAS MOVED TO APPROVE THE DRAFT ORDINANCE AMENDING HCC 21.40.070 REQUIREMENTS, REGARDING STANDARDS FOR IMPERVIOUS COVERAGE IN THE BRIDGE CREEK WATERSHED PROTECTION DISTRICT AND FORWARD TO CITY COUNCIL FOR ADOPTION.

Commissioner Stroozas acknowledged Public Works Director Meyer's comments about the water retention area. Deputy City Planner Engebretsen said she will look at the calculations and bring it back to them.

Commissioner Venuti agrees they need a hydrologist. He sees both sides of the picture but they need more information to make a good decision that is in the best interest of the public.

Commissioner Highland noted she has been attempting to contact some people regarding a hydrologist; also the NRCS and the Kenai Watershed. She feels they are guessing right now and it isn't the best way to approach this. She thinks there must be some best management practices for a water source they could use for reference. She also wonders if they can put together something showing what the runoff would be if all 93 lots were developed, and the impact of leach fields.

Commissioner Erickson expressed her understanding that for any new development within the district they can't have lots smaller than 4.5 or 5 acres. We aren't going to be looking at more of the smaller lots other than the Kelly Ranch Estates that was established prior to the Bridge Creek Watershed District formation. She would like to see City Council more actively pursue purchasing the smaller lots that people can't deal with because of the size; or if the Land Trust has the monies to purchase them for conservation. She also encourages incentives for current property owners to purchase the lots around them to create larger lots.

Chair Stead acknowledged they addressed the 4 acres being a minor change in Kelly Ranch Estates, and the impervious coverage in the subdivision goes up to 6%. He added that at the report from the October 15 staff report did not state that they don't need to protect our environmental function, but we do need to do that. We also need to define what the City Planner would find as special site considerations. He expressed his frustration with the studies that have been presented and touched on issues he sees relating to discrepancies between the studies and the area they are working with. In

these studies there is no ability to go in and say this type of a mitigation or activity would prevent damage to the water quality. The Commission is trying to incorporate what we can do to allow people to use their land and provide some sort of mitigation.

Deputy City Planner Engebretsen commented that she doesn't know that the Commission will be able to get the magic number. The 4.2 was based on the information at the time. She explained that the Commission has some options to approve it as is, vote this down, or maybe look at mitigation plans instead of 5500 square feet so it's more consistent over time. Staff didn't spend a lot of time explaining the ways various commissions have approved mitigation plans, some have been simple, and some have required a stamped, engineered plan. In some ways best management practices or more consistency with mitigation plans would be a worthwhile result of this, whether they are staff or Commission approved.

There were comments relating to finding grants for the city to purchase additional land in the watershed, and working with DEC and other state agencies to find support and information that won't cost the city; and also discussion of when they wanted this back on their agenda.

HIGHLAND/BRADLEY MOVED TO POSTPONE THIS DRAFT ORDINANCE TO JANUARY 21, 2015.

There was brief discussion that Commissioner Highland would talk with the City Planner about what she would like to see from a hydrologist.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

C. Staff Report PL 14-93, Proposal for a public sign at Jack Gist Park

Commissioner Highland stated she has a conflict of interest. She is President of the Kachemak Bay Equestrian Association, which owns a neighboring property.

VENUTI/STROOZAS MOVED THAT COMMISSIONER HIGHLAND HAS A CONFLICT OF INTEREST.

Question was raised if Commissioner Highland felt she could make a nonbiased decision. She responded that she could.

VOTE: YES: ERICKSON

NO: STEAD, VENUTI, STROOZAS, BRADLEY

Motion failed.

Deputy City Planner Engebretsen reviewed the staff report.

Public Works Director Meyer commented about users of the park wanting a sign on East End Road to indicate the park is down there, and the Parks and Recreation Commission's goal to standardize park signage in the city.

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

Commissioner Erickson suggested there be hooks on the sign that would allow for displaying information on activities that are happening at the park.

Deputy City Planner Engebretsen explained that the information in the packet is what's being requested. The city's sign design does not include a logo of what activity is at a park. While this sign is larger than the other park signs, it isn't large enough to be an informational sign for all the activities there. If the Commission fails this, staff could come back with another solution.

There was further discussion about options to be able to display events at the park.

ERICKSON/VENUTI MOVED TO APPROVE STAFF REPORT PL 14-93 AND THE PROPOSED PUBLIC SIGN AT JACK GIST PARK WITH STAFF RECOMMENDATIONS AND FINDINGS, ALONG WITH A COUPLE HOOKS OR SOME WAY FOR ACTIVITIES TO BE DISPLAYED ON A TEMPORARY BASIS FOR THE DAY.

More discussion ensued about options to be able to display events at the park.

VOTE: YES: ERICKSON, BRADLEY, HIGHLAND, VENUTI
NO: STEAD, STROOZAS

Motion carried.

Plat Consideration

Pending Business

New Business

Informational Materials

- A. City Manager's Report for the October 13 and October 27 City Council Meetings
- B. Kenai Peninsula Borough Plat Committee Notice of Decision Re: Homer Enterprises, Inc. Subdivision Resetarits Replat Preliminary Plat

Comments of the Audience

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

Bob Shavelson, Executive Director of Cook Inletkeeper and city resident, commented that having attended a previous meeting where there was no information on impervious coverage, his intent with what he provided was to get some information to them. There is a wide range of methodologies to look at and it's inherently complicated. He reiterated a comment from Ms. Hillstrand that the Commission deals with a lot of different and complicated things, but can't think of a more important thing they do than work on the drinking water supply for the City of Homer. It isn't just for the residents, but also the tourists, and people who live outside the city. It's a vital asset for the community and again, he advocates for a go slow approach.

Joel Cooper, Bridge Creek Watershed resident, added that the abstract of the original document used in creating the district talks about thresholds and how things correspond to the 4.4 to 5% imperviousness. If they get that kind of analysis on the Bridge Creek Watershed, they might get some of the answers they are looking for. He noted he could have them focus on the highly concentrated area to see what kind of impact is happening.

Public Works Director Meyer commented that they don't need an expert to remind them of the importance of the water and that Homer soils are highly organic and erodible and underlying are fine grain silty soils that are even more erodible. Different percentages were looked at in developing the watershed ordinance as it exists and he recalls settling on the 4% because they recognized that it is a drinking watershed and wanted to be conservative and not approach the 10%. The other issue was impermeable surface are also created in the watershed off the site with roads, utility corridors, and so forth. It is important to maintain a safety factor there. We should be careful when we make adjustments that we aren't creating any problems.

Comments of Staff

None

Comments of the Commission

Commissioner Stroozas acknowledged the importance of the information presented by Mr. Shavelson. The Commission isn't done yet, obviously, but he believes they will make a decision at some point in time that will work for everyone, but especially for the watershed.

Commissioner Venuti said it was an interesting meeting. He acknowledged the potential cost of working with a hydrologist and the notion of who will pay for it. Deputy City Planner Engebretsen hopes to have some answers related to cost and timing at the January 21st meeting.

Commissioners Highland and Bradley said it was a good meeting.

Commissioner Erickson said good night.

Chair Stead said he will miss the December 3rd meeting. He acknowledged the Bridge Creek Watershed is the most important work they will do. The studies in hand don't adequately represent the types of issues they are trying to address and he has difficulty with that. When talking with the experts, they need to ensure the experts give them studies, or reasoning to accept studies, that make sense to the group.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 8:10 p.m. The next regular meeting is scheduled for December 3, 2014 at 6:30 p.m. in the City Hall Cowles Council Chambers.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____

PUBLIC HEARING(S)

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

**Ordinances 14-51, 14-54(S), and 14-55(S)
Resolutions 14-114 and 14-115**

A **public hearing** is scheduled for **Monday, December 8, 2014** during a Regular City Council Meeting. The meeting begins at 6:00 p.m. in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Ordinances 14-51, 14-54(S), and 14-55(S) internet address:
<http://www.cityofhomer-ak.gov/ordinances>

Resolutions 14-114 and 14-115 internet address:
<http://www.cityofhomer-ak.gov/resolutions>

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.

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. Follows Budget Ordinance 14-51 schedule.

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

Ordinance 14-54(S), An Ordinance of the Homer City Council Amending the FY 2014 Operating Budget by Authorizing the Expenditure of \$255,000 From the Port and Harbor Reserves to Extend Potable Water to Floats K Through Q and to Make Electrical/Structural Upgrades to Floats HH and JJ. City Manager/Port and Harbor Director.

Ordinance 14-55(S), An Ordinance of the Homer City Council Re-appropriating Funds Authorized by Ordinances 12-33(A)(S) and 12-39(S) for the Design and Engineering Phases of the Homer Harbor Improvement Projects to Construction and Replacement of HH and JJ Floats on System 4. City Manager/Port and Harbor Director.



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

** Copies of proposed Ordinances, in entirety, are available for review at Homer City Clerk's Office. Copies of the proposed Ordinances are available for review at City Hall, the Homer Public Library, the City of Homer Kiosks at City Clerk's Office, Captain's Coffee,

Harbormaster's Office, and Redden Marine Supply of Homer and the City's homepage - <http://clerk.ci.homer.ak.us>. Contact the Clerk's Office at City Hall if you have any questions. 235-3130, Email: clerk@ci.homer.ak.us or fax 235-3143.

Jo Johnson, MMC, City Clerk



Publish: Homer Tribune: December 3, 2014

CLERK'S AFFIDAVIT OF POSTING

I, Renee Krause, CMC, Deputy City Clerk for the City of Homer, Alaska, do hereby certify that a copy of the Public Hearing Notice for **Ordinance 14-51**, 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); **Resolution 14-114**, 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; **Resolution 14-115**, Amending the Port of Homer Terminal Tariff No. 600; **Ordinance 14-54(S)**, Amending the FY 2014 Operating Budget by Authorizing the Expenditure of \$255,000 From the Port and Harbor Reserves to Extend Potable Water to Floats K Through Q and to Make Electrical/Structural Upgrades to Floats HH and JJ; **Ordinance 14-55(S)**, Re-appropriating Funds Authorized by Ordinances 12-33(A)(S) and 12-39(S) for the Design and Engineering Phases of the Homer Harbor Improvement Projects to Construction and Replacement of HH and JJ Floats on System 4 was distributed to the City of Homer kiosks located at City Clerk's Office, Captain's Coffee Roasting Co., Harbormaster's Office and Redden Marine on Wednesday, November 26, 2014 and that the City Clerk posted same on City of Homer Homepage on Wednesday, November 26, 2014.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 26th day of November, 2014.

Renee Krause

Renee Krause, CMC, Deputy City Clerk I

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
2. City Council Regular Meeting November 24, 2014 Public Hearing
 - a. Budget amendments by Councilmembers Lewis, Zak, Burgess, and Reynolds
3. City Council Regular Meeting December 8, 2014 Public Hearing and Second Reading
 - a. Budget amendments by Councilmembers Van Dyke and Burgess
 - b. Budget amendments by Public Arts Committee

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

3 City Manager

4 **ORDINANCE 14-51**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 APPROPRIATING FUNDS FOR THE CALENDAR YEAR 2015 FOR THE
8 GENERAL FUND, THE WATER-SEWER FUND, THE PORT/HARBOR
9 FUND, DEBT FUNDS, AND CAPITAL RESERVE FUNDS
10 (CONDITIONAL EXPENDITURES).

11
12 THE CITY OF HOMER ORDAINS:

13
14 Section 1. Pursuant to the authority of Alaska Statute, Title 29, the appropriations for
15 Calendar Year ending December 2015 are appropriated as follows:

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17	General Fund	\$12,163,990
18	Water Fund	\$ 1,976,471
19	Sewer Fund	\$ 1,572,199
20	Port/Harbor Fund	\$ 4,871,722
21	Capital Projects	\$ 1,023,110
22		
23	Total Expenditures	\$ 21,607,492
24		
25	Internal Service Funds	\$ 1,741,267

26

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

29
30 Section 3. A copy of the budget shall be certified by the City Clerk and filed in the
31 Office of the City Clerk.

32
33 Section 4. The supporting Line Item Budget detail as presented by the Administration
34 and reviewed by the City Council is incorporated as part of this Budget Ordinance.

35
36 Section 5. The property tax mill levy is set at 4.5 mills for 2015.

37
38 Section 6. This Ordinance is limited to approval of the Budget and appropriations for
39 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:

71
72

Walt Wrede, City Manager

Thomas F. Klinkner, City Attorney

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74
75

Date: _____

Date: _____

76
77

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



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 14-178

TO: MAYOR WYTHE AND CITY COUNCIL

FROM: PUBLIC ARTS COMMITTEE

THROUGH: WALT WREDE, CITY MANAGER

CC: JO JOHNSON, MMC, CITY CLERK
ZHIYONG LI, FINANCE DIRECTOR

DATE: NOVEMBER 14, 2014

SUBJECT: 2015 BUDGET REQUEST

BACKGROUND

At the regular meeting on August 14, 2014 the Public Arts Committee reviewed and discussed a budget for 2015. The committee requested to reserve the right to request a budget at a later time.

On November 13, 2014 the Public Arts Committee had a discussion on their 2015 Budget request during the worksession and at the regular meeting took action. It was acknowledged that if the items were all approved by Council for funding they would have several projects to keep them busy for a while but just in case Council was unable to fund all of them they listed their projects in priority order.

The Public Arts Committee is requesting funding for the following items:

1. \$4000.00 to Hire a Contractor to conduct an inventory and photograph all city owned artwork in and on city owned property.
2. \$5000.00 to create and install a new mural on the wall at Heath Street and Pioneer Avenue
3. \$1000.00 to assist in creating and installing more uniform signage at City parks and recreational areas
4. \$500 for participation in city events and miscellaneous committee expenditures such as identification plaques for newly acquired artwork.

Following is the excerpt of the meeting minutes for the action taken by the committee and attached is the Budget Request Forms.

PENDING BUSINESS

- A. *Budget Requests 2015*

Ms. Groning-Person inquired if she should make a motion to approve the Budget request as discussed in the worksession. Vice Chair Miller requested it to be itemized for the motion.

GRONING-PERSON/HOLLOWELL – MOVED TO SUBMIT THE 2015 BUDGET REQUEST TO THE CITY COUNCIL FOR THE FOLLOWING ITEMS IN PRIORITY ORDER

1. \$4000.00 TO HIRE A CONTRACTOR TO INVENTORY, IDENTIFY AND TAKE PHOTOS OF THE CITY MUNICIPAL ART COLLECTION
2. \$5,000.00 TO ISSUE AN RFP TO CREATE AND INSTALL A NEW MURAL ON THE HEATH STREET WALL AT KACHEMAK CENTER WHICH WILL INCLUDE THE ADVERTISING, SUPPLIES AND ARTIST LABOR
3. \$1,000.00 FOR ADDITIONAL UNIFORM SIGNAGE FOR CITY PARKS
4. \$500.00 FOR PARTICIPATION IN MULTIPLE CITY EVENTS SUCH AS ARTRAGEOUS AUGUST, STREET FAIR, ETC. AND MISCELLANEOUS COMMITTEE EXPENDITURES.

There was a brief clarification and discussion on the duties of the contractor and that they would be supplied with a listing of the current art collection and provided with a list of public buildings that they were to visit and document all city owned artwork with information such as the date acquired, who the artist was, how much the city paid for the artwork or if donated, the medium or materials used to create the artwork, subject matter of the artwork, where in the public building it is located. Staff will develop and issue the RFP but will submit a scope of work for review by the committee.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Recommendation:

Approve the budget request for the projects listed.

CITY OF HOMER
2015 OPERATING BUDGET

Line	Fund-Dept-A/C	Requests (>= \$5000) Description	BY	Amount	City Manager Approved	City Manager Amend.	Council Amend.	Council Approved	Page Ref.
A	B	C	D	E	G	H	I	J	L
1	100-0115	Community Recreation - Personnel (Part time)	Park	35,381					
2	165-0375	Shelford Footpaths - HART -Trail Services	Park	15,000	15,000			15,000	
3		Professional Service - Hydrology	Park	20,000					
4		Pier 1 Area Picnic Shelter and Kiosk	Park	20,000					
5	165-0375	Roger's Loop Trailhead- HART -Trail Services	Park	65,000	65,000			65,000	
6	165-0375	Phase 2 West Homer Elem. Trail Connection	Park	25,000	25,000			25,000	
7		Dog Park & Dog Poop Outreach	Park	10,000					
8	156-0390	Add funds to Library Reserve	Library	36,906					
9	156-0390	Security Camera System - Library Reserve	Library	8,500	8,500			8,500	
10	156-0393	Portable Radio	Fire	20,000	20,000			20,000	
11	156-0393	Fire Hose Replacement	Fire	10,000	10,000			10,000	
12	156-0393	Hydraulic Pump Replacement	Fire	8,000					
13	156-0393	Commercial Washer/Extractor	Fire			9,500		9,500	
14	100-0150	Personnel	Fire	125,846					
15	152-0382	Vehicle	Police	75,000					
16	100-0160	Personnel - police officer	Police	81,512					
17	100-0160-5231	Safety Equipment	Police	36,852	36,852			36,852	
18		Personnel - Building maintenance	Public Works	68,000					
19		City Hall Roof	Public Works	50,000					
20	152-0383	F550 Truck & Plow with Sander	Public Works	50,000	50,000			50,000	
21	152-0383	Snow Plow Blade for Loader	Public Works	26,000					
22	GF & WS Dep Res	Storage for equipment & Inventory	Public Works	150,000	150,000			150,000	
23		On - Call pay for Building Maintenance	Public Works	10,192	10,192			10,192	
24	151-0375	Airless Paint Striping Machine	Public Works	5,000	5,000			5,000	
25	152-0383	Pelican Street Sweeper	Public Works	200,000	200,000			200,000	
26	152-0383	mid-size 4x4 PU	Public Works	27,500	27,500			27,500	
27	256-0378	Water Hydrant Maintenance	W & S	10,000	10,000			10,000	
28	200-	Personnel - Distribution Temp labor	W & S	12,000					
29	256-0378	Raw Water pump replacement	W & S	30,000	30,000			30,000	
30	256-0378	Asphalt Pavement at Water Plant	W & S	30,000	30,000			30,000	
31	256-0378/0379	Pre Eng. Metal Building	W & S	650,000					
32	256-0379	Replace Declaimer Water Pump	W & S	20,000					
33	256-0379	Rehabilitate Clarifier Skimmers	W & S	57,500	57,500			57,500	
34	256-0379	Lift-Station Safety Hatches	W & S	15,566	15,566			15,566	
35	456-0380	Demolition of Old Harbor Office	Port & Harbor	20,000	20,000			20,000	
36	456-0380	Extend Water Line K to Q	Port & Harbor	100,000	100,000			100,000	
37	456-0380	Refurbish Dup Box	Port & Harbor	15,000	15,000			15,000	
38		Harbor Officer	Port & Harbor	71,003					
39	456-0380	Fish dock gratings	Port & Harbor	20,000	20,000			20,000	
40	456-0380	F/D Crane 4	Port & Harbor	84,000	84,000			84,000	
41	456-0380	Radio Tower	Port & Harbor	10,000	10,000			10,000	
42	100-0100-5101	Council Compensation	Council				13,000		
43	100-0350-	Homer Senior Center	Contributions				10,000	10,000	
44	N/A	Picnic Shelter	Council				5,000	5,000	
45	156-0367	New Mural on Heath St.	Pub. Art. Com	5,000					
46	156-0367	To Inventory City Art Works	Pub. Art. Com	4,000					
47	156-0367	Fees for Event Booth Rental	Pub. Art. Com	500					
48	156-0367	Signage Needs for Parks & Rec.	Pub. Art. Com	1,000					
49	100-0350-5814	Homer Hockey Association	Council	14,000					
50									
	Total			2,349,258	1,015,110	9,500	28,000	1,039,610	

City of Homer
2015 Operating Budget

2015 Proposed Budget Amendment Form

Fund Name: 0100 - Mayor & Council

Department Number: 100

Account #	Account name	Page #	Increase	Decrease	Balance
5101	Reg Employees	50	13,000		17,500
5210	Prof & Spec Services	50		13,000	287,000

Rationale: I would like to ammend council member pay (per the terms of an ordinance introduced in 2014) to a "per council-meeting-day" basis. Any day in which a council member participates in an obligatory council meeting, worksession or board of adjustment hearing, etc. he/she shall receive \$75 of employee compensation. At the most basic of levels this compensation is intended to cover the minimal costs of participation in office, such as travel, time, babysitting, lost work, etc. The intent is also to tie compensation to participation and to the variable demand of meeting loads/schedules. The current compensation regime is not effective in the event of a large volume of legal meetings or board of adjustment meetings and makes the position of council-member all bust inaccessible to those who do not have an acomodating employer or sufficient financial resources. I propose using funds previously allocated to an employee benifits consultant to

Requested By: Beauregard Burgess

Prepared By: Beauregard Burgess

**CITY OF HOMER
DEPARTMENT BUDGET REQUEST
YEAR 2014**

Requesting Department PUBLIC ARTS COMMITTEE Date 11/13/2014

Level of Need: Urgent Essential Necessary Desirable

Request for Additional Personnel:
 Position Title _____
 Salary Range & Step _____
 Full-time
 Part-time Hours Per Year _____

Request Other Than Personnel:
 Description ANNUAL Budget Request to Fund PAC Projects as noted
 Fund Name: Public Arts Fund

(FINANCE DEPT WILL COMPLETE)
 5101 Permanent Employees _____
 5102 Fringe Benefits _____
 5103 P/T Employees _____
 5104 Fringe Benefits P/T _____
 5105 Overtime _____
Total Personnel Cost _____

Account Name: _____
 Account # 156-367
 Estimated Cost: \$5,000

Justification:

This budget request is to issue an Request for Proposals to create and install a new mural on the wall at the corner of Pioneer Avenue and Heath Street on the west boundary of the shopping center on the East side of Heath Street .

The existing mural is damaged and quite faded and previous efforts of the committee to have it redone did not come to fruition. The committee has decided that a new mural that reflects the community of Homer today would be the best approach.

The amount above includes advertising, artist fees, installation and identification plaque.

Requestor's Name: Public Arts Committee/Renee Krause

Department Head Approval: _____

City Manager Recommendation: _____ Date _____

Approved _____

Denied _____

Comments _____

**CITY OF HOMER
DEPARTMENT BUDGET REQUEST
YEAR 2014**

Requesting Department PUBLIC ARTS COMMITTEE Date 11/13/2014

Level of Need: Urgent Essential Necessary Desirable

Request for Additional Personnel:
 Position Title _____
 Salary Range & Step _____
 Full-time
 Part-time Hours Per Year _____

Request Other Than Personnel:
 Description ANNUAL Budget Request
to Fund PAC Projects as noted

Fund Name: Public Arts Fund

(FINANCE DEPT WILL COMPLETE)	
5101 Permanent Employees	_____
5102 Fringe Benefits	_____
5103 P/T Employees	_____
5104 Fringe Benefits P/T	_____
5105 Overtime	_____
Total Personnel Cost	_____

Account Name: _____

Account # 156-367

Estimated Cost: \$4,000

Justification:

This budget is to hire a contractor to inventory and photograph the city owned artwork in or located on city property . At this time the last inventory that was done and is incomplete was 2007. The city has acquired more artwork since that time. Staff does not have the adequate time to complete this needed step in order to create a Municipal Art Collection Catalog as outlined in the Administrative Guidelines approved by Council in 2011.

Requestor's Name: Public Arts Committee/Renee Krause

Department Head Approval: _____

City Manager Recommendation: _____ Date _____

Approved _____

Denied _____

Comments _____

**CITY OF HOMER
DEPARTMENT BUDGET REQUEST
YEAR 2014**

Requesting Department PUBLIC ARTS COMMITTEE Date 11/13/2014

Level of Need: Urgent Essential Necessary Desirable

Request for Additional Personnel:
 Position Title _____
 Salary Range & Step _____
 Full-time
 Part-time Hours Per Year _____

Request Other Than Personnel:
 Description ANNUAL Budget Request
to Fund PAC Projects as noted

Fund Name: Public Arts Fund

(FINANCE DEPT WILL COMPLETE)

5101 Permanent Employees	_____
5102 Fringe Benefits	_____
5103 P/T Employees	_____
5104 Fringe Benefits P/T	_____
5105 Overtime	_____
Total Personnel Cost	_____

Account Name: _____

Account # 156-367

Estimated Cost: \$500

Justification:

The committee is requesting this funding in order to pay for booth space at a variety of events that are held annually in the city

Requestor's Name: Public Arts Committee/Renee Krause

Department Head Approval: _____

City Manager Recommendation: _____ Date _____

Approved _____

Denied _____

Comments _____

**CITY OF HOMER
DEPARTMENT BUDGET REQUEST
YEAR 2014**

Requesting Department PUBLIC ARTS COMMITTEE Date 11/13/2014

Level of Need: Urgent Essential Necessary Desirable

Request for Additional Personnel:
 Position Title _____
 Salary Range & Step _____
 Full-time
 Part-time Hours Per Year _____

Request Other Than Personnel:
 Description ANNUAL Budget Request
to Fund PAC Projects as noted

Fund Name: Public Arts Fund

(FINANCE DEPT WILL COMPLETE)	
5101 Permanent Employees	_____
5102 Fringe Benefits	_____
5103 P/T Employees	_____
5104 Fringe Benefits P/T	_____
5105 Overtime	_____
Total Personnel Cost	_____

Account Name: _____

Account # 156-367

Estimated Cost: \$1,000

Justification:

The committee is requesting this funding in order to assist the Parks and Recreation get the additional signage needed to identify all of the city owned parks and recreational areas with the council approved uniform sign design. This funding will help with two signs.

Requestor's Name: Public Arts Committee/Renee Krause

Department Head Approval: _____

City Manager Recommendation: _____ Date _____

Approved _____

Denied _____

Comments _____

City of Homer
2015 Operating Budget

2015 Proposed Budget Amendment Form

Fund Name: PROF & SPEC SVC

Department Number:

Account #	Account name	Page #	Increase	Decrease	Balance
0100-5210	PROF & SPEC SVC	50		14,000	
	HHA		14,000		
	OPERATIONS				

Rationale: HHA IS A VERY IMPORTANT SEGMENT OF HOMERS ECONOMIC ENGINE. HHA OPERATES IN THE OFF SEASON (WINTER) AND THROUGH ITS EFFORTS BRINGS HUNDREDS OF THOUSANDS OF DOLLARS INTO A COMMUNITY WHEN IT NEEDS IT MOST. THIS IS DONE THROUGH ITS OWN FEE SCHEDULE AND THE 14,000 PLUS VOLUNTEER HOURS OF ITS MEMBERS EVERY SEASON. HHA'S SIZE AND IMPACT TO OUR COMMUNITY DICTATES IT BE REMOVED FROM THE GENERAL POPULATION OF NON PROFITS AND BE CONSIDERED AS A SEPERATE LINE ITEM JUST AS HAVEN HOUSE AND THE PRATT MUSEUM. UNTIL A PARKS & REC COMPLEX IS BUILT, WE SHOULD ASSIST THE HHA IN ANY WAY POSSIBLE. OUR FUTURE IS IN THE KIDS UTILIZING THIS SERVICE, HELP KEEP THE HUNDREDS OF

Requested By: Gus Van Dyke

Prepared By: _____

KIDS PRODUCTIVE, ENTERTAINED, DISCIPLINED AND OFF THE STREETS.

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 AND
9 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 a.m.
 209 - 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

Please Note: To receive a refund on a lost item, patrons must return the item within sixty days of lost status. Refunds of payment for items deemed valuable to the collection and returned after the 60-day period may be made at the discretion of the Director. No refunds will be given for digital devices.

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.

270 Improper Return of Digital Devices- \$25 fee if not returned to Front Desk staff

~~Please Note: To receive a refund on a lost item, patrons must return the item within sixty days of lost status. Refunds of payment for items deemed valuable to the collection and returned after the 60-day period may be made at the discretion of the Director. No refunds will be given for digital devices.~~

PORT AND HARBOR DEPARTMENT

279 Harbor Office - 235-3160
280 Fish Dock - 235-3162

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)

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.

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

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 ³³
201' to 300'	\$788.00	501' to 525'	\$1,996.00	701' to 725'	\$5,119. 00 ³⁴
301' to 350'	\$1,005.00	526' to 550'	\$2,154.00	726' to 750'	\$5,858. 00 ³⁵
351' to 375'	\$1,098.00	551' to 575'	\$2,334.00	751' to 775'	\$6,644. 00 ³⁶
376' to 400'	\$1,206.00	576' to 600'	\$2,582.00	776' to 800'	\$7,459. 00 ³⁷
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

360 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
		REVISED PAGE NO.	15th

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

PORT AND HARBOR OF HOMER 4350 HOMER SPIT ROAD HOMER, ALASKA 99603 PHONE: 907.235.3160 TERMINAL TARIFF NO. 600	FMC NO. 600	PAGE	36
		REVISED PAGE NO.	7th

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. WYTHE, MAYOR

122 ATTEST:

123
124 _____
125 JO JOHNSON, MMC, CITY CLERK

126
127 Fiscal Note: N/A

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-54

An Ordinance of the Homer City Council Amending the FY 2014 Operating Budget by Authorizing the Expenditure of \$100,000 From the Port and Harbor Reserves to Extend Potable Water to Floats K Through Q.

Sponsor: City Manager/Port and Harbor Director

1. City Council Regular Meeting November 24, 2014 Introduction
 - a. Memorandum 14-173 from Port and Harbor Director as backup
2. City Council Regular Meeting December 8, 2014 Public Hearing and Second Reading
 - a. Substitute Ordinance 14-54(S)
 - b. Memorandum 14-173 from Port and Harbor Director as backup

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager/
4 Port and Harbor Director

5 ORDINANCE 14-54(S)
6

7 AN ORDINANCE OF THE HOMER CITY COUNCIL AMENDING THE
8 FY 2014 OPERATING BUDGET BY AUTHORIZING THE
9 EXPENDITURE OF ~~\$100,000~~ **\$255,000** FROM THE PORT AND
10 HARBOR RESERVES TO EXTEND POTABLE WATER TO FLOATS K
11 THROUGH Q **AND TO MAKE ELECTRICAL/STRUCTURAL**
12 **UPGRADES TO FLOATS HH AND JJ.**
13

14 WHEREAS, In preparation of the 2015 budget, Port and Harbor and the City Manager
15 has made a priority of extending potable water to floats K through Q **along with upgrading**
16 **floats on System 4;** and
17

18 WHEREAS, After review of the timeline with the Public Works Project Manager and the
19 contractor, it is necessary and desirable to request funding from the Port and Harbor
20 Reserves instead of a 2015 budget request; and
21

22 WHEREAS, This appropriation is necessary to complete the work while the contractor
23 is already mobilized to avoid additional costs.
24

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

27 Section 1. The Homer City Council hereby amends the FY 2014 Operating Budget by
28 authorizing the expenditure of ~~\$100,000~~ **\$255,000** from the Port and Harbor Reserves to
29 extend potable water to Floats K through Q **and to make electrical/structural upgrades to**
30 **Floats HH and JJ.**
31

32 Expenditure:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
456-380	Extend Potable Water to Floats K - Q <u>and Electrical/</u> <u>Structural upgrades to Floats</u> <u>HH & JJ</u>	\$100,000 \$255,000

38
39 Section 2. This is a budget amendment ordinance only, is not permanent in nature,
40 and shall not be codified.
41

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

44
45
46
47

CITY OF HOMER

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50
51

MARY E. WYTHE, MAYOR

52
53

54 ATTEST:

55
56
57

JO JOHNSON, MMC, CITY CLERK

58
59
60

61 AYES:

62 NOES:

63 ABSTAIN:

64 ABSENT:

65
66
67

68 First Reading:

69 Public Reading:

70 Second Reading:

71 Effective Date:

72
73
74

75 Reviewed and approved as to form:

76
77
78

Walt Wrede, City Manager

Thomas F. Klinkner, City Attorney

79
80

81 Date: _____

81 Date: _____

82
83



Memorandum 14-173(S)

TO: MAYOR BETH WYTHER & HOMER CITY COUNCIL
FROM: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER
DATE: NOVEMBER 7, 2014
SUBJECT: FUNDING AMENDMENT FOR K THRU Q WATERLINE EXTENSION **AND ELECTRICAL/STRUCTURAL UPGRADES TO HH AND JJ FLOATS**

During 2015 budget requests to City Council, Port and Harbor Staff submitted a department budget request of \$100,000 for the purpose of extending potable water to floats K through Q. In this request, we explain that there are significant advantages to completing this work while the contractor is already mobilized for replacing the main float's water system for our System 1 project **along with the improvements to System 4.** After reviewing the timeline with Public Works Project Manager and the contractor, we have found it necessary to ask for this funding in an appropriation from the Port and Harbor Reserves, instead of a budget request. This appropriation is necessary in order to receive the benefit of not having to re-mobilize the workers to this site after the first of the year when the 2015 budget is passed.

Potable water **and electrical service** is the most asked-for amenity from our annual, 32 foot stall lessees. This project will bring water to 228 additional vessels that provide the Harbor Enterprise approximately \$364,000 annually in moorage. **Along with supplying water this appropriation will bring much needed electrical and structural upgrades to the ongoing improvements to the system four customers.** Harbor staff also believes that this improvement will work to save the Harbor Enterprise operational costs due to water loss from the continuous drips and leaks that occur from the "daisy chained" garden hoses that are stretched out across these floats.

Recommendation

Deny the 2015 budget request for extending potable water to Homer Harbor floats K through Q, and approve Ordinance 14-**54(S)** appropriating ~~\$100,000~~ **\$255,000** from the Port and Harbor Reserves for the fiscal year 2014 for the purpose of issuing a change order to Harris Sand and Gravel to extend potable water to the ends of floats K through Q **and to make electrical/structural upgrades to HH and JJ floats** in the Homer Harbor.

ORDINANCE REFERENCE SHEET
2014 ORDINANCE
ORDINANCE 14-55

An Ordinance of the Homer City Council Re-appropriating Funds Authorized by Ordinances 12-33(A)(S) and 12-39(S) for the Design and Engineering Phases of the Homer Harbor Improvement Projects to Construction and Replacement of HH and JJ Floats on System 4.

Sponsor: City Manager/Port and Harbor Director

1. City Council Regular Meeting November 24, 2014 Introduction
 - a. Memorandum 14-174 from Port and Harbor Director as backup
 - b. Ordinance 12-33(A)(S)
 - c. Ordinance 12-39(S)

2. City Council Regular Meeting December 8, 2014 Public Hearing and Second Reading
 - a. Substitute Ordinance 14-55(S)
 - b. Memorandum 14-174 from Port and Harbor Director as backup
 - c. Ordinance 12-33(A)(S)
 - d. Ordinance 12-39(S)

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

3 City Manager/
4 Port and Harbor Director

5 **ORDINANCE 14-55(S)**
6

7 AN ORDINANCE OF THE HOMER CITY COUNCIL RE-APPROPRIATING
8 FUNDS AUTHORIZED BY ORDINANCES 12-33(A)(S) AND 12-39(S) FOR
9 THE DESIGN AND ENGINEERING PHASES OF THE HOMER HARBOR
10 IMPROVEMENT PROJECTS TO CONSTRUCTION AND REPLACEMENT OF
11 HH AND JJ FLOATS ON SYSTEM 4.
12

13 WHEREAS, The Council appropriated funds from the Port and Harbor Reserves for the
14 purpose of funding the design and engineering phases of the Homer Harbor improvement
15 projects with the adoption of Ordinances 12-33(A)(S) and 12-39(S); and
16

17 WHEREAS, Ordinance 12-33(A)(S) appropriated \$125,000 of which \$112,105.59 remains
18 unused; Ordinance 12-39(S) appropriated \$110,000 of which \$27,961.76 remains unused; and
19

20 WHEREAS, Unused funds totaling \$140,067.35 from appropriations in Ordinances 12-
21 033(A)(S) and 12-39(S) would be re-appropriated for the construction and replacement of HH
22 and JJ Floats on System 4.
23

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

26 Section 1. The Homer City Council hereby re-appropriates funds authorized by
27 Ordinances 12-33(S)(A)(~~A~~)(S) and 12-39(S) of \$140,067.35 for the design and engineering
28 phases of the Homer Harbor Improvement projects to construction and replacement of HH
29 and JJ Floats on System 4.
30

31 Expenditure:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
456-380	Extend Potable Water to Floats K—Q	\$140,067.35
	<u>Construction and Replacement of HH and JJ Floats on System 4</u>	

32
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37

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

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

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

AYES:

NOES:

ABSTAIN:

ABSENT:

First Reading:

Public Reading:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Walt Wrede, City Manager

Date: _____

Thomas F. Klinkner, City Attorney

Date: _____



Memorandum 14-174

TO: MAYOR BETH WYTHER & HOMER CITY COUNCIL
FROM: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER
DATE: NOVEMBER 10, 2014
SUBJECT: ORDINANCE AMENDMENTS FOR HH & JJ FLOAT IMPROVEMENTS

On August 28, 2012, City Council passed Ordinance 12-33(A)(S) and 12-39(S) appropriating funds from the Port and Harbor Reserves for the purpose of funding the design and engineering phases of the Homer Harbor improvement projects. These tasks are now complete, with funds remaining. Staff needs to direct these remaining funds to the construction and replacement of HH and JJ float on System 4.

Remaining funds were created because the City received additional funding from the Borough through the State's Cruise Ship Head-Tax Program after the two ordinances were passed. The additional monies were used to help pay for the design and engineering of the new Ramp 3, helping free-up Port and Harbor Reserves for other uses. There were also additional savings gained in overall project management.

Recommendation

Amend Ordinance 12-39(S) to include construction to the allowed uses of the funds described in the revised ordinance, and direct staff to use the balance of \$27,961.76 for the construction and replacement of HH and JJ floats.

Amend ordinance 12-33(A)(S) to include construction to the allowed uses of these funds, and direct staff to use the balance \$112,105.59 for the construction and replacement of HH and JJ floats.

Fiscal note: 456-380 Ordinance 12-39(S) beginning total was \$110,000.00 of which \$27,961.76 remains unused.
456-380 Ordinance 12-33(A)(S) beginning total was \$125,000.00 of which \$112,105.59 remains unused.

ORDINANCE(S)

CITY MANAGER'S REPORT



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

MANAGER'S REPORT

December 8, 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.

Skyline Fire Station: This building is nearing completion. Several Council members and members of the public have asked if there would be some kind of ribbon cutting ceremony. Although we are all excited about bringing this facility in-line, Chief Painter has concerns that a grand opening might give people a false sense of security and an expectation that the facility is operational. The truth is that because we secured a legislative grant to refurbish two important pieces of equipment, (Engine 4 is being refurbished right now), the building won't have apparatus staged there until next fall. The Chief would also like to increase efforts to recruit and train volunteers who live up in that area and can respond directly to that station. A Memorandum from Chief Painter is attached which goes into more detail.

Marijuana Legalization: As you know, the initiative to legalize marijuana in Alaska passed. Many municipalities are already discussing this with respect to things like community attitudes, regulation and taxation. Interest in starting the public discussion has been expressed by Council members and the staff has been talking about it as well. Cities and Boroughs may be somewhat limited in what they can enact until the state drafts its new regulations but it will be good to be prepared in advance. The law contains some big gaps with respect to municipalities. So, it will be very important that municipal interests and concerns are represented when the state is drafting the regulations. Fortunately, Homer will be well represented at the table. The Association of Police Chiefs has formed a working group and engaged an attorney that will assist them in working with the State Department of Law. Chief Robl has been asked to participate. There is also a group of municipal attorneys who have formed to represent broader municipal interests including taxation and regulation. The City's law firm, Birch, Horton, Bittner, and Cherot has two attorneys in this working group, Holly Wells and Cortney Kitchen. There is talk about adding some municipal managers to the working group also. Holly and Cortney are currently working on a white paper on this topic which will be available to you in January. It will be important for the Council to stay engaged

with Holly and with Chief Robl on this topic so they are aware of your concerns and interest areas.

Islands and Ocean Roof: The City played a role in securing funding and finding a new State partner for the Kachemak Bay Research Reserve during the last legislative session and over the summer months. We are pleased that the University of Alaska Anchorage will likely be the new state partner. One of the issues that has arisen during the negotiations is that the University is leery of possible capital costs that they might be responsible for at the Islands and Ocean Center. It is possible that the University might reduce its footprint there or even move out completely, leaving USFWS without a tenant and possibly placing the entire facility in jeopardy. A specific concern is the roof. Apparently, as a cost cutting measure, a thin membrane roof with a ten year warranty was installed instead of a thicker, 30 year roof. This roof now needs to be replaced. The Research Reserve has inquired about whether the City would consider adding this project to its CIP list, either in 2015 or 2016. I bring this up here to get the subject out on the table and solicit some initial reactions. If Council is interested, Katie will draft up a project description and/or a resolution for your consideration.

Hertz Lease: Several months ago, the Council approved a new lease at the airport terminal for Pioneer Car Rental / Hertz. Since that time, the owner of Pioneer Car Rental has informed us that he no longer has an affiliation with Hertz. We are not overly concerned about that because the Lease Committee reviewed the lease proposal based upon the viability of Pioneer Car Rental and its owner. In other words, the financial information and experience of the owner/operator presented in the application were for Pioneer Car Rental as a stand-alone operation. The affiliation with Hertz was a bonus but approval of the proposal was not contingent upon that. So, we have made the adjustments to the lease. We believe Pioneer will still be a good tenant at the airport. There is a possibility that the City could lose some revenue related to volume of sales because of the detachment from Hertz.

Transition: During the remaining weeks in December I will be focused upon the transition and getting the office ready for a new occupant. I have asked the department heads to prepare transition reports for their departments by December 15 for use by the interim manager and the permanent manager when one is hired. I expect that the interim manager will be here for at least several days in December for an orientation and I will do as much as I can to prepare him to hit the ground running. I will be spending a fair amount of time cleaning up and organizing my electronic and paper files. I will also be working on a number of personnel issues including a new employment agreement for Chief Robl and overdue performance evaluations for all department heads and other staff members who report directly to me. I will also be working to tie up some loose ends regarding leases and property management.

ATTACHMENTS

1. Skyline Fire Station Memorandum: Chief Painter
2. Community Recreation Weekly Schedule
- 3.



City of Homer

www.cityofhomer-ak.gov

Volunteer Fire Department

604 East Pioneer Ave
Homer, Alaska 99603

fire@cityofhomer-ak.gov

(p) 907-235-3155

(f) 907-235-3157

Memorandum

TO: Walt Wrede, City Manager

FROM: Robert Painter, Fire Chief

DATE: December 1, 2014

SUBJECT: Skyline Fire Station

As you know the Skyline Fire Station is very near completion and will be turned over to the city soon. We've already been permitted to move some of our equipment that has been stored outside, such as the hazardous materials decontamination supply trailer, into the building for safekeeping. As you also know it is our intention to place Engine 4 at the new station as a reserve engine once it returns from being refurbished in Sumner Washington. U.S. Fire Equipment, by contract, has up to 180 days to complete work on the apparatus and return it to us. At that time, we will attempt to send out our 1989 E-One Tanker for refurbishment, if we have adequate funding for the project. As the vast majority of our fire calls originate from the immediate area of Station 1 on Pioneer Avenue, I will be placing Engine 4 there during the refitting of Tanker 2, to maintain the standards of cover of having at least two fire engines on scene of all working structure fires as quickly as possible. I will be leaving the Kachemak City tanker at their facility on East End Road for "off-hydrant" fire calls. That means that the Skyline Station will be without a firefighting apparatus until such time as Tanker 2 is completed and returned to us, late in 2015.

It is important to keep the public informed of the status of the Skyline Station so that there is not an expectation of service that will be unavailable until both Engine 4 and Tanker 2 are completed and back in Homer.

~City of Homer Community Recreation Weekly Schedule~

Week of December 1-7

Monday, December 1

6:00AM Morning Basketball
10:30AM Toddler Playgroup
4:30PM Bruins Youth Basketball
5:30PM Pickle Ball
5:30PM Fencing
5:45PM Basketball League
6:00PM Weight Room
6:00PM Gymnastics

Homer Middle Gym
HERC Gym
Paul Banks Gym
HERC Gym
Commons
Homer Middle Gym
HHS Weight Room
HHS Mat Room

Tuesday, December 2

5:00PM Karate
4:00PM Gymnastics
4:30PM Bruins Youth Basketball
5:30PM ZUMBA
6:00PM Weight Room
6:00PM Climbing
6:00PM Gymnastics
7:30PM Volleyball
8:00PM Basketball

Homer Middle MPR
HERC Gym
Paul Banks Gym
HERC Gym
Weight Room
Mat Room
Mat Room
Homer Middle Gym
Cancelled

Wednesday, December 3

6:00AM Morning Basketball
3:30PM Youth Soccer
5:30PM Pickle Ball
6:00PM Weight Room
6:00PM Ping Pong
6:00PM Gymnastics
7:00PM Volleyball League
8:30PM Pick Up Soccer

Homer Middle Gym
HERC Gym
HERC Gym
Weight Room
Cancelled
HHS Mat Room
Homer Middle Gym
HHS Gym

Thursday, December 4

5:00PM Karate
5:30PM Fencing
5:30PM Youth Soccer
6:00PM Weight Room
6:30PM Belly Dancing
7:30PM Volleyball
8:00PM Basketball

Homer Middle MPR
Commons
HERC Gym
HHS Weight Room
Green Room
Homer Middle Gym
Cancelled

Friday, December 5

6:00AM Morning Basketball
10:30AM Toddler Playgroup
3:30PM Youth Soccer
5:30PM Pickle Ball
8:00PM Pick Up Soccer

Homer Middle Gym
HERC Gym
HERC Gym
HERC Gym
Cancelled

Saturday, December 6

11:00AM ZUMBA

HERC Gym

Sunday, December 7

2:00PM Youth Soccer
3:30PM Volleyball
6:00PM Pick Up Soccer

HERC Gym
Cancelled
Cancelled



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

TO: MAYOR AND CITY COUNCIL

FROM: MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

DATE: DECEMBER 2, 2014

SUBJECT: BID REPORT

RFP HOMER DEEPWATER DOCK FEASIBILITY STUDY - The City of Homer intends to enter into a negotiated agreement for professional engineering and economic analysis services to complete a feasibility study for the expansion/ improvement of the Deepwater Dock. A complete description of services is contained in the RFP Package. Estimated period for performance of the Agreement is approximately February 2015 to July 2016. Cost of these professional services is expected to be in the range of \$1,400,000 to \$1,600,000. Sealed proposals for the construction of the **Homer Deepwater Dock Feasibility Study** will be received at the office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska, until **4:00 PM, Thursday, January 15, 2015**. The time of receipt will be determined by the City Clerk's time stamp.



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

TO: MAYOR WYTHE AND CITY COUNCIL

FROM: JO JOHNSON, MMC, CITY CLERK

DATE: DECEMBER 3, 2014

SUBJECT: GAMES REPORT

We have received notification of a 2015 Gaming Permit Application by the following entities:

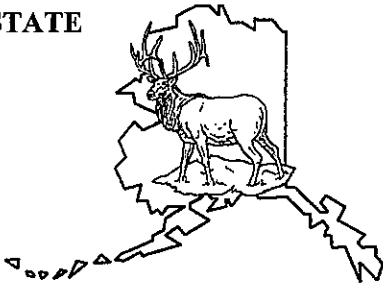
Alaska State Elks Charitable Trust

RECOMMENDATION:

Informational only.

Fiscal Note: Revenues.

ALASKA
STATE



ELKS ASSOCIATION

2014 ~ 2015 ALASKA STATE ELKS ASSOCIATION, INC

Joel Hembach, President
18850 War Admiral Road
Eagle River, AK 99577-8329
(907) 696-7516 or (907)-350-0715

JON E. SHENNETT, President Elect
P.O. Box 2642
Sitka, AK 99835-2642

MIKE SOUTHCOTT, Trustee Chair
P.O. Box 4993
Palmer, AK 99645-4993

KONRAD JACKSON, Vice President
P.O. Box 2935
Soldotna, AK 99669-2935

NOV 19 2014 Kerry Tomlinson-Daum, Trustee
P.O. Box 672
Sitka, AK 99835-0672

PAUL J. WHITNEY, Secretary
231 Knoll Circle
Soldotna, AK 99669-7352

A handwritten signature in black ink, appearing to read 'Kerry Tomlinson-Daum', written over the typed name and address.

Rick Mourek, Trustee
48645 Halibouty Road
Kenai, AK 99611

AL NAGEL, Treasurer
19637 N. Montague Loop
Eagle River, AK 99577

ROGER R. TRUE, PGER/Alaska Sponsor
251 Thyme Circle
Richland, WA 99352

November 12, 2014

City of Homer
491 East Pioneer Avenue
Homer, AK 99603

The Alaska State Elks Association has applied for a renewal of our Gaming Permit to conduct raffles in the City of Homer area through our Homer Elks Lodge 2127. Pursuant to Alaska State Gaming Regulations we have enclosed a copy of our renewal application.

If there should be any questions feel free to contact me at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul J. Whitney', written in a cursive style.

Paul J. Whitney, Secretary
Alaska State Elks Association
231 Knoll Circle
Soldotna, AK 99669-7352
907-262-5667
aseasecretary@live.com

Organization Information

Federal EIN 92-6026104	If renewing, enter gaming permit # 1415	Phone Number 907-262-5667	Fax Number
Organization Name ALASKA STATE ELKS CHARITABLE TRUST	Website address FUND/ALASKASTATE	Email address ASEAJSCTARY@AKS.ORG	
Mailing Address 231 KNOLL CIRCLE	City SOLDOTNA	State AK	Zip Code 99669-7352
Entity Type (check one)			
<input type="checkbox"/> Corporation	<input type="checkbox"/> Charitable	<input checked="" type="checkbox"/> Fraternal	<input type="checkbox"/> Police or fire department
<input type="checkbox"/> Partnership	<input type="checkbox"/> Civic or service	<input type="checkbox"/> Labor	<input type="checkbox"/> Political
<input type="checkbox"/> Association	<input type="checkbox"/> Dog mushers' association	<input type="checkbox"/> Municipality	<input type="checkbox"/> Religious
	<input type="checkbox"/> Educational	<input type="checkbox"/> Nonprofit trade association	<input type="checkbox"/> Veterans
	<input type="checkbox"/> Fishing derby association	<input type="checkbox"/> Outboard motor association	<input type="checkbox"/> IRA/Native Village
** Does the organization have 25 or more members, as defined in your articles of incorporation or bylaws, who are Alaska residents? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			

Members in Charge of Games

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

Primary Member First Name PAUL	M.I. J	Primary Member Last Name WHITNEY	Alternate Member First Name KONRAD	M.I. G	Alternate Member Last Name JACKSON
Social Security Number	Email ASEAJSCTARY@OLIVS		Social Security Number	Email KONJACK@HOTMAIL.COM	
Daytime Phone Number 907-262-5667	Cell Number 907-395-7731	Fax Number COM	Daytime Phone Number 907-398-9121	Cell Number 907-398-9121	Fax Number
Home Mailing Address 231 KNOLL CIRCLE			Home Mailing Address P.O. Box 2935		
City SOLDOTNA	State AK	Zip Code 99669-7352	City SOLDOTNA	State AK	Zip Code 99669-2935
Has the primary member passed the test? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Permit # under which test was taken: 662	Has the alternate member passed the test? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Permit # under which test was taken: 528

Legal Questions

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

<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Does any member of management, or any person who is responsible for gaming activities, have a prohibited conflict of interest as defined by 15 AAC 160.954?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Has any member of management, or any person who is responsible for gaming activities, ever been convicted of a felony, extortion, or a violation of a law or ordinance of this state, or another jurisdiction, that is a crime involving theft or dishonesty, or a violation of gambling laws?
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We declare, under penalty of unsworn falsification, that we have examined this application, including any attachments, and that, to the best of our knowledge and belief, it is true and complete. We understand that any false statement made on the application or any attachments is punishable by law. By our signatures below, we, the primary member, the alternate member, and if applicable, the manager of gaming, agree to allow the Department of Revenue to review any criminal history we may have, in accordance with 15 AAC 160.934.

Primary Member In Charge's Signature <i>Paul J. Whitney</i>	Printed Name PAUL J. WHITNEY	Date 10/28/14
Resident or Other Officer's Signature (see instructions) <i>Joel Hembach</i>	Printed Name JOEL HEMBACH	Date 11-2-14
Alternate Member In Charge's Signature <i>Konrad G. Jackson</i>	Printed Name KONRAD G. JACKSON	Date 11/14/14
Manager of Gaming Signature	Printed Name	Date

DEPARTMENT USE ONLY
Validation #

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

Permit Fee

The permit fee is based on the 2014 estimated gross receipts. Check the appropriate box.

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

Email Address: dor.tax.gaming@alaska.gov
Mail to: Alaska Department of Revenue, PO Box 110420, Juneau AK 99811-0420

2015 ALASKA GAMING PERMIT APPLICATION

AREA-BASED GAMES

Anchorage Area Municipality of Anchorage	Anchorage Elks Lodge 2868 3101 Penland Parkway, Suite A-14 Anchorage, AK 99523	RAFFLE
Eagle River Area Municipality of Anchorage	Eagle River Elks Lodge 2682 17111 North Eagle River Loop Road Eagle River, AK 99577	RAFFLE
Fairbanks Area City of Fairbanks	Fairbanks Elks Lodge 1551 1003 Pioneer Road Fairbanks, AK 99701	RAFFLE
Wasilla Area Matanuska-Susitna Borough	Palmer Elks Lodge 1842 2600 North Barrys Resort Road Wasilla, AK 99645	RAFFLE
Valdez Area City of Valdez	Valdez Elks Lodge 2537 339 Fairbanks Street (P.O. Box 1607) Valdez, AK 99686	RAFFLE
Homer Area City of Homer	Homer Elks Lodge 2127 215 Jenny Lane Homer, AK 99603	RAFFLE
Kenai Area City of Kenai	Kenai Elks Lodge 2425 205 Barnacle Way Kenai, AK 99611	RAFFLE
Kodiak Area City of Kodiak	Kodiak Elks Lodge 1772 102 West Marine Way (P.O. Box 846) Kodiak, AK 99615	RAFFLE
Soldotna Area Kenai Peninsula Borough	Soldotna Elks Lodge 2706 44640 Parkway Avenue Soldotna, AK 99669	RAFFLE
Juneau Area City & Borough of Juneau	Juneau Elks Lodge 420 P.O. Box 33239 Juneau, AK 99803	RAFFLE
Ketchikan Area City of Ketchikan	Ketchikan Elks Lodge 1429 1448 Tongass (P.O. Box 5177) Ketchikan, AK 99901	RAFFLE
Petersburg Area City of Petersburg	Petersburg Elks Lodge 1615 301 North First Street (P.O. Box 609) Petersburg, AK 99833	RAFFLE

Sitka Area
City & Borough of Sitka

Sitka Elks Lodge 1662
412 Sawmill Creek Road
Sitka, AK 99835

RAFFLE

Skagway Area
Municipality of Skagway Borough

Skagway Elks Lodge 431
560 State Street (P.O. Box 416)
Skagway, AK 99840

RAFFLE

Wrangell Area
City & Borough of Wrangell

Wrangell Elks Lodge 1595
103 Front Street (P.O. Box 377)
Wrangell, AK 99929

RAFFLE

CITY ATTORNEY REPORT

COMMITTEE REPORTS

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

COMMENTS OF THE AUDIENCE
COMMENTS OF THE CITY ATTORNEY
COMMENTS OF THE CITY CLERK
COMMENTS OF THE CITY MANAGER
COMMENTS OF THE MAYOR
COMMENTS OF THE CITY COUNCIL
ADJOURNMENT

