

City Council
January 26, 2015
Monday



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



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

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2015
JANUARY/FEBRUARY



- Monday 26th:** **CITY COUNCIL**
Worksession 4:00 p.m., Committee of the Whole 5:00 p.m.,
and Regular Meeting 6:00 p.m.
- Wednesday 28th:** **PORT AND HARBOR ADVISORY COMMISSION**
Worksession 3:00 p.m. and Regular Meeting 5:00 p.m.
- Wednesday 28th:** **CITY MANAGER SELECTION COMMITTEE**
Meeting 4:00 p.m.
- Monday 2nd:** **CITY COUNCIL**
Special Meeting 5:00 p.m.
- Tuesday 3rd:** **LIBRARY ADVISORY BOARD**
Regular Meeting 5:00 p.m.
- Wednesday 4th:** **PLANNING COMMISSION**
Worksession 5:30 p.m. and Regular Meeting 6:30 p.m.
- Thursday 5th:** **PARKS AND RECREATION ADVISORY COMMISSION**
Special Meeting 5:30 p.m.
- Monday 9th:** **CITY COUNCIL**
Worksession 4:00 p.m., Committee of the Whole 5:00 p.m.,
and Regular Meeting 6:00 p.m.

Regular Meeting Schedule
City Council 2nd and 4th Mondays 6 p.m.
**Library Advisory Board 1st Tuesday with the exception of January,
April, August, & November 5 p.m.**
Economic Development Advisory Commission 2nd Tuesday 6 p.m.
**Parks and Recreation Advisory Commission 3rd Thursday 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 p.m. (May – August 6 p.m.)
Public Arts Committee Quarterly 2nd Thursday 5 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, Marvin Yoder
City Attorney, Thomas F. Klinkner

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

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



WORKSESSION
4:00 P.M. MONDAY
JANUARY 26, 2015
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 MARVIN YODER
CITY CLERK JO JOHNSON

WORKSESSION AGENDA

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

Councilmember Burgess has requested telephonic participation.

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

3. STRATEGIC DOING

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4. COMMENTS OF THE AUDIENCE

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

Next Regular Meeting is Monday, February 9, 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.

City of Homer, Alaska
Strategic Implementation Planning
Prioritization & Strategy Implementation Recommendations
January 7, 2015

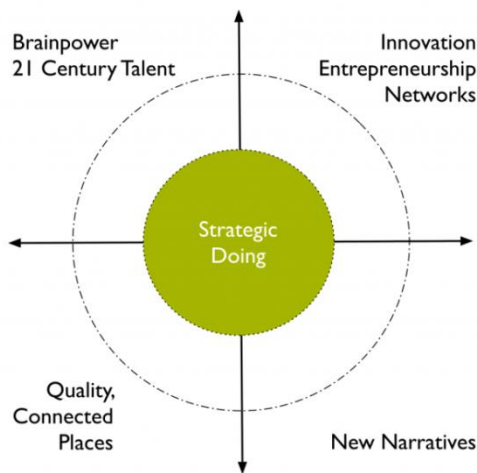
A. STRATEGIC IMPLEMENTATION PLANNING SESSION BACKGROUND

On October 25, 2014, the City of Homer engaged in a strategic implementation planning session with the goal of prioritizing projects and focus areas laid out in the City of Homer Comprehensive Plan (last updated June 23, 2010). During this seven hour session, the University of Alaska Center for Economic Development provided training to City Council members and City department heads on the strategy creation and implementation process known as Strategic Doing™. Through this training, work session attendees learned how to utilize Strategic Doing as a framework to reach continued prioritization goals and begin the project implementation process.

B. PORTFOLIO MODEL OF CIVIC INNOVATION – SEE APPENDIX 1

During the work session, attendees learned the way in which a well-rounded, prosperous community focuses on four quadrants in the Portfolio Model of Civic Innovation (see Figure 1). Developed by Ed Morrison, Strategic Doing utilizes the Portfolio Model of Civic Innovation to categorize community goals and initiatives. The various focus areas of both the Comprehensive Plan and the CEDS were mapped into the quadrants to exemplify how the City of Homer should strive to develop and prioritize projects or focus areas across community sectors. By paying close attention to projects in each quadrant, Council members can find a starting point for balanced prioritization efforts.

Figure 1) Portfolio Model of Civic Innovation



Each quadrant of the portfolio model of civic innovation contributes to creating a thriving community. **Brainpower/21st Century Talent** includes plans and focus areas which contribute to attracting and retaining business and community members who will lead and guide the community through the rapid and diverse changes that effect Homer as our economy, culture and technology continue to shift and develop. The **Innovation/Entrepreneurship Networks** quadrant houses plans which address the need to support local businesses and foster potential for increased innovation. In a rapidly-changing world, those who do not innovate do not lead, and those who do not adapt disappear. In order to attract and retain innovators and 21st century talent, deliberate attention must be put into creating a community in which these individuals will want to live. The **Quality, Connected Places** quadrant includes the focus areas that center on community beautification and various other projects, which create an atmosphere in which today's innovators, and tomorrow's leaders will want to spend their time and energies. Finally, the **New Narratives** quadrant addresses those projects and plans which focus on new opportunities for Homer. How does Homer portray itself to its residents and outsiders through these new narratives? What people say when they talk about Homer matters, and diverse City plans and projects can contribute to and shape that conversation.

See Appendix 1 for mapping of City of Homer Comprehensive Plan and CEDS focus areas into the four quadrants.

C. NUMERICAL PRIORITIZATION EXERCISE – SEE APPENDIX 2

Because it's impossible to effectively focus on and fully fund all project opportunities simultaneously when prioritizing City endeavors, the Council must create a clear and narrowed focus for City projects. Strategic Doing focuses on narrowing the conversation beyond what the City *could* do and into the realm of what the City *should* and *will* do. The numerical prioritization exercise moves the conversation in the direction of action, narrowing the priorities list from all the project possibilities laid out in the Comprehensive Plan towards what the City should (and is capable of) tackling first.

To identify low-hanging fruit and lay out a ranked course of action, the City Council participated in a Numerical Prioritization Exercise. During this exercise, focus areas as identified in the City of Homer Comprehensive Plan, Chapter 10 Plan Implementation section were positioned on a graph dividing the focus areas into four quadrants based on the relative and approximated difficulty and impact levels of each area. The quadrants: *High Impact | Low Difficulty*, *High Impact | High Difficulty*, *Low Impact | Low Difficulty*, and *Low Impact | High Difficulty*, provided a starting place for project mapping. Though all projects outlined in the Comprehensive Plan bear importance, limitations of staff capacity and funding generally create the impossibility of actively and simultaneously pursuing each project in each focus area with a maximum level of funding and earnest.

It's important to note that the prioritization process did not address an "inherent value or worthiness" of any of the departments. The ease/impact rating of each focus area was given based on the specific projects listed in the Comprehensive Plan and was assessed at the focus area level solely on the criteria of impact and difficulty. Project prioritization within each focus area was assessed using more detailed ranking criteria and can be found in Appendix 2.

A summary of focus area rankings can be found in Figure 2, with individual project rankings below the figure. The project list with extended descriptions, project updates, and specific group ranking is included in Appendix 2.

Figure 2) Numerical Prioritization Exercise Ease/Impact Ranking

High Impact	High Impact Low Difficulty <i>Focus Area (Impact, Difficulty)</i>	High Impact High Difficulty <i>Focus Area (Impact, Difficulty)</i>
	19 – Education (9, 1) 19 – Economic Vitality – Natural Resources (10, 2) 18 – Energy Plan (9, 2) 15 – Parking (7, 3) 13 – Trails/Non-motorized Transportation (9, 7) 13 – Senior Services (8, 6) 1	12 – Community Capacity (9, 8) 12 – Youth Services (9, 8) 11 – Port and Harbor (10, 10) 11 – Fire and Emergency Services (10, 10) 11 – Police Department (10, 10) 9 – Storm Water (5, 7) 9 – Parks, Recreation, & Culture (7, 9) 2
Low Impact	Low Impact Low Difficulty <i>Focus Area (Impact, Difficulty)</i>	Low Impact High Difficulty <i>Focus Area (Impact, Difficulty)</i>
	16 – Transportation – Misc. (8, 3) 15 – Improved Zoning (7, 3) 14 – Economic Vitality – Tourism (6, 3) 13 – Economic Vitality – Misc. (9, 7) 11 – Improved Standards and Regulations (7, 7) 3	14 – Solid Waste (5, 2) 13 – Library (8, 6) 12 – Water and Sewer (9, 8) 11 – Green Infrastructure (7, 7) 7 – Pattern of Development (4, 8) 4
	Low Difficulty	High Difficulty

Key:

- Difficulty rated on a scale of 1-10, 1 predicting relative ease in accomplishment, and 10 predicting extreme difficulty in accomplishment.
- Impact rated on a scale of 1-10, 1 predicting a relatively low impact in accomplishment, and 10 predicting an extremely high impact in accomplishment.
- The number preceding the focus area reflects its overall ease/impact score (scale of 1-20). Scores are relative internally to each quadrant. Total ease/impact score was calculated by inverting the number which represents the level of difficulty and adding it to the impact score.
- Begin prioritization efforts in the *High Impact | Low Difficulty* quadrant and follow the number sequence 1-4 across the quadrants.

When approaching the list below, begin at the top and work towards the bottom. Focus areas and the individual projects within each of those focus areas are ranked against one another. Prioritize those projects which scored higher during the numerical ranking. The numerical prioritization exercise ranked each focus area and project to provide an initial starting point for project

implementation. Even though the “low-hanging fruit” is found in the *High Impact | Low Difficulty* quadrant, highly ranked projects in the other three quadrants, if time-sensitive, should not be ignored.

High Impact | Low Difficulty

19 – Education

- **50** – Continue to partner and work to support efforts of the Kenai Peninsula Borough School District.

19 – Economic Vitality – Natural Resources

- **42** – Support staging areas for large development projects.
- **42** – Support commercial fishing and fish processing.
- **41** – Partner with and support the efforts of other organizations, such as the Chamber of Commerce, to plan for economic development.

18 – Energy Plan

- **42** – Improve energy efficiency and conservation in City facilities.
- **38** – Create a solid waste and recycling plan for City facilities.
- **37** – Implement the Climate Action Plan.
- **37** – Create an Energy Plan
- **34** – Partner with public, private and non-profit organizations to implement a plan to reduce, reuse and recycle solid waste.

15 – Parking

- **38** – Allow for shared parking and in-lieu fees for downtown businesses.
- **29** – Construct strategically located parking lots in or near downtown.
- **23** – Improve/increase on-street parking

13 – Trails/Non-motorized Transportation

- **44** – Develop bike/pedestrian friendly roadway design standards
- **43** – Implement the policy recommendations of the Non-Motorized Transportation Plan, e.g. an acceptance policy for trail easements.
- **39** – Build the recommended trail connections in the Non-Motorized Transportation Plan.

13 – Senior Services

- **37** – Encourage or create incentives for private businesses to provide or improve accessibility for seniors.
- **37** – Improve accessibility for senior citizens. Require all public facilities be accessible for seniors and individuals with disabilities.

High Impact | High Difficulty

12 – Community Capacity

- **39** – Continue to work with citizen groups and nonprofit organizations which play a large role in providing desired services in Homer
- **37** – Continue to work with residents and business to better understand community priorities, and to the extent possible, find resources to meet these needs.

- **35** – Increase the net revenues coming into the city, through managing costs and expanding the community’s tax base.
- **28** – Support the efficient use of existing community facilities. Partner with organizations to keep city facilities operating beyond normal hours.

12 – Youth Services

- **31** – Provide a range of activities and programs to benefit youth.

11 – Port and Harbor

- **40** – Address general harbor maintenance and erosion control.
- **36** – Complete the Port and Harbor projects listed in Homer’s current CIP.
- **34** – Expand the Deep Water Dock.
- **30** – Create an East Boat Harbor.
- **30** – Improve restrooms along the spit trail.

11 – Fire and Emergency Services

- **38** - Increase marine fire/emergency response capabilities.
- **37** – Increase training opportunities.
- **36** – Update Hazard Plans.
- **34** – Construct new building and training facility.
- **34** – Increase volunteer core to 50 people.
- **24** – Hire Fire Marshal/Code Examiner.

11 – Police Department

- **35** – Implement a reasonable vehicle replacement plan.
- **35** – Construct a new building.
- **31** – Address retention and recruitment issues, and retain a competitive compensation package.
- **27** – Hire dedicated Homer Spit Officer for summer months.

9 – Storm Water

- **36** – Develop storm water design criteria for large parcel development.
- **36** – Encourage the utilization of green infrastructure mapping as a means to identify and retain natural drainage channels and important wetlands, which serve drainage functions.
- **34** – Adopt area-wide storm water management standards.

9 – Parks, Recreation, & Culture

- **35** – Create a Parks and Recreation Master Plan.
- **35** – Update the Beach Policy.

Low Impact | Low Difficulty

16 – Transportation – Misc.

- **34** – Update the 1986 Master Streets and Roads Plan and the 2005 Transportation Plan. Implement the Transportation Plan.
- **31** – Establish a Road Corridor Preservation Program and adopt appropriate ordinances (e.g. road standards, cost sharing mechanism).

15 – Improved Zoning

- **38** – Develop new zoning code to implement new categories.

- **37** – Work with the Comprehensive Plan Land Use Recommendation map on an area by area basis to determine the feasibility and acceptability of rezoning.

14 – Economic Vitality – Tourism

- **32** – Provide adequate parking for Spit attractions and/or efficient shuttle service between downtown and Spit areas.
- **29** – Prepare a Tourism Management Plan.

13 – Economic Vitality – Misc.

- **36** – Accommodate and promote arts and culture events.
- **36** – Work with the University, KBC to develop education and vocation programs for Homer residents.
- **33** – Research and implement strategies to provide for a range of housing options.
- **31** – Improve technology infrastructure.

11 – Improved Standards and Regulations

- **35** – Adopt new development standards for development in environmentally sensitive areas. Includes road construction practices.
- **34** – Create new development standards for higher density residential development.
- **28** – Evaluate and consider shifting platting authority from Borough to City of Homer.
- **28** – Adopt building codes.

Low Impact | High Difficulty

14 – Solid Waste

- **40** – Institute measures to improve recycling among City departments.

13 – Library

- **27** – Increase staff to respond to increased demand.

12 – Water and Sewer

- **36** – Construct water and sewer lines to developed properties as demand warrants.
- **35** – Implement the Water Sewer Master Plan.
- **32** – Repair and rehabilitate sewer mains to reduce infiltration.
- **32** – Enact a sewer inflow reduction program.
- **24** – Develop a new water source.

11 – Green Infrastructure

- **35** – Adopt guidelines for sustainable development such as energy efficiency, use of recycled materials, and low impact landscaping in city buildings.
- **33** – Evaluate incentives to promote development that uses the green infrastructure ideas presented in Appendix D.

7 – Pattern of Development

- **36** – Work with Borough to prepare mutually acceptable development standards.
- **32** – Establish more specific criteria, process, schedule and objectives for possible future annexations.
- **31** – Amend city code to recognize the transfer of development rights to preserve environmentally sensitive or recreational areas.

D. PRIORITIZED PROJECT IMPLEMENTATION RECOMMENDATIONS – SEE APPENDICES 3 AND 4

During the prioritization work session, Council members focused on prioritizing focus areas and projects as laid out by the City of Homer Comprehensive Plan. This exercise served as the first stage of prioritization efforts and laid the groundwork to continue plan prioritization and project implementation. To move forward with implementation, several key steps need to be addressed.

PRIORITIZE HOMER SPIT COMPREHENSIVE PLAN

Included in this report is a Council member-prioritized ranking of all projects and focus areas included in the Chapter 10 Plan Implementation of the Comprehensive Plan. Not included in this report is a ranking of identified projects and focus areas in the Homer Spit Comprehensive Plan, which is adopted under the City of Homer Comprehensive Plan. In order to thoroughly address the needs and projects laid out in the Homer Spit Comprehensive Plan, Council members should devote time to the effort of prioritizing remaining project areas following the same ranking criteria as was utilized during the first stage of the prioritization process. See Appendix 3 for ranking criteria template.

BUILD A CORE TEAM

The Strategic Doing framework revolves around an ever-constant cycle of strategy creation and implementation (see Figure 3 below). The Strategic Doing Cycle is most typically engineered by a small group of committed individuals who are dedicated to working towards effective and meaningful outcomes through building trust, collaboration, and opportunity-oriented conversations. To meet the objectives of the City of Homer as laid out by this prioritization process, there are two avenues to build this “core team”.

The core team could simply be the City Council, with the responsibilities of continuing this process carried on by Council members during regularly-scheduled work sessions. The second option is to appoint a City-sanctioned task force or commission comprised of various Council members who wish to more actively participate, as well as City staff (department heads as preferred engagers), and community members as deemed appropriate by Council. In this scenario, Council members would work in conjunction with the sanctioned core team and continue to be responsible for ongoing prioritization of projects. However, the collaborative implementation and complementary alignment of existing projects and ideas for new projects or spin-off projects would be the responsibility of the commission or task force. This type of group setup is particularly helpful when addressing economic development opportunities and discovering new opportunities, more so than exclusively implementing existing plans.

Whichever model is selected for the core team, that model does not have to remain the exclusive constant. If the Council decides that they would like to comprise the core team at the start of this prioritization implementation process, but later establish a commission to carry on new and continued efforts, that change is at the Council’s discretion. However, as a standard, core teams increase in effectiveness over longer periods of time. Regardless of the path chosen, 12 months should be viewed as a minimum commitment for team members to follow their selected avenue of operation.

Figure 3) The Strategic Doing Cycle

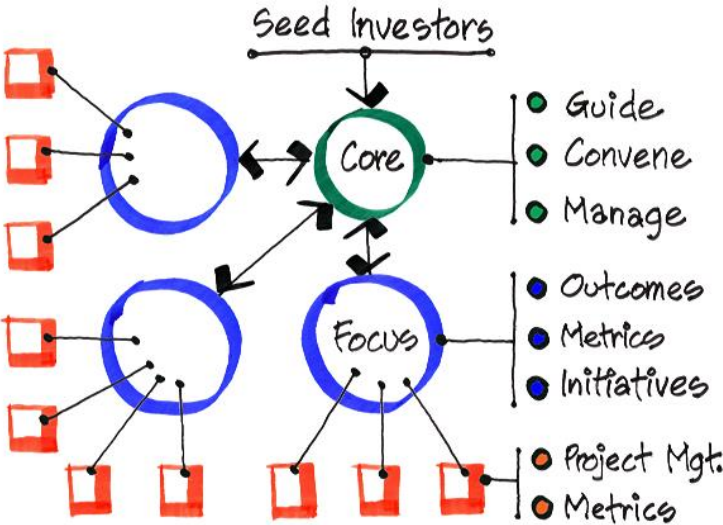


MANAGE FOCUS AREAS VIA WORK GROUPS

While the core team is responsible for the oversight and guidance of the prioritization plan and overarching goals, focus area workgroups should be devised to begin progress across multiple focus areas simultaneously (see Figure 4 below). As it is the responsibility of City staff to carry out Council’s direction, City staff would primarily comprise these focus area groups. As the core team (City Council) provides direction to the City Manager on which projects ought to be prioritized throughout the City, the City Manager can in turn deliver that message to City staff, who can utilize the Strategic Doing framework to help stay on track and accomplish goals within their departments and focus areas. To frame this process, the **Strategic Doing Master Pack** should be utilized within both the core team and the focus area workgroups (see Appendix 4).

Focus areas should be devised based on overlap of prioritized projects and can include participation by members of one City department or multiple departments. For example, if “public safety” were a focus area, it could include projects that involve the police department, fire department, the port and harbor, and ADA compliance or senior accessibility. If “quality, connected places” were a focus area, it might include projects that involve the library, Parks, Recreation, & Culture, tourism, infrastructure, etc. Focus areas should be broad enough that they encompass multiple projects, but narrow enough that all projects included in a focus area share an ultimate goal that can be reached via individual outcomes. No more than approximately 5 focus areas should be active at any given time unless there is adequate support behind each of them and within the core team.

Figure 4) Managing a Network with Strategic Doing



Strategic Doing © 2014 - Purdue Center for Regional Development

ACTION PLANS AND PILOT PROJECTS

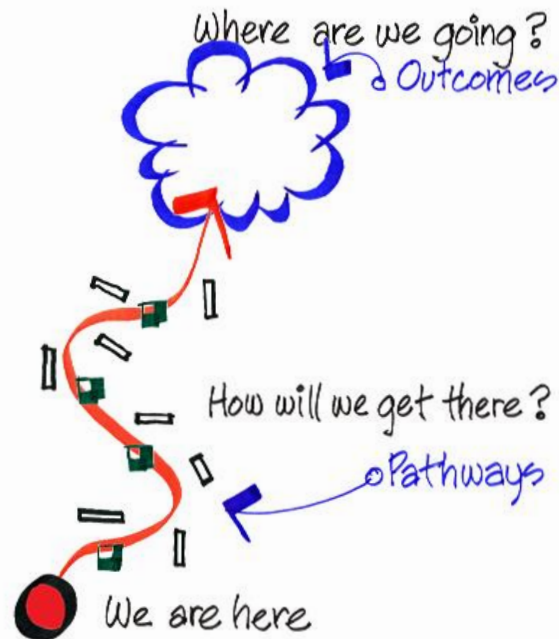
Each department or focus area should work through the Strategic Doing Master Pack based on the prioritizations laid out by the Council to devise work plans and action steps for moving projects forward. Timelines within Master Pack initiatives should be limited to short-term, accomplishable timeframes, typically no more than 30 days when getting started. Especially when launching pilot projects, action items should be of a scale that allows them to be completed in as little as one week. The purpose of pilot projects is to immediately invigorate and create forward motion to advance strategies. If timelines are extended too far, pilot projects could lose their effectiveness and the immediate energy that they provide to a project.

Strategic Doing and the Strategic Doing Master Pack help groups to narrow conversations and ensure that all players involved in a project are on the same page. To this end, the Strategic Doing Master Pack provides a framework for groups to hone in on specific projects that seek specific, measurable outcomes. Group members outline outcome characteristics, select milestones, and devise pathways along a timeline reaching towards that outcome (see Figure 5).

Because the Council has laid the foundation through project prioritization, focus area work groups can take the prioritized projects handed down to them and work through the Strategic Doing Master Pack to devise pathways towards accomplishing these projects. The pathways devised through the Master Pack are most helpful when the project involves players and participation across departments or community sectors. It’s possible that not all projects will require the Master Pack framework to be accomplished in a timely and effective manner. However, the vaguer the project outline, the more players involved, the longer the timeline, and essentially the more difficult the project, the more critical the Master Pack framework becomes to maintain alignment throughout the project stages.

Strategy is complex, but the Strategic Doing Master Pack creates a simple framework through which groups can effectively accomplish their chosen strategic goals and objectives in a meaningful way.

Figure 5) Identifying Outcomes and Pathways



AGILE STRATEGY

Strategic Doing focuses on creating an agile strategy and implementation process. The heart of this agility rests in the constant identification, communication, and reassessment of where the implementation process currently is, and where it's headed over the next 30 or so days. This agility depends on a cycle of spreading out to work on projects followed by coming back together to regroup on a regular and predetermined basis. This process is known in Strategic Doing as the "30/30" and is the fourth stage of the Strategic Doing Cycle (see Figure 6 below). Simply put, the 30/30 is when a focus area work group or the core team regroups to assess what they've accomplished over the past 30 days. They then use those accomplishments and the information they've gathered to determine what they plan to do over the next 30 days.

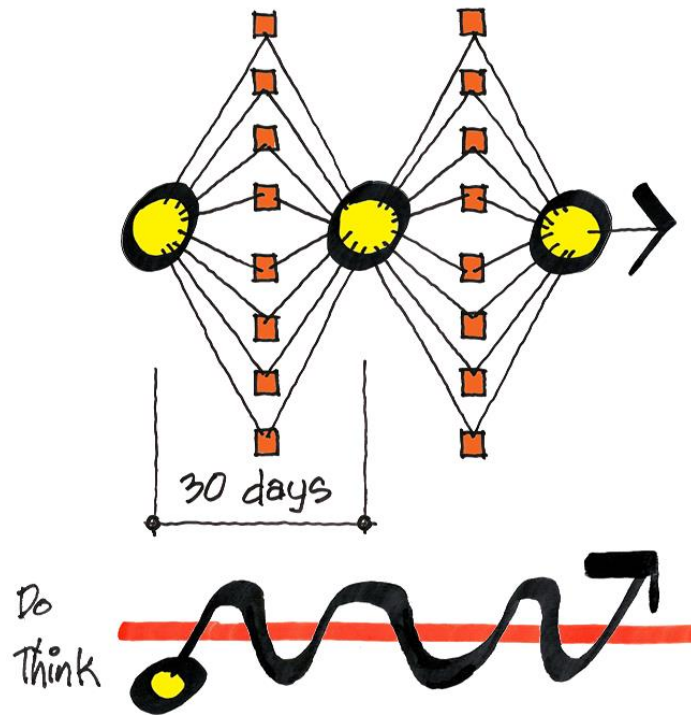
As this 30/30 process carries on and the Strategic Doing Cycle is continuously implemented, groups will see tangible and meaningful progress towards reaching outcomes and achieving goals.

As outcomes are reached and new plans are put into place, it's important to update any documents that coincide with strategic efforts. Strategic Doing Master Packs should be updated following each 30/30 meeting. The Comprehensive Plan should be updated annually to reflect changes to projects and to reflect this agile approach.

Aligning with the progress made by focus area work groups in project implementation, it's critical for the core team to also observe the 30/30 practice and ensure that the overarching implementation and prioritization strategy remains current and up to date. The core team should receive updates from each focus area work group at least every 60 days, if not monthly. The core team should in turn address and re-assess progress made in focus areas every 60 to 90 days and make adjustments to strategy as deemed appropriate.

When moving forward, keep in mind that the project list that was prioritized during the work session on October 25, 2014, only reflects those projects currently outlined in the Comprehensive Plan. As the implementation process gets underway, it's very likely that new projects or adjustments to current projects will come up. Agile strategy is dependent on not ignoring new information or adjustments that need to be made, but rather addressing those changes directly and preparing to move in different directions when the circumstances dictate.

Figure 6) Planning and Implementation Cycle of Strategic Doing



Strategic Doing © 2012 - Purdue Center for Regional Development

CONTINUED SUPPORT

As projects are implemented and strategy progresses, additional outside support may be a beneficial addition to the City's prioritization implementation strategy. Every community is unique and has different needs when addressing strategy implementation. The University of Alaska Center for Economic Development has successfully partnered with organizations and communities across Alaska to assist in the effective implementation of the Strategic Doing process. From providing additional team trainings to facilitating and guiding monthly meetings, Center staff can continue to be involved throughout this process in a wide range of capacities.

As the City of Homer assesses and moves forward with strategies and project areas, the University of Alaska Center for Economic Development is committed to assisting the City across the progressing stages of this process. As the need arises, the Center looks forward to a continued partnership with the City of Homer through this initiative.

Appendices

Appendix 1: Portfolio Model of Civic Innovation Mapping

Appendix 2: Numerical Prioritization Exercise: City of Homer Comprehensive Plan

Appendix 3: Numerical Prioritization Exercise Template

Appendix 4: Strategic Doing Master Pack

Portfolio Model of Civic Innovation

Ed Morrison created the Portfolio Model of Civic Innovation after many years of working directly with communities to spur economic development initiatives. He introduces the map with the following:

The basic idea behind this strategy map is that a competitive economy is built on a portfolio of investments. We need

- 1) **Brainpower with 21st Century skills**, because brainpower is the core competitive asset that drives most markets;
- 2) **Innovation and entrepreneurship networks** to convert brainpower into wealth;
- 3) **Quality, connected places**, because both smart people and innovative companies are mobile; they will only be attracted to quality, connected places;
- 4) **New narratives** to guide people and resources toward new opportunities; and
- 5) **Collaborative skills** that can be learned through **Strategic Doing**.

Using this map as a starting point can guide the development an effective strategy for a neighborhood, community or region.

The City of Homer can utilize this map to begin the prioritization process of the existing City plans with emphasis on the Comprehensive Plan.



Portfolio Model of Civic Innovation

Brainpower/21st Century Talent includes plans and focus areas which contribute to attracting and retaining business and community members who will lead and guide the community through the rapid and diverse changes that effect Homer as our economy, culture and technology continue to shift and develop. *“Brainpower is the core competitive asset that drives most markets.”*

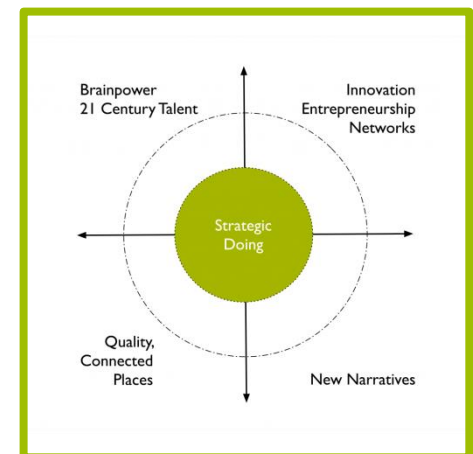
Community Partners: University, Senior Center, Borough School District, MAPP, Marine Trades Association, Islands and Oceans, Fish and Game, Alaska Marine Highway, US Coast Guard, Native Organizations (CIRI, English Bay, Seldovia), etc.

Comprehensive Plan Focus Areas:

- Public Services and Facilities
 - Project Areas: Fire & Emergency Services, Police Department, Water & Sewer, Port & Harbor, Solid Waste, Library, Administration, Senior Services, Youth Services, Education, Storm Water, Community Capacity
- Parks, Recreation & Culture
 - Projects (no defined categories): Increase staffing, landscaping standards, build city greenhouse, improve access, develop recreation facility, establish park endowment fund, multipurpose arts and cultural facility, create Parks and Rec Master Plan, update Beach Policy
- Economic Vitality
 - Project Areas: Tourism, Natural Resources, non-categorized misc. projects, marine trades, fishing industry, e-City Award (Google)
- Energy Plan
 - Projects (no defined categories): Create energy plan, implement existing plans and guidebooks, improve efficiency and conservation, create solid waste and recycling plan, partner with public, private, and nonprofit organizations to reduce, reuse, & recycle solid waste, dock incubator, natural gas, energy self-sufficiency

CEDS Focus Areas:

- Local Government Policies & Services
 - Goal: Local government will provide quality basic services and infrastructure needed to support and encourage private sector economic activity for the benefit of current and future generations.
- A Skilled, Educated Workforce
 - Goal: Ensure quality life-long learning opportunities in Homer
- The Bigger World
 - Goal: Help create a community that is resilient to adverse economic impacts related to such things as global financial crises, climate change, and escalating fossil fuel prices.
- Education
 - Goal: Enhance the economic development in Homer through the education sector.



Portfolio Model of Civic Innovation

Innovation/Entrepreneurship Networks includes plans that address the need to support local business and industry and foster potential for increased innovation. *“Innovation and entrepreneurship networks convert brainpower into wealth.”*

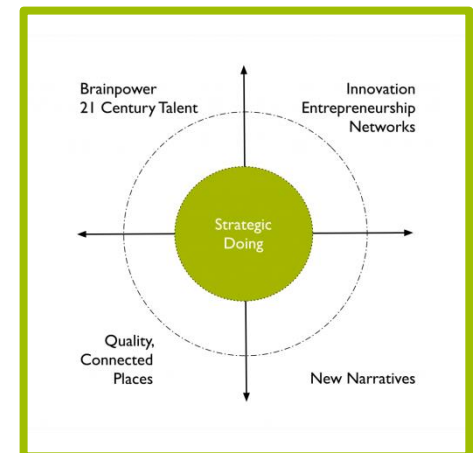
Comprehensive Plan Focus Areas:

- Parks, Recreation & Culture
 - Projects (no defined categories): Increase staffing, landscaping standards, build city greenhouse, improve access, develop recreation facility, establish park endowment fund, public restrooms in downtown, multipurpose arts and cultural facility, create Parks and Rec Master Plan, update Beach Policy, contracted instructors (local hire)
- Economic Vitality
 - Project Areas: Tourism, Natural Resources, non-categorized misc. projects
- Homer Spit
 - Goal: Wise land management of the Spit and its resources to accommodate natural processes, while allowing fishing, tourism, other marine related development, and open space/recreational uses.

CEDS Focus Areas:

- Technical and Financial Assistance for Business Owners
 - Goal: Improve chances of success for local entrepreneurs seeking to start or expand a business
- Commercial Fishing and Mariculture
 - Goal: Protect and enhance commercial fishing and mariculture as a key element in Homer’s basic (export) economy.
- General Marine Trades/Port & Harbor Development
 - Goal: Promote growth and vitality of the marine trades as an economic cluster in Homer.
- Tourism/Visitor Industry
 - Goal: Increase the net benefits that tourism brings to Homer. (Note: Objectives listed in CEDS are taken from the Homer Comprehensive Plan Economic Vitality Chapter.)
- Arts and the Creative Class
 - Goal: Continue to attract artists and other members of the creative class to Homer and maximize economic benefit to the community.
- Three Broad Sectors: Construction & Manufacturing, Retail, Services
 - Goal: Increase the contribution these sectors make to Homer’s overall economic health.
- High Tech/Internet Businesses
 - Goal: Support the growth of the high tech sector in Homer, including Internet-based businesses.

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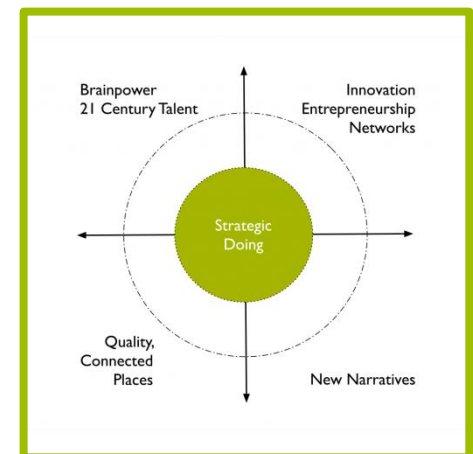


Portfolio Model of Civic Innovation

- Transportation and Warehousing
 - Goal: Increase the role of transportation and warehousing in Homer’s economy.
- Agriculture
 - Goal: Support expansion of local agricultural enterprises in the Homer area.
- An Organizational Structure for Economic Development
 - Goal: Greatly increase the chances that other goals in this plan will be accomplished by providing funding and staffing for an economic development office.

Additional Community Opportunities:

- Library as “Business incubator”
- Airport—underutilized asset
- Fiber hub for state of AK
- Harbor vessel haul out
- Public health—mental health, hospital, clinics, KBC nurses training
- Underutilized ferry service (Seldovia Bay Ferry)
- Scientific research (Kachemak Bay Research Reserve, UAF, UAA, NOAA)



Portfolio Model of Civic Innovation

Quality, Connected Places includes the focus areas that center on community beautification and various other projects, which create an atmosphere in which today's innovators, and tomorrow's leaders will want to spend their time and energies. *“Both smart people and innovative companies are mobile; they will only be attracted to quality, connected places.”*

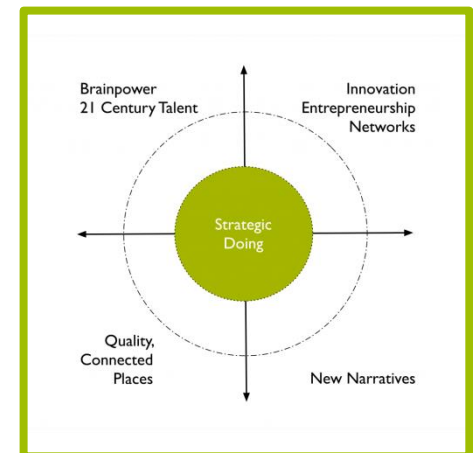
Comprehensive Plan Focus Areas:

- Land Use
 - Project Areas: Improved Zoning, Green Infrastructure, Pattern of Development
- Transportation
 - Project Areas: Parking, Trails/Non-Motorized Transportation, non-categorized misc. projects
- Public Services and Facilities
 - Project Areas: Fire & Emergency Services, Police Department, Water & Sewer, Port & Harbor, Solid Waste, Library, Administration, Senior Services, Youth Services, Education, Storm Water, Community Capacity
- Parks, Recreation & Culture
 - Projects (no defined categories): Increase staffing, landscaping standards, build city greenhouse, improve access, develop recreation facility, establish park endowment fund, public restrooms in downtown, multipurpose arts and cultural facility, create Parks and Rec Master Plan, update Beach Policy
- Energy Plan
 - Projects (no defined categories): Create energy plan, implement existing plans and guidebooks, improve efficiency and conservation, create solid waste and recycling plan, partner with public, private, and nonprofit organizations to reduce, reuse, and recycle solid waste
- Homer Spit
 - Goal: Wise land management of the Spit and its resources to accommodate natural processes, while allowing fishing, tourism, other marine related development, and open space/recreational uses.

CEDS Focus Areas:

- Quality-of-Life Factors
 - Goals include enhancing/protecting Homer's visual impact, arts and culture scene, educational opportunities, ease of transportation including walking and biking, recreation and fitness opportunities, health services, festivals and special events, and vitality of the downtown district.
- Affordable Housing:
 - Goal: Assess options to met current and future needs for affordable housing

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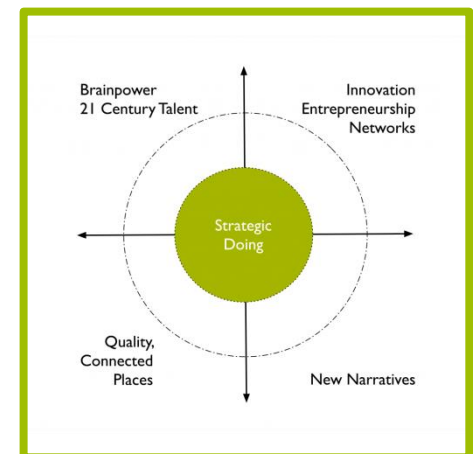


Portfolio Model of Civic Innovation

- Health, Wellness, and Recreation
 - Goal: Enhance the economic benefits to Homer from health, wellness, and recreation programs and providers.
- Retirees and Second-Home Residents
 - Goal: Maximize the benefits of retirees and second-home residents to the local economy.
- Government
 - Goal: Without advocating unnecessary growth of government, maximize the contributions of government (especially borough, state, and federal) as an economic sector in Homer.
- Downtown Vitalization
 - Goal: Enhance downtown Homer as a magnet for business development, a destination for residents and visitors, and a recognized asset contributing to Homer's quality of life.

Additional contributing factors:

- Safe community, safe living environment



Portfolio Model of Civic Innovation

New Narratives includes those projects and plans which focus on new opportunities for Homer. How does Homer portray itself to its residents and outsiders through these new narratives? *“New narratives guide people and resources toward new opportunities.”*

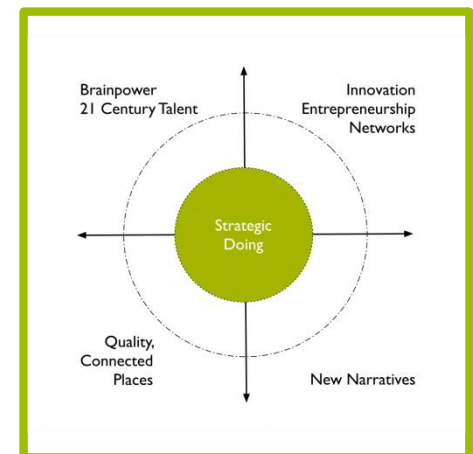
Comprehensive Plan Focus areas:

- Land Use
 - Project Areas: Improved Zoning, Green Infrastructure, Pattern of Development
- Transportation
 - Project Areas: Parking, Trails/Non-Motorized Transportation, non-categorized misc. projects
- Economic Vitality
 - Project Areas: Tourism, Natural Resources, non-categorized misc. projects, communications/connectivity, marine trades
- Energy Plan
 - Projects (no defined categories): Create energy plan, implement existing plans and guidebooks, improve efficiency and conservation, create solid waste and recycling plan, partner with public, private, and nonprofit organizations to reduce, reuse, and recycle solid waste, energy and resource self-sufficiency, looking locally
- Homer Spit
 - Goal: Wise land management of the Spit and its resources to accommodate natural processes, while allowing fishing, tourism, other marine related development, and open space/recreational uses.

CEDS Focus Areas:

- The Bigger World
 - Goal: Help create a community that is resilient to adverse economic impacts related to such things as global financial crises, climate change, and escalating fossil fuel prices.
- Affordable Housing:
 - Goal: Assess options to met current and future needs for affordable housing
- A Skilled, Educated Workforce
 - Goal: Ensure quality life-long learning opportunities in Homer
- An Organizational Structure for Economic Development
 - Goal: Greatly increase the chances that other goals in this plan will be accomplished by providing funding and staffing for an economic development office.

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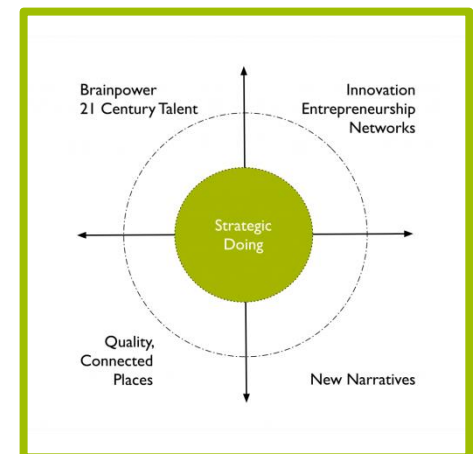


Portfolio Model of Civic Innovation

- Downtown Vitalization
 - Goal: Enhance downtown Homer as a magnet for business development, a destination for residents and visitors, and a recognized asset contributing to Homer's quality of life.

Additional Considerations:

- Balancing community safety with openness/welcoming environment



Numerical Prioritization Exercise: City of Homer Comprehensive Plan

Scoring Criteria 1 = Strongly Disagree 10 = Strongly Agree	Project has existing or easily accessible funding	Project has adequate existing or easily accessible staffing	Project is a first phase or foundation for additional projects	Project aligns with Homer's major needs and goals	Project can be easily adapted as future needs change and arise	TOTAL
HIGH IMPACT LOW DIFFICULTY						
Education(level of impact: 9, level of difficulty: 1)						
Continue to partner and work to support efforts of the Kenai Peninsula Borough School District. <i>Pg. 6-15, 6-16</i>	10	10	10	10	10	50
Natural Resources:(level of impact: 10, level of difficulty: 2)						
Support staging areas for large development projects. <i>Ongoing. Allow for short and long-term leases at '30 acres' by Deep Water Dock. Pg. 8-6</i>	7	8	9	10	8	42
Support commercial fishing and fish processing. <i>Ongoing. For example, recently installed new power pedestals at System 5. Spit zoning has been updated and better accommodates these uses. Lease policy has been updated. Pg. 8-6</i>	7	9	8	10	8	42
Partner with and support the efforts of other organizations, such as the Chamber of Commerce, to plan for economic development. <i>Increased collaboration with Chamber (designated seats for City of Chamber board and Chamber on EDC). Pg.8-3</i>	9	6	9	9	8	41

Prioritization Strategy Implementation Recommendations - Appendix 2

Scoring Criteria

1 = Strongly Disagree 10 = Strongly Agree

Project has existing or easily accessible funding	Project has adequate existing or easily accessible staffing	Project is a first phase or foundation for additional projects	Project aligns with Homer's major needs and goals	Project can be easily adapted as future needs change and arise	TOTAL
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HIGH IMPACT | LOW DIFFICULTY CONT.

Energy Plan (level of impact: 9, level of difficulty: 2)

Improve energy efficiency and conservation in City facilities. <i>Ongoing. Converting City facilities to natural gas, interior and exterior lighting upgrades, new motors at water treatment plant, tracking energy costs at City facilities. Pg. 9-4</i>	7	9	8	10	8	42
Create a solid waste and recycling plan for City operations, and update procurement policies to reduce “upstream” waste and pollution. <i>Pg. 9-4</i>	6	6	8	9	9	38
Implement the Climate Action Plan, and strategies to grow and maintain the Sustainably Fund. <i>Implementation of Climate Action Plan ongoing. Pg. 9-4</i>	7	7	6	10	7	37
Create an energy plan. <i>Pg. 9-3</i>	5	7	9	9	7	37
Partner with public, private and non-profit organizations to implement a plan to reduce, reuse and recycle solid waste. <i>Pg. 9-4</i>	8	3	7	7	9	34

Parking (level of impact: 7, level of difficulty: 3)

Allow for shared parking and in-lieu fees for downtown businesses. <i>Partially complete: parking code has been updated and shared parking is easier to do. No work on in-lieu fee parking. Pg. 5-11</i>	8	8	5	8	9	38
Construct strategically located parking lots in or near downtown. <i>Designated RV parking areas at HERC and Chamber. Pg. 5-11</i>	3	8	6	7	5	29
Improve/increase on-street parking. <i>Pg. 5-11</i>	1	5	9	5	3	23

Prioritization Strategy Implementation Recommendations - Appendix 2

Scoring Criteria

1 = Strongly Disagree 10 = Strongly Agree

Project has existing or easily accessible funding	Project has adequate existing or easily accessible staffing	Project is a first phase or foundation for additional projects	Project aligns with Homer's major needs and goals	Project can be easily adapted as future needs change and arise	TOTAL
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HIGH IMPACT | LOW DIFFICULTY CONT.

Trails/Non-Motorized Transportation (level of impact: 9, level of difficulty: 7)

Develop bike/pedestrian friendly roadway design standards. <i>Pg. 5-10</i>	8	9	9	10	8	44
Implement the policy recommendations of the Non-Motorized Transportation Plan, e.g. an acceptance policy for trail easements. <i>Ongoing. Trails design manual in place. New trails have been built (Spit trail, for example). Pg. 5-13</i>	7	9	9	9	9	43
Build the recommended trail connections in the Non-Motorized Transportation Plan. <i>Ongoing. Pg. 5-14</i>	6	8	9	9	7	39

Senior Services (level of impact: 8, level of difficulty: 6)

Encourage or create incentives for private businesses to provide or improve accessibility for seniors. <i>Pg. 6-14, 6-15</i>	5	6	9	9	8	37
Improve accessibility for senior citizens. Require all public facilities be accessible for seniors and individuals with disabilities. <i>Newer facilities are built ADA accessible. Library has additional ADA resources. No retrofitting has occurred at existing facilities. Pg. 6-14, 6-15</i>	8	8	8	7	6	37

Prioritization Strategy Implementation Recommendations - Appendix 2

Scoring Criteria

1 = Strongly Disagree 10 = Strongly Agree

Project has existing or easily accessible funding	Project has adequate existing or easily accessible staffing	Project is a first phase or foundation for additional projects	Project aligns with Homer's major needs and goals	Project can be easily adapted as future needs change and arise	TOTAL
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HIGH IMPACT | HIGH DIFFICULTY

Community Capacity (level of impact: 9, level of difficulty: 8)

Continue to work with citizen groups and nonprofit organizations which play a large role in providing desired services in Homer. <i>Ongoing. Collaboration with various area non-profits. Pg. 6-16</i>	8	7	8	8	8	39
Continue to work with residents and businesses to better understand community priorities, and to the extent possible, find resources to meet these needs. <i>Ongoing. Pg. 6-16</i>	6	7	8	8	8	37
Increase the net revenues coming into the city, through managing costs and expanding the community's tax base. <i>Ongoing. Slight upward trend in revenue from 2010. Pg. 6-17</i>	5	7	8	8	7	35
Support the efficient use of existing community facilities. Partner with organizations to keep city facilities operating beyond normal hours. <i>Ongoing. HERC building is used by community. Pg. 6-17</i>	3	5	6	8	6	28

Youth Services (level of impact: 9, level of difficulty: 8)

Provide a range of activities and programs to benefit youth. <i>Continued work by Community Recreation, Library and Parks. Adequate staffing and facilities are limiting factors for the City. The needs assessment will identify community wide barriers and opportunities for non-city organizations and businesses. REC room provides youth services (non-profit). Pg. 6-15</i>	4	5	7	8	7	31
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Prioritization Strategy Implementation Recommendations - Appendix 2

Scoring Criteria

1 = Strongly Disagree 10 = Strongly Agree

Project has existing or easily accessible funding	Project has adequate existing or easily accessible staffing	Project is a first phase or foundation for additional projects	Project aligns with Homer's major needs and goals	Project can be easily adapted as future needs change and arise	TOTAL
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HIGH IMPACT | HIGH DIFFICULTY CONT.

Port & Harbor DWD & E. Boat Harbor (level of impact: 10, level of difficulty: 10)

Address general harbor maintenance and erosion control <i>Have a draft dredge management plan with Corps. Will be able to cross off the list soon. Pg. 6-8, 6-9</i>	7	8	8	9	8	40
Complete the Port and Harbor projects listed in Homer's current CIP <i>Pg. 6-9</i>	5	7	8	9	7	36
Expand the Deep Water Dock. <i>Feasibility study will be underway 2014. Pg. 8-6</i>	4	6	7	9	8	34
Create an East Boat Harbor <i>Pg. 6-8</i>	3	5	7	9	6	30
Improve restrooms along the spit trail. <i>Ongoing. 2 have been improved, others are on the CIP. Pg. 6-9</i>	4	6	6	7	7	30

Fire & Emergency Services (level of impact: 10, level of difficulty: 10)

Increase marine fire/emergency response capabilities. Refurbished marine fire carts is a top 5 CIP priority. <i>Pg. 6-3</i>	5	8	8	9	8	38
Increase training opportunities. <i>Ongoing. Pg. 6-3</i>	7	7	7	8	8	37
Update Hazard Plans. <i>Hazard Plan updated 2010, due for update in 2015. Pg. 6-3</i>	7	7	7	8	7	36
Construct new building and training facility. <i>Preliminary design underway for new joint public safety building. Pg. 6-3</i>	5	6	8	8	7	34
Increase volunteer core to 50 people. <i>Pg. 6-3</i>	5	6	7	8	8	34
Hire Fire Marshal/Code Examiner. <i>Pg. 6-3</i>	3	3	6	6	6	24

Prioritization Strategy Implementation Recommendations - Appendix 2

Scoring Criteria

1 = Strongly Disagree 10 = Strongly Agree

Project has existing or easily accessible funding	Project has adequate existing or easily accessible staffing	Project is a first phase or foundation for additional projects	Project aligns with Homer's major needs and goals	Project can be easily adapted as future needs change and arise	TOTAL
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HIGH IMPACT | HIGH DIFFICULTY CONT.

Police Department (level of impact: 10, level of difficulty: 10)

Implement a reasonable vehicle replacement plan. <i>Have replaced 1 since 2010, 4 more need replacement. Pg. 6-4</i>	5	8	7	7	8	35
Construct new building. <i>Preliminary design underway for new joint public safety building. Pg.6-5</i>	4	7	8	8	8	35
Address retention and recruitment issues, and retain a competitive compensation package. <i>Ongoing. Pg. 6-4</i>	4	6	7	8	6	31
Hire dedicated Homer Spit Officer for summer months. <i>When all officer positions are filled, one officer is assigned to the Spit during the summer. Pg. 6-4</i>	5	4	5	7	6	27

Storm Water (level of impact: 5, level of difficulty 7)

Develop storm water design criteria for large parcel development. <i>Storm water plan submitted as CIP project. Pg. 6-9, 6-10</i>	6	7	7	8	8	36
Encourage the utilization of green infrastructure mapping as a means to identify and retain natural drainage channels and important wetlands, which serve drainage functions. <i>Ongoing. City uses environmental information for all developments and plats that are reviewed by the Planning Commission. Pg. 6-10</i>	6	7	8	7	8	36
Adopt area-wide storm water management standards. <i>Storm water plan submitted as CIP project. Pg. 6-9, 6-10</i>	5	6	8	7	8	34

Prioritization Strategy Implementation Recommendations - Appendix 2

Scoring Criteria

1 = Strongly Disagree 10 = Strongly Agree

Project has existing or easily accessible funding	Project has adequate existing or easily accessible staffing	Project is a first phase or foundation for additional projects	Project aligns with Homer's major needs and goals	Project can be easily adapted as future needs change and arise	TOTAL
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HIGH IMPACT | HIGH DIFFICULTY CONT.

Parks, Recreation, & Culture (level of impact: 7, level of difficulty: 9)

Create a Parks and Recreation Master Plan. Still needed. <i>The results of the needs assessment is a piece of this future plan. Pg.7-5</i>	6	5	8	8	8	35
Update the Beach Policy. <i>Ongoing, as requested by the public and P&R Commission. Pg. 7-8, 7-9</i>	6	7	6	8	8	35
Increase staffing at Parks & Recreation and determine if a merger with Community Schools would be appropriate. <i>A partial merger has taken place and P&R seasonal staffing has increased. Pg. 7-4</i>	5	6	7	7	7	32
Conduct parks inventory and needs assessment; establish a park dedication ordinance. <i>A needs assessment is underway. No work accomplished on a park dedication ordinance. Pg. 7-7</i>	5	6	7	7	8	33
Develop a community recreation facility. <i>Pg. 7-7</i>	3	4	8	8	8	31
Establish, implement park landscaping standards. <i>No progress. Pg. 7-7</i>	4	5	6	6	7	28
Investigate multipurpose arts and cultural facility. <i>The needs assessment is assessing the need for a facility. Homer Council on the Arts is also assessing need. Pg. 7-9</i>	3	4	6	7	8	28
Build a city greenhouse to support the Homer beautification program. <i>Currently use the HS greenhouse, but demand for that facility by school district is growing and will push out City eventually. Pg. 7-6, 7-7</i>	3	6	5	6	7	27
Establish park endowment fund. <i>Pg. 7-5</i>	3	4	6	6	6	25

Prioritization Strategy Implementation Recommendations - Appendix 2

Scoring Criteria

1 = Strongly Disagree 10 = Strongly Agree

Project has existing or easily accessible funding	Project has adequate existing or easily accessible staffing	Project is a first phase or foundation for additional projects	Project aligns with Homer's major needs and goals	Project can be easily adapted as future needs change and arise	TOTAL
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LOW IMPACT | LOW DIFFICULTY

Transportation (level of impact: 8, level of difficulty: 3)

Update the 1986 Master Streets and Roads Plan and the 2005 Transportation Plan. Implement the Transportation Plan. <i>Implementation of Transportation Plan is ongoing (for example, CIP project for east west connector, etc). Plan should be updated in 2015. Pg. 5-2, 5-3, 5-4</i>	5	6	7	8	8	34
Establish a Road Corridor Preservation Program and adopt appropriate ordinances (e.g., road standards, cost sharing mechanisms). Pg. 5-8, 5-9	4	5	7	7	8	31

Improved Zoning (level of impact: 7, level of difficulty: 3)

Develop new zoning code to implement new categories. <i>Ongoing and have made good progress. Started with Mixed Use, Town Center, and Residential Office Districts. Pg. 4-9</i>	8	7	8	7	8	38
Work with the Comprehensive Plan Land Use Recommendation map on an area by area basis to determine the feasibility and acceptability of rezoning. <i>Ongoing and have made good progress. Pg.4-9, 4-10</i>	7	7	7	8	8	37

Tourism (level of impact: 7, level of difficulty: 6)

Provide adequate parking for Spit attractions and/or efficient shuttle service between downtown and Spit areas. <i>Homer Trolley serves as seasonal shuttle. Spit parking has been improved through enforcement. Pg.8-8</i>	5	5	7	7	8	32
Prepare a Tourism Management Plan. Pg. 8-10	4	4	7	7	7	29

Prioritization Strategy Implementation Recommendations - Appendix 2

Scoring Criteria

1 = Strongly Disagree 10 = Strongly Agree

Project has existing or easily accessible funding	Project has adequate existing or easily accessible staffing	Project is a first phase or foundation for additional projects	Project aligns with Homer's major needs and goals	Project can be easily adapted as future needs change and arise	TOTAL
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LOW IMPACT | LOW DIFFICULTY CONT.

Economic Vitality (level of impact: 9, level of difficulty 7)

Accommodate and promote arts and culture events. <i>Ongoing.</i> <i>Pg. 8-5</i>	6	7	7	7	9	36
Work with the University, KBC to develop education and vocation programs for Homer residents. <i>University is conducting a space needs assessment.</i> <i>Pg. 8-6</i>	6	6	8	8	8	36
Research and implement strategies to provide for a range of housing options. <i>Pg. 8-10</i>	5	5	7	8	8	33
Improve technology infrastructure. <i>Pg. 8-5</i>	4	5	7	7	8	31

Improved Standards and Regulations (level of impact: 7, level of difficulty: 7)

Adopt new development standards for development in environmentally sensitive areas. Includes road construction practices. <i>Steep slope standards developed, CIP project submitted for storm water plan.</i> <i>Pg. 4-12</i>	5	7	7	8	8	35
Create new development standards for higher density residential development. <i>Ongoing. For example, secondary residential dwelling use has been opened up.</i> <i>Pg. 4-18,4-19</i>	6	7	6	7	8	34
Evaluate and consider shifting platting authority from Borough to City of Homer. <i>Reviewing Borough subdivision ordinance, high technical hurdles.</i> <i>Pg. 4-15</i>	5	6	6	5	6	28
Adopt building codes. <i>Pg. 4-10</i>	5	4	6	6	7	28

Prioritization Strategy Implementation Recommendations - Appendix 2

Scoring Criteria	Project has existing or easily accessible funding	Project has adequate existing or easily accessible staffing	Project is a first phase or foundation for additional projects	Project aligns with Homer's major needs and goals	Project can be easily adapted as future needs change and arise	TOTAL
1 = Strongly Disagree 10 = Strongly Agree						
LOW IMPACT HIGH DIFFICULTY						
Solid Waste (level of impact: 5, level of difficulty: 2)						
Institute measures to improve recycling among City departments. <i>About half of City facilities have office recycling. Pg.6-12, 6-13</i>	8	8	8	8	8	40
Library (level of impact: 8, level of difficulty: 6)						
Increase staff to respond to increased demand. <i>2014 increased .3 position and 1 seasonal employee. Current staff levels are able to respond to customers at the front desk. Additional 1.5 staff are needed behind the scenes to manage technology services, implement programming, and catalog and process books and materials. Pg. 6-11</i>	4	3	6	7	7	27
Water & Sewer (level of impact: 9, level of difficulty: 8)						
Construct water and sewer lines to developed properties as demand warrants. <i>Ongoing. Master Plan is used to plat easements in new developments. Lines are constructed as requested through LIDs and HAWSP (latest example, K-Drive phase 2). Pg. 6-5, 6-6, 6-7</i>	5	7	7	9	8	36
Implement the Water Sewer Master Plan. <i>Ongoing. New water treatment plant, other capital projects in the works. Pg. 6-5, 6-6, 6-7</i>	5	7	7	9	7	35
Repair and rehabilitate sewer mains to reduce infiltration. <i>Sliplined 1800LF in central business district. Pg. 6-6, 6-7</i>	4	6	7	8	7	32
Enact a sewer inflow reduction program. <i>Some money is budgeted for smoke testing but more education, code revisions and enforcement is needed. Pg. 6-6</i>	5	5	7	8	7	32

Prioritization Strategy Implementation Recommendations - Appendix 2

Scoring Criteria	Project has existing or easily accessible funding	Project has adequate existing or easily accesible staffing	Project is a first phase or foundation for additional projects	Project aligns with Homer's major needs and goals	Project can be easily adapted as future needs change and arise	TOTAL
LOW IMPACT HIGH DIFFICULTY CONT.						
Water & Sewer Cont. (level of impact: 9, level of difficulty: 8)						
Develop a new water source. <i>Long term CIP priority. Pg. 6-5</i>	3	5	5	6	5	24
Green Infrastructure (level of impact: 7, level of difficulty: 7)						
Adopt guidelines for sustainable development such as energy efficiency, use of recycled materials, and low impact landscaping in city buildings. <i>Ongoing. No official policy. Pg.4-14</i>	8	6	6	7	8	35
Evaluate incentives to promote development that uses the green infrastructure ideas presented in Appendix D. <i>Pg.4-12, 4-13</i>	6	6	7	7	7	33
Pattern of Development (level of impact: 4, level of difficulty: 8)						
Work with Borough to prepare mutually acceptable development standards. <i>Pg. 4-20</i>	7	6	8	7	8	36
Establish more specific criteria, process, schedule and objectives for possible future annexations. <i>Pg. 4-21</i>	5	6	8	6	7	32
Amend city code to recognize the transfer of development rights to preserve environmentally sensitive or recreational areas. <i>Pg. 4-22</i>	5	5	7	7	7	31

Numerical Prioritization Exercise

Focus Area: _____

Project: _____

Scoring Criteria: 1 = Strongly disagree 10 = Strongly agree

- This project has existing or easily accessible funding _____
- This project has adequate existing or easily accessible staffing _____
- This project is a first phase or foundation for additional projects _____
- This project aligns with Homer's major needs and goals _____
- This project can be easily adapted as future needs change and arise _____

Numerical Priority Total (5-50): _____
(5 as Lowest Priority – 50 as Highest Priority)

General Priority Level: Low Medium High



Strategic Doing Pack

EVENT NAME: _____

DATE: _____

Our Framing Question:

Our Knowledge Keeper Name and e-mail: _____

Our Table Guide name and e-mail: _____



Table of Contents

Section	Explanation	Page
Group Assets	Identify assets we are willing to share	Page 2
What Could we do together?	Brainstorm how we might connect our assets	Page 3
What Could we do together?	Connect assets and define 1-3 new opportunities	Page 4
What Should we do together?	Select 1 opportunity & define a successful outcome	Page 5
What Will we do together?	Define a Pathway project and action plan to get us to our outcome	Page 6
What Will we do together?	Map our successful Outcome, a Pathway Project and key next steps	Page 7
What's our 30/30?	Define a process moving forward	Page 8
Participant List	Separate sheet – to be attached after completed	Page 9

Strategic Doing Question 1: What **could** we do together?

Connect the assets you shared to create new opportunities.

Brainstorming and Notes

Quickly jot down connections that spring up from the discussion. Ask questions like ‘what would that look like’ or ‘what if we.....!’

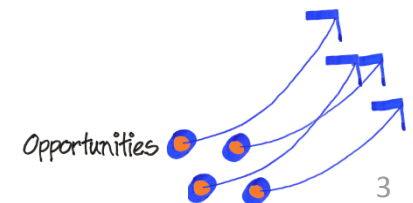
Example of an opportunity connecting these assets:

Bill K – connected to young professionals; Jane S – skill of conducting surveys; Susan D. – social networking skills; ;Bob S – understanding City government

“We could use Jane’s and Bob’s knowledge and skills to create an online survey of ideas for connecting young adults to government . We can use Bill’s connection to young professionals to know who to survey and Susan’s social networking skills to survey online and thru venues such as Facebook and Twitter.”

Use the next page to narrow your ideas to 3 opportunities

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Strategic Doing Question 1: What **could** we do together?

Describe up to 3 opportunities

Narrow your ideas from the brainstorming phase to 3 the top choices that connect the assets

How could you describe this opportunity in one or two phrases?

Example: Start an initiative to introduce young people to city government

Opportunity 1:

Opportunity 2:

Opportunity 3:

Use the next page to convert one opportunity to an outcome

Strategic Doing Question 2: What *should* we do together?

Select **ONE** opportunity & define success

Pick one of your opportunities and covert it to an outcome by defining measurable success

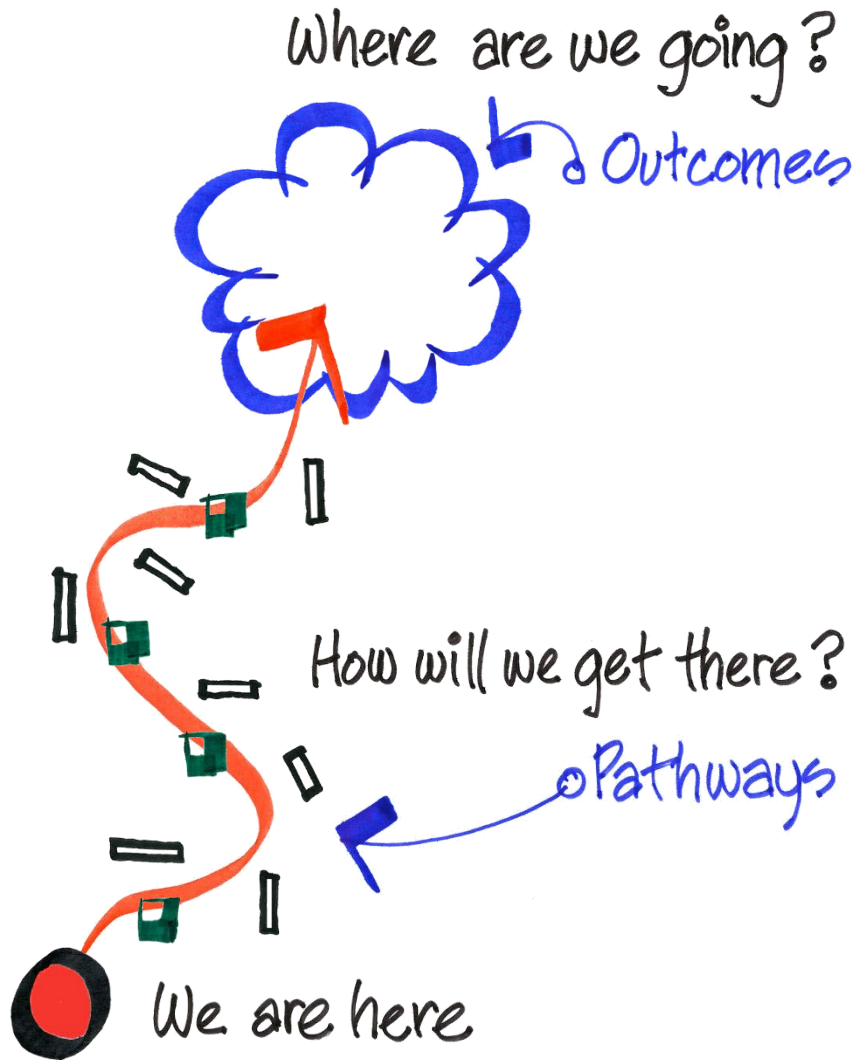
Example: Our Opportunity: Connecting our assets could lead us to an open innovation “hack” for Government 2.0

Our Outcome: An engaged community of at least 20 volunteers who produce new prototypes for government services and launch at least one redesigned service by 2015.

Success characteristic 1: Engaged city government volunteers	Metric: Number of volunteers
Success characteristic 2: Young adults enrolled in the introduction course	Metric: Number of young adults participating
Success characteristic 3: At least one service project with the groups within a year	Metric: One service project launched
Our Outcome:	How will you know if you're successful? <i>Hint: If you cannot figure out how to measure, the initiative is too vague to be useful.</i>
Characteristic 1:	Measurement:
Characteristic 2:	Measurement:
Characteristic 3:	Measurement:

Use the next page to design a pathway to your outcome

Map your outcome and project



Our Outcome.— (Where we are going):

Our Outcome or Success metrics.— (How we know we have arrived):

- 1.
- 2.
- 3.

Our Pathfinder Project.— (How we will get there):

Milestones along our way.— (To make sure we are not lost):

Our Key Action Steps to get started.— (What we will start doing by next week):

- 1.
- 2.
- 3.
- 4.

Strategic Doing Question 4: What's our **30/30**?

Maintaining alignments and connections is a dynamic process requiring continuous (but not constant) attention.

What's been done in the last 30 days? What needs to happen in the next 30 ? Small amounts of time (1-2 hours per month) can be devoted to revising our strategy. The point is to come back together share what we have learned, realign ourselves, and figure out our next steps for the next 30 days.

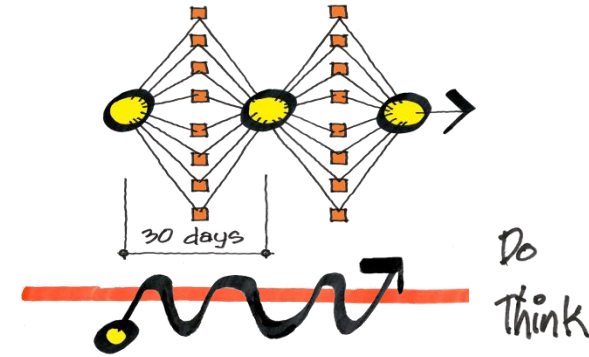
Follow-up Meeting (Sample)

Date	Dec 1
Time	2:00PM
Place	Conference call: Susan will arrange

Follow-up Meeting

Date	
Time	
Place	

Moving Forward



Internet Details

How will you use the Internet to stay connected?

We'll use e-mail for now. Might focus on a group blog. Bill will explore.

Internet Details

How will you use the Internet to stay connected?

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



COMMITTEE OF THE WHOLE
5:00 P.M. MONDAY
JANUARY 26, 2015
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 MARVIN YODER
CITY CLERK JO JOHNSON

COMMITTEE OF THE WHOLE AGENDA

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

Councilmember Burgess has requested telephonic participation.

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

3. Memorandum 15-013, From Economic Development Advisory Commission, Re: Affordable Housing Tax Incentive. **Page 153**

4. CONSENT AGENDA

5. REGULAR MEETING AGENDA

6. COMMENTS OF THE AUDIENCE

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

Next Regular Meeting is Monday, February 9, 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
JANUARY 26, 2015
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 MARVIN YODER
CITY CLERK JO JOHNSON

REGULAR MEETING AGENDA

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

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Councilmember Burgess has requested telephonic participation.

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

2. AGENDA APPROVAL

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

4. RECONSIDERATION

5. CONSENT AGENDA

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

- A. Homer City Council unapproved Special meeting minutes of December 1, 2014 and January 12, 2015 and Regular meeting minutes of January 12, 2015. City Clerk. Recommend adoption. **Pages 65, 75, 77**
- B. **Memorandum 15-008**, from Mayor, Re: Appointments of Daniel Stanislaw and David Friedlander to the Economic Development Advisory Commission, and Reappointment of Glen Carroll to the Port and Harbor Advisory Commission. **Page 91**
- C. **Memorandum 15-009**, from Deputy City Clerk, Re: New Liquor License for La Baleine Cafe. **Page 99**
- D. **Ordinance 15-02**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Grant From The Homer Foundation in the Amount of \$930 for the Public Library Fireplace Natural Gas Conversion. City Manager. Recommended dates: Introduction January 26, 2015, Public Hearing and Second Reading February 9, 2015. **Page 113**
- E. **Resolution 15-008**, A Resolution of the Homer City Council Awarding the Contract for the Purchase of a 2015 Ford F-550 Truck for Public Works to the Firm of Worthington Ford of Anchorage, Alaska, in the Amount of \$36,367 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption. **Page 123**
- Memorandum 15-010 from Public Works Superintendent as backup. **Page 125**
- F. **Resolution 15-009**, A Resolution of the Homer City Council Amending the U.S. Coast Guard Lease on Government Lot 20 to Add an Additional 20 Years of One-Year Renewals, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption. **Page 127**
- Memorandum 15-011 from Port and Harbor Advisory Commission as backup. **Page 129**
- G. **Resolution 15-010**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Apply for an Alaska Drinking Water Fund (ADWF) Loan for {Phase I of the Homer Water Distribution/Storage Improvement Project in the Amount of \$594,075. City Manager/Public Works Director. Recommend adoption. **Page 141**

Memorandum 15-014 from Public Works Director as backup.

Page 143

6. VISITORS

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Borough Report

B. Commissions/Board Reports:

1. Library Advisory Board

2. Homer Advisory Planning Commission

a. Minutes of January 7, 2015

Page 149

3. Economic Development Advisory Commission

b. Memorandum 15-013, From Economic Development Advisory Commission, Re: Affordable Housing Tax Incentive

Page 153

4. Parks and Recreation Advisory Commission

5. Port and Harbor Advisory Commission

C. Homer Foundation Quarterly Report for City of Homer Fund

Page 155

8. PUBLIC HEARING(S)

A. **Ordinance 14-56(A)**, 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. Introduction December 8, 2014, Public Hearings January 12 and 26, 2015 and Second Reading January 26, 2015.

Page 161

Memorandum 14-177 from City Planner as backup.

Page 167

B. **Ordinance 15-01**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.040(M) Regarding Compensation for the Mayor and Council. City

Council. Introduction January 12, 2015, Public Hearing and Second Reading January 26, 2015. **Page 181**

9. ORDINANCE(S)

10. CITY MANAGER'S REPORT

A. City Manager's Report **Page 191**

B. Bid Report **Page 205**

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

A. Public Arts Committee

B. Permanent Fund Committee

C. Employee Committee Report

D. Port and Harbor Building Task Force

E. Public Safety Building Review Committee

F. Vessel Haul-Out Task Force

G. City Manager Selection Committee

13. PENDING BUSINESS

A. **Resolution 15-004**, A Resolution of the City Council of Homer, Alaska, Requesting That the Alaska Legislature Re-Appropriate the \$1,405,000 That the City Received for the Waddell Way Road Improvement to a New Public Safety Building. Mayor.

Page 213

14. NEW BUSINESS

A. **Memorandum 15-012**, From City Clerk, Re: Request for Executive Session Pursuant to AS 44.62.310 (a-c)(1 & 5) Matters, the Immediate Knowledge of Which Would Clearly

Have an Adverse Effect Upon the Finances of the Government Unit, and Matters that are Attorney-Client Privilege (Pending Litigation). **Page 231**

15. RESOLUTIONS

16. COMMENTS OF THE AUDIENCE

17. COMMENTS OF THE CITY ATTORNEY

18. COMMENTS OF THE CITY CLERK

19. COMMENTS OF THE CITY MANAGER

20. COMMENTS OF THE MAYOR

21. COMMENTS OF THE CITY COUNCIL

22. ADJOURNMENT

Next Regular Meeting is Monday, February 9, 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 14-30 a Special Meeting of the Homer City Council was called to order on December 1, 2014 at 6:01 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 ATTORNEY WELLS CITY CLERK JOHNSON

Councilmember Burgess has requested telephonic participation or excusal.

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

Councilmember Zak has requested telephonic participation.

REYNOLDS/VAN DYKE – MOVED TO APPROVE COUNCILMEMBER ZAK'S PARTICIPATION BY TELEPHONE.

Mr. Griswold objected from the audience. City Clerk Johnson called for a point of order as it is the Council's decision.

Councilmember Roberts asked if Councilmember Zak was allowed to participate in Executive Session since he was telephonic.

City Clerk Johnson answered the code does not allow a councilmember to participate in Executive Session if telephonic. She deferred the question to Attorney Wells.

Attorney Wells advised an Executive Session is not needed to deliberate under the Open Meetings Act. If Councilmember Zak participates by telephone for the hearing he may participate by telephone in deliberations if they are conducted in an open forum.

VOTE: YES. LEWIS, ROBERTS, REYNOLDS, VAN DYKE

Motion carried.

AGENDA APPROVAL

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

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

LEWIS/REYNOLDS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

A. APPEAL TO THE BOARD OF ADJUSTMENT

Regarding the Planning Commission Decision on Remand Conditional Use Permit 13-13 for More Than One Building Containing a Permitted Principal Use on a Lot at 3850 Heath Street, Homer, Alaska. Frank Griswold, Appellant.

I. Identification of the Appeal

This is an Appeal to the Board of Adjustment of the Homer Advisory Planning Commission Decision on remand of August 8, 2014. In that decision, the Commission considered additional evidence regarding Conditional Use Permit 13-13 and again approved the permit, but imposed additional conditions in response to BOA instructions on remand. CUP 13-13 permits the Applicant to erect more than one building containing a permitted principal use on Lot 1-A-1 Carl Sholin Subdivision No. 5 3850 (the “Property”), Homer, Alaska.

On December 4, 2013, the Commission issued a decision approving CUP 13-13. Frank Griswold filed a notice of appeal with the City Clerk. On June 6, 2014 this Board remanded this matter to the Commission ordering it to consider additional evidence in determining whether the Property complies with the Homer Zoning Code as required under HCC 21.90.030, to make findings regarding the Property’s compliance with the Homer Zoning Code, and revisit Findings Nos. 5 and 8 after considering additional evidence regarding compliance. This Board upheld the Commission’s findings in all other respects.

On July 16, 2014, the Commission held the remand hearing regarding CUP 13-13. After considering additional evidence, including materials submitted by both the City Planning Department and Mr. Griswold, the Commission issued its decision once again approving CUP 13-13 on August 8, 2014. On or about September 16, 2014, Mr. Griswold filed an amended Notice of Appeal of the Commission’s decision on remand.

The hearing today is limited to the Commission’s decision on remand.

Attorney Wells advised the parties to carefully stick to the issues that were remanded to the Planning Commission. Both the Commission and Appellant have gone outside that scope. She recommended avoiding prejudice to parties not present.

Mayor Wythe confirmed the items under remand are whether or not the property complied with the Homer zoning code and items 5 and 8 only. Any other items are not up for reconsideration.

II. Identification of the Parties

As of this date, the Board has not received any Notices of Appearance in this Appeal. Accordingly, the only parties permitted to participate in this hearing are: Frank Griswold, the Appellant, Rick Abboud, City Planner, and the Applicant for CUP 13-13, Kenton Bloom d/b/a Seabright Survey & Design.

Appellant Frank Griswold and City Planner Rick Abboud were present.

III. Disclosures by Board of Adjustment

A. Conflicts of Interest

There were none stated.

B. Partiality

Appellant Griswold questioned the lack of a procedural notice in this appeal since they have been issued in past appeals.

Attorney Wells answered the hearing was noticed by date and time. If the procedural notice is to be raised by parties not present the Board would need to consider that.

Appellant Griswold objected to telephonic participation in an Executive Session by Councilmember Zak. He asked that the Council's decision to allow Councilmember Zak to participate telephonically be reconsidered. He has several exhibits Mr. Zak would not be able to view.

Attorney Wells advised the Board that Councilmember Zak may participate by telephone.

Mr. Griswold noted the precedent set by the Board of Adjustment to allow additional evidence pertaining to procedural matters only.

Appellant Griswold questioned the dual representation of Attorneys Holly Wells and Tom Klinkner.

Mayor Wythe advised the stated conflicts were decided in previous appeals and do not need to be revisited. There was no objection from the Council.

Mr. Griswold noted it was a different Board with new members Catriona Reynolds and Bryan Zak.

Councilmember Roberts expressed interest in hearing Mr. Griswold's concerns due to the change of make-up of the Council.

Appellant Griswold cited Mayor Wythe's partiality as she volunteered advice and mentored the Planning Commission. She recently accepted an award for her service. He referenced a newspaper article from the Homer News written by McKibben Jackinsky.

Mayor Wythe passed the gavel to Mayor Pro Tempore Roberts.

The Council found there was no award given to the Mayor. The event was for the Council to thank commissioners for volunteering their service. The newspaper reporter misunderstood the event and reported it wrong.

Mayor Pro Tempore Roberts returned the gavel to Mayor Wythe.

Mayor Wythe noted the claims raised by Appellant Griswold on Birch Horton Bittner and Cherot dual representation, herself, and planning staff conflict were reviewed and determined to have no merit.

Appellant Griswold asserted Councilmember Van Dyke has a bias in favor of business due to his comments for the September 25, 2013 Homer News article.

Mayor Wythe questioned Councilmember Van Dyke and found there was no bias. There was no objection from the Council.

Appellant Griswold asserted Councilmember Zak is biased due to his remarks about prominent business men being exempted from planning laws. The comment was made at a September 24, 2013 candidate forum.

Mayor Wythe questioned Councilmember Zak and found there was no bias. There was no objection from the Council.

Appellant Griswold questioned the standing of City Planner Rick Abboud.

Mayor Wythe ruled Mr. Abboud does have standing; this was previously determined by the Board of Adjustment. There was no objection from the Board.

Attorney Wells advised the decision on page 147, paragraph 83, where the issue was raised the Planning Commission must seek legal counsel. Mr. Abboud's issue has been clearly addressed.

Mayor Wythe called for a recess at 6:55 p.m. and reconvened the meeting at 7:02 p.m.

City Clerk Johnson read Ordinance 14-45 enacted September 22, 2014 regarding the city planner's participation in the appeal.

Appellant Griswold objected since the ordinance was adopted after the fact.

Appellant Griswold read Attorney Klinkner's preamble. He indicated on November 3 he filed a motion for reconsideration. There was no ruling on the motion.

Attorney Wells advised the practice before the courts requires a stricter standard; it is frustrating to not get a ruling. It is appropriate to discuss motions at the hearing.

Appellant Griswold noted in CUP 14-05 the Board did respond to his motion and set a deadline; this was setting a precedent.

Attorney Wells advised there is no obligation to follow and mirror decisions; we provide due process and procedural rights and follow and comply with the code. That is all that is expected of the courts.

Mayor Wythe called for a motion to strike the brief. There was no motion from the Board.

Appellant Griswold asked that his arguments be listened to. It is pure folly to accept whatever was agreed to by a previous board.

Mayor Wythe noted the Board is interested in hearing evidence pertaining to three items. The presence or absence of the City's opening brief may not change that. The Board chooses not to hear more information following their choice.

Appellant Griswold noted the Board is strongly influenced by the Mayor's recommendations.

C. Ex Parte Communications

The Board had no ex parte communications.

IV. Preliminary Rulings on Procedural Matters

Appellant Griswold cited HCC 21.93.540(b) taking of testimony and asked who makes the decisions as to not consider new evidence or changed circumstances.

Attorney Wells advised the Board against making advisory decisions. The Board is not accepting new evidence other than points on remand. The parties are not here to engage in discussion.

Appellant Griswold commented Mayor Wythe is a member of the Board and asked why she can vote only in the case of a tie.

Attorney Wells advised those questions were asked at the original proceeding. Pursuant to HCC 21.91.100 the Board is comprised of the Homer City Council. The Mayor is a full member of the Board.

Appellant Griswold questioned why three members wouldn't represent a quorum when you have three members and the chair.

Appellant Griswold questioned the 14.75 hours Birch Horton billed for researching and responding to procedural questions; he did not receive any response.

Attorney Wells advised she is here to advise the Board. She spent quite a few hours researching and developing answers to Mr. Griswold's questions.

Appellant Griswold commented not enforcing planning rules is the saving grace, unless such authority expressly pertained wherein. Zoning permits must be obtained prior to commencement of construction prohibits occupancy.

A. Motion to Strike City's Opening Brief

Mayor Wythe stated on November 3, 2014, Mr. Griswold sent the City Clerk an email moving to strike the opening brief filed by the Planning Department. It does not appear that this email was served upon the Planning Department. It would benefit the Board to hear argument from both parties regarding Mr. Griswold's motion to strike the Planning Department's opening brief. If there is no objection from the Board, we will now hear arguments regarding Mr. Griswold's motion.

These arguments must be limited to Mr. Griswold's motion. Each party will have 10 minutes to present their argument.

Appellant Griswold stated he came here prepared to address procedural issues. He intends to rely on his briefing. The transcript of the commission's deliberations was alarming. The Board has two options; either instruct the commission to conduct deliberations in secret so the public doesn't find out what a debacle it was. The commissioners are not trained and are not receiving good advice from the planning staff. You can cover it up or you can provide training to the commissioners and hire trained staff.

8:25 minutes saved for rebuttal.

The Board made no motion on appellant's motion to strike. Parties began oral argument.

V. Oral Argument on Substantive Matters

City Planner Rick Abboud stated 30 points have been ciphered down to 5. The whole crux is “Thou shall not issue any permit.” He has not issued any permit yet. There is a CUP on the table, there are buildings there; he doesn’t know any place in the world where you start construction without getting a permit. If they have created a structure that he wasn’t able to verify met the code you then have a serious problem. It would require a building inspection; we don’t have that. We have a residential building code only. A commercial building must receive Fire Marshal permit. If something like this comes up he gives them the opportunity to make it right. If it meets all requirements of the setback and has water/sewer access it deserves a valid permit without knocking down the structure and building it over again. This is a CUP that is required to get a zoning permit. We have tried to give them opportunity to do what they can on site with CUP approval. We analyze proposed structures to make sure they meet code; that is the intent here. If they were not able to get permits the deal was off.

Councilmember Roberts asked if a duplex was a commercial building. City Planner Abboud answered it was not, thus a Fire Marshal permit was not required.

Councilmember Roberts asked if you have to be in compliance to get a CUP. City Planner Abboud answered when you come in for a CUP they may or not have been in compliance. There were things issued he cannot issue now. If he denied everyone a permit if there were any problem on the lot not many people would get a permit. What they are doing is legal. We will have to make an amendment to code to allow reasonable expectations what the City decides is appropriate for development.

Councilmember Roberts reiterated the question. City Planner Abboud answered as long as he could identify what needed to be corrected he would advise the Planning Commission to issue a CUP if the corrections were made. He tries to put a timeline on it.

Rebuttal:

Appellant Griswold noted there was no evidence in the record of what other places in the world do. He never suggested any structure be knocked down, just that no further construction be authorized until the rest of the structures are in compliance. His saving grace is that he doesn’t have to enforce anything; his non saving grace is he cannot authorize more construction. The property owner could build the seventh structure and the Planning Department would have the ability to ignore it. The Board has the obligation and sworn oath to follow the code; they have the means to change it. A duplex can be commercial if the occupancy is less than 30 days. There was no finding made as to the term of occupancy. They said two structures were commercial. If there were a fire on a middle structure it could be difficult to get to and could spread to other structures. It is a dense situation and Fire Marshal approval should be mandatory. The Planning Commission has the authority to do that under the catchall for public health safety and welfare of the City’s residents. The Borough

discourages long skinny lots that are more than 3-1 in length/width ratio. Councilmember Burgess would have appreciated the conditional use process is a very efficient way to get compliance. When the City actively seeks to force someone into compliance it costs tens of thousands of dollars. The CUP process is a way to get property owners to comply. Structures could be moved from the lot to come into compliance. If you allow someone to get a permit after the fact where is the incentive for one before?

Mayor Wythe called for a motion for the Board to go into Executive Session for deliberations.

Attorney Wells asked the Board to consider deliberations outside an Executive Session to allow Councilmember Zak to join deliberations.

Mayor Wythe advised Appellant Griswold of his right to appeal within thirty days of the Board's decision.

REYNOLDS/ROBERTS - MOVED TO ESTABLISH A DATE FOR DELIBERATIONS.

The Council discussed dates for deliberations. Councilmember Zak will not return until December 5th.

REYNOLDS/LEWIS - MOVED TO MEET ON DECEMBER 8TH AT 4:00 P.M. TO DELIBERATE.

It will be a closed session.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

LEWIS/VAN DYKE - MOVED TO ADJOURN.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:58 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. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

JO JOHNSON, MMC, CITY CLERK

Approved: _____

Session 15-02 a Special Meeting of the Homer City Council was called to order on January 12, 2015 at 4:00 p.m. by Mayor Pro Tempore Francie Roberts at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT:	COUNCILMEMBERS:	BURGESS, LEWIS, REYNOLDS, ROBERTS, VAN DYKE
	ABSENT:	ZAK (excused)
	STAFF:	CITY CLERK JOHNSON CITY ATTORNEY KLINKNER

Councilmember Zak has requested excusal.

Mayor Pro Tempore Roberts ruled Councilmember Zak's absence as excused. There was no objection from the Council.

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

Mayor Pro Tempore Roberts called for a motion to approve the agenda.

BURGESS/LEWIS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Memorandum 15-001, From City Clerk Re: Request for Executive Session Pursuant to AS 44.62.310 (a-c)(1 & 5) Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit, and Matters that are Attorney-Client Privilege (Natural Gas Assessments for Condominiums).

Mayor Pro Tempore Roberts called for a motion for the approval of the recommendations of Memorandum 15-001 to meet in Executive Session to discuss natural gas assessments for condominiums.

LEWIS/BURGESS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

REYNOLDS/LEWIS - MOVED TO ADJOURN TO EXECUTIVE SESSION.

BURGESS/VAN DYKE – MOVED TO AMEND TO INCLUDE THE CITY ATTORNEY.

There was no discussion.

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

Motion carried.

VOTE: (main motion as amended) YES. LEWIS, BURGESS, ROBERTS, REYNOLDS, VAN DYKE

Motion carried.

The Council adjourned to Executive Session at 4:04 p.m.

Mayor Pro Tempore Roberts reconvened the meeting at 4:41 p.m.

Councilmember Lewis stated the Council met with the attorney regarding condo assessments and decided to file the original improvement plan.

COMMENTS OF THE AUDIENCE

There were no comments of the audience.

ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tempore Roberts adjourned the meeting at 4:43 p.m. The next Regular Meeting is scheduled for Monday, January 26, 2015 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession at 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

JO JOHNSON, MMC, CITY CLERK

Approved: _____

Session 15-03 a Regular Meeting of the Homer City Council was called to order on January 12, 2015 at 6:00 p.m. by Mayor Mary E. Wythe at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT:	COUNCILMEMBERS:	BURGESS, LEWIS, REYNOLDS, ROBERTS, VAN DYKE, ZAK (telephonic)
	STAFF:	CITY CLERK JOHNSON CITY ATTORNEY KLINKNER CITY PLANNER ABOUD COMMUNITY AND ECONOMIC DEVELOPMENT COORDINATOR KOESTER FINANCE DIRECTOR LI LIBRARY DIRECTOR DIXON PUBLIC WORKS DIRECTOR MEYER PORT AND HARBOR DIRECTOR HAWKINS

Councilmember Zak has requested telephonic participation.

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

LEWIS/VAN DYKE – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

The Council conducted a Special Meeting from 4:00 p.m. to 4:43 p.m. in Executive Session to discuss Natural Gas Assessments for Condominiums. The Council met as a Committee of the Whole from 5:00 p.m. to 5:29 p.m. to discuss Resolution 15-007, 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.)

There was no supplemental agenda.

REYNOLDS/ROBERTS - MOVED TO APPROVE THE AGENDA AS PRESENTED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

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 December 8, 2014. City Clerk. Recommend adoption.
- B. **Memorandum 15-002**, from Mayor, Re: Appointment of Therese Smith to the Library Advisory Board, Karin Marks to the Economic Development Advisory Commission, and Reappointment of Daniel Donich to the Port and Harbor Advisory Commission.
- C. **Ordinance 15-01**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.040(M) Regarding Compensation for the Mayor and Council. City Council. Recommended dates: Introduction January 12, 2015, Public Hearing and Second Reading January 26, 2015.
- D. **Resolution 15-001**, A Resolution of the City Council of Homer, Alaska, Ratifying and Confirming the Appointment of an Interim City Manager, and Providing for Related Matters. Mayor. Recommend adoption.
- E. **Resolution 15-002**, A Resolution of the Homer City Council Confirming the Appointments of Zhiyong Li as Treasurer and Laurie Moore as Deputy Treasurer for Calendar Year 2015. City Manager. Recommend adoption.
- F. **Resolution 15-003**, A Resolution of the Homer City Council Designating Signatories of City Accounts and Superseding Any Previous Resolution So Designating. City Manager. Recommend adoption.

- G. **Resolution 15-006**, A Resolution of the City Council of Homer, Alaska, Re-Adopting the Established Investment Policies of the Permanent Fund. City Clerk/Permanent Fund Committee. Recommend adoption.

Memorandum 15-006 from Permanent Fund Committee as backup.

- H. **Resolution 15-007**, A Resolution of the Homer City Council Approving the Recommendations of the Public Safety Building Review Committee. Mayor. Recommend adoption.

Memorandum 15-007 from Public Safety Building Review Committee as backup.

Moved to Resolutions.

- I. **Memorandum 15-004**, from City Clerk, Re: Amendment of Resolution 14-120(A) the 2015 Meeting Schedule for Council and Advisory Bodies. Recommend adoption.

Item H, Resolution 15-007 was moved to Resolutions, Item C. Roberts.

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

LEWIS/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- J. **Oath of Office – City Manager Yoder**

City Clerk Johnson administered the oath to City Manager Yoder.

VISITORS

- A. Woodard Creek Coalition – Jim Preston & Marvin Hansen

Jim Preston and Marvin Hansen provided a PowerPoint presentation on Woodard Creek. The Woodard Creek watershed comes down through the canyon, almost parallel to Bartlett Street. It crosses Pioneer Avenue and goes to the ocean. Homesteaders settled around Woodard Creek as one of the few perennial water systems. Impacts from developments and road construction caused the creek to slough, raising concerns from citizens. This prompted local citizens to start a water quality monitoring system in 1998. Two reports were made, meetings were held at the Pratt, and there were water quality monitoring programs. In 2002 there was a problem with sedimentation and flooding on Fairview Avenue. The culverts were not adequate and blockage occurred. Then there was the unstable slope from the new parking lot at Karen Hornaday Park. The fill next to Woodard Creek is a risk for channelization and sedimentation, threatening property owners along the creek.

Woodard Creek Coalition has a vision of Woodard Creek as a vibrant, healthy, and safe community asset. The coalition is building off of work that is underway at Karen Hornaday Park, the Pratt Museum, and the Homer Council on the Arts who are all daylighting Woodard Creek. The City of Homer is committed to make Woodard Creek more accessible. Culverts have been removed that were restricting flow and bridges were added at Spruceview and Soundview. Last year the Council adopted a resolution asking DOT to daylight Woodard Creek. Daylighting Woodard Creek will make for better engineering and hydrology down the stream. The creek will be healthier, more accessible, and safer. Woodard Creek Coalition is working to reduce the risk to property owners and the City. It will be a space for gatherings and create an atmosphere that supports and grows local businesses.

Contact Dianne at the Pratt Museum if you wish to get involved.

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Mayor's Proclamation – The Big Read
- B. Borough Report
- C. Commissions/Board Reports:
 - 1. Library Advisory Board
 - 2. Homer Advisory Planning Commission
 - a. Minutes of December 3, 2014
 - 3. Economic Development Advisory Commission
 - 4. Parks and Recreation Advisory Commission

Parks and Recreation Advisory Commissioner Robert Archibald reported Mike Illg deserves a pat on the shoulder for all the work he has done with Community Recreation. The commission is assigned the beach task force. Special meetings have been scheduled as follows:

- January 22 – review existing management strategies in Homer City Code Title 19 and 19.6 park rules
- February 5 – review of legal access and land ownership of the beaches (with the City Planner and Attorney)
- February 19 – enforcement, rights, and fires on the beach (with the Homer Police Department)

He hopes they will get public turnout.

5. Port and Harbor Advisory Commission

Port and Harbor Advisory Commissioner Steve Zimmerman reported the harbor has 21 capital projects underway and is using some uptown resources. The income from the projects should help city coffers. At their next meeting they will discuss using some of the city sales tax money to help the port and harbor out. It is the opinion that the Council takes a lot of money out of the harbor with 19% of the port's budget towards administrative fees. The commission is always trying to figure out ways to get some revenue back in the harbor. There will also be a discussion on fish tax. Currently the State collects tax with 25% allocated to the Borough and 25% to the City. The commission will ask the Borough to give their portion back. A Worksession is scheduled for January 28 at 3:00 p.m. regarding harbor rate increases. He asked that a council member attend to hear ideas. They will see if they can hammer out good ways to keep the revenue flowing without having to raise rates so high.

D. Thank You from Cook Inletkeeper and Homer Senior Citizens for City Contributions

PUBLIC HEARING(S)

A. **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. Introduction December 8, 2014, Public Hearing and Second Reading January 12, 2015.

Memorandum 14-177 from City Planner as backup.

Mayor Wythe opened the public hearing.

Frank Griswold, city resident, suggested adding clauses within the ordinance that name and benefit Mr. Jose Ramos to justify why the ordinance was proposed. He expressed concern the Council as a quasi-judicial body was deliberating on the appeal of CUP 13-13 while at the same time considering the adoption of this ordinance to benefit one body.

Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Ordinance 14-56 by reading of title only for second and final reading.

LEWIS/REYNOLDS – SO MOVED.

BURGESS/LEWIS – MOVED TO AMEND TO THE STRIKE THE FIRST SENTENCE ON LINE 46 WHICH IS TITLE 21.90.030; INCLUDE THE AMENDMENT “CORRECTION OF VIOLATIONS” PROPOSED BY THIS ORDINANCE, BUT REMOVE THE SENTENCE BEGINNING WITH “NO PERMIT MAY BE ISSUED UNDER” AND THE SECOND PORTION WOULD BE TO THEN WHAT IS THE FIRST SENTENCE OF THAT TITLE WHICH IS “ANY PERMIT ISSUED IN VIOLATION OF THIS SECTION” TO REPLACE “SECTION” WITH “TITLE.”

Councilmember Burgess commented the section contradicts itself. The intention is as part of the permit approval we have the flexibility to make permit approval. As previously worded it says we can't simultaneous issue the permit. We run into several situations with compliance due to previous noncompliance issues. Because the previous permit was not followed we have to revoke the first permit before doing something else.

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

Motion carried.

BURGESS/ROBERTS – MOVED TO POSTPONE THE ORDINANCE AS AMENDED TO OUR NEXT COUNCIL MEETING AS A PUBLIC HEARING.

There was no discussion.

VOTE: (postponement) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

CITY MANAGER'S REPORT

A. City Manager's Report

Thank all of you for the warm welcome I have received. The move from Palmer to Homer has gone very well.

Governors Ball The City has received information that there will be a Governors' Inauguration Ball in Kenai on January 30. The specifics are as follows: Old Kenai Carrs Mall, Doors Open - 5:30pm, No Host Bar - 6pm, Program/Dinner - 6:30pm, Desserts & Dancing, Semi-Formal/Formal Attire, Tickets - \$50 per person.

Capital Matching Grant The City of Homer scored well on their application for a State ADEC Matching Grant. The amount of the project is \$1,980,254. The City will be required to provide a 30% match.

If the CMG program is funded by the legislature, this grant will pay for two water main extensions; one on Shellfish Ave and the other on Kachemak Dr.

The Council will need to determine the funding source for the City match. In the past the city has utilized a DEC/EPA loan at 1.5% interest. This decision will be on a future agenda for Council action.

Island and Ocean Roof Update In his December manager report, Walt mentioned the need for funds to repair the roof on the Islands and Ocean building. Katie Koester has informed me that the USF&WS has appropriated funds to complete this project in 2015.

Katie also relayed the following message "Steve Delehanty, Refuge Manager for the Alaska Maritime National Wildlife Refuge, expressed thanks to the Homer City Council for their desire to help the facility and asked that partnership be considered in the future when they may need non-federal advocates. Steve also encouraged the City to do anything we can to keep the Kachemak Bay Research Reserve thriving and located in the Islands and Ocean Visitor Center."

Land Leases The City has received notice from the Coast Guard and from Petro Marine that they would like to extend their leases with the City.

Currently, we are awaiting a lease proposal from the Coast Guard. Once a proposed lease is received, the lease committee will review it. You can expect this to be an agenda item in the near future.

The Petro Marine Lease does not expire for two years. They are simply giving notice of their intent to continue leasing the property.

City Manager Yoder thanked everyone for the warm welcome and the Council for choosing him as Interim City Manager. The Governor's Ball is to be held in Kenai on January 30 in the Carr's building; \$50 per person.

The City received a tentative agreement on a \$1.9M capital matching grant for water and sewer. It is not a legislative grant; it is a program grant where we provide a 30% match. The grant is dependent on whether the Legislature funds the program this year. At the next meeting we may have to request the 30% match.

At the last meeting Walt mentioned funds for repair to Islands and Ocean roof. Fish and Wildlife has appropriated those funds.

At the next or future meetings there will be land leases for the U.S. Coast Guard and Petro Marine. We will be starting negotiations and will bring the information forward when available. Four noncompliance letters on leases on the Spit have been sent.

The Economic Development Council will be meeting February 5 to provide annual projections. A special speaker with experience in economic development is scheduled; \$75 to attend.

Kachemak City is considering applying for a legislative grant for Jack Gist Park projects in the City's CIP list. Katie has been working with them. Julie Nelsen has decided to take a job in Las Vegas; she is the first lost employee since he's been here. We will be advertising for that position.

Councilmember Burgess asked for an accurate as-built as to where gas lines are. The as-built should show where the physical lines have been installed. The Council needs something specific from the contractor for those that may object to the assessments. EMS may be interested in the information as well.

B. Bid Report

C. Games Report

1. Homer Society of Natural History Inc.

CITY ATTORNEY REPORT

A. City Attorney's Report, December 2014

The Council had no questions for the City Attorney.

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

Chair Ken Castner announced the meeting on January 19 at 5:30 p.m. There is a resolution before the Council to move the project along. The committee wrote a comprehensive report to the Council (Memorandum 15-007). He is dedicated to getting things moving along for the project in the foreseeable future. There is a real necessity to upgrade the police station very soon. He would like to hear from everyone, as there has to be an affordable solution. This is the main way to keep the town safe; people under appreciate the level of social service the police department provides. He encouraged people to come to the meetings since it is a problem the community will have to solve.

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

Chair Francie Roberts announced the meeting on January 14 at 4:00 p.m. in the Conference Room. The committee is working on finalizing the hiring process and interview procedure. We anticipate announcing a short list of candidates in the next few weeks.

PENDING BUSINESS

NEW BUSINESS

- A. **Memorandum 15-003**, from City Clerk, Re: Authorization for Councilmember Zak to Serve on the Alaska Municipal League Legislative Position Committee and Travel to the Legislative Meeting and Conferences as Required.

Mayor Wythe called for a motion to allow Councilmember Zak to serve on the Alaska Municipal League Legislative Position Committee and travel to the legislative meeting and conferences as required.

LEWIS/VAN DYKE – SO MOVED.

Councilmember Burgess asked that Councilmember Zak file a report on the benefits derived since tax dollars were being used for is travel.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

RESOLUTIONS

- A. **Resolution 15-004**, A Resolution of the City Council of Homer, Alaska, Requesting That the Alaska Legislature Re-Appropriate the \$1,405,000 That the City Received for the Waddell Way Road Improvement to a New Public Safety Building. Mayor.

Mayor Wythe called for a motion for the adoption of Resolution 15-004 by reading of title only.

BURGESS/LEWIS - SO MOVED.

Councilmember Burgess noted that asking for reallocation may forfeit the allocation. He suggested postponement to have a better idea of what avenues and recourse there are.

BURGESS/ROBERTS – MOVED TO POSTPONE TO JANUARY 26TH.

There was no discussion.

VOTE: (postponement) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Resolution 15-005**, A Resolution of the Homer City Council Amending the Preliminary Assessment Roll for the Homer Natural Gas Special Assessment District by Exempting Certain Properties and Making Amendments for Recorded Property Plat Actions through January 5, 2015. City Clerk.

Memorandum 15-005 from Deputy City Planner as backup.

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

Mayor Pro Tempore Roberts called for a motion for the adoption of Resolution 15-005 by reading of title only.

LEWIS/BURGESS - SO MOVED.

Councilmember Burgess asked City Attorney Klinkner for a brief outline as to where the assessment roll approval goes from here.

City Attorney Klinkner advised the Council upon the adoption of this resolution and prior actions of the Council, the administration will develop an assessment roll that will list each parcel in the district subject to an assessment and the amount of assessment. The roll will be available to the public. Notice of individual assessments will be sent to property owners. There is a period of time for the property owner to object to assessments, at least 30 days. The City Council will hold a public hearing on the assessment roll. This is the opportunity for a property owner to come forward to start their objection. After the hearing the Council will decide to adopt the roll as presented or make any corrections to the roll. When amendments are approved it becomes the assessment roll for the district. Any person that objected before the Council to an assessment has the option of appealing to Superior Court within 30 days. After that period of time it is a proceeding in court; it is an appeal from the action of the Council.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Pro Tempore Roberts returned the gavel to Mayor Wythe.

H. **Resolution 15-007**, A Resolution of the Homer City Council Approving the Recommendations of the Public Safety Building Review Committee. Mayor. Recommend adoption.

Memorandum 15-007 from Public Safety Building Review Committee as backup.

Mayor Wythe called for a motion for the adoption of Resolution 15-007 by reading of title only.

BURGESS/REYNOLDS – SO MOVED.

ROBERTS/LEWIS – MOVED TO AMEND LINE 29 TO ADD: “NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE HOMER CITY COUNCIL THAT RESOLUTION 14-020 IS AMENDED TO EXTEND THE PUBLIC SAFETY BUILDING REVIEW COMMITTEE UNTIL THE PROJECT IS COMPLETED OR THE COMMITTEE IS OTHERWISE DISSOLVED BY THE HOMER CITY COUNCIL; AND THE SCOPE OF WORK OF THE COMMITTEE IS EXPANDED TO ADVISE THE COUNCIL ON ALL FURTHER PHASES OF DESIGN AND CONSTRUCTION.”

There was no discussion.

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

Motion carried.

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

Motion carried.

COMMENTS OF THE AUDIENCE

Steve Zimmerman, city resident, expressed opposition to Resolution 15-004. We need Waddell Way and he would like to keep the money and fix the road. He opposes allowing exemptions for gas line assessments and the City buying property and removing it from the tax rolls. Both things increase other people’s rates.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner advised the premise for any exemption for the gas line is that the property exempted is not benefitting from the improvement. This is usually because the property cannot be developed or the property is located so that the gas line can’t serve it.

There are no exemptions for properties just because they are government owned or owned by nonprofits. The exemptions are narrow and benefit related.

COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comment.

COMMENTS OF THE CITY MANAGER

City Manager Yoder had no comment.

COMMENTS OF THE MAYOR

Mayor Wythe wished everyone a Happy New Year and welcomed them back to a new season.

COMMENTS OF THE CITY COUNCIL

Councilmember Reynolds encouraged everyone to participate in The Big Read. It is most effective when it has widespread participation. She challenged the Council to read it.

Councilmember Van Dyke welcomed the new interim city manager and thanked him for loaning us his expertise.

Councilmember Burgess commented we are not giving special consideration to anyone for exemptions of gas assessments. If having access to natural gas was never going to benefit a property it would be grounds for an exemption. The process exists if a mistake is made on the assessment roll someone can bring the mistake to our attention to avoid being unfairly assessed. He congratulated the City Manager on his first day that he survived. As to Mr. Zimmerman's comments of divesting the City of property and increasing tax rolls, to his knowledge the City is keeping a very lean inventory. If property is better served in private hands he would like to hear that. The public often better has an idea of a better use of property. He thanked the Woodard Creek presenters. It is a profound idea before its time; it is interesting to watch how we treat stormwater. It is great to see the public enthusiasm and he looks forward to seeing more work there.

Councilmember Zak had no comment.

Councilmember Lewis asked the Mayor or City Manager to ask Senator Gary Stevens if he will carry on the tradition of holding legislative meetings here like Senator Micciche did. This is the last weekend that the Homer High School hockey team will be playing. Valley players will be coming down; it makes for interesting hockey games. It would be nice to see a lot of people out at the rink.

Councilmember Roberts is glad to have the Parks and Recreation Advisory Commission tell us they are working on the beach access program. She is impressed how thoroughly they are addressing the situation. Steve Zimmerman testified we have all this property tied up and have to raise property taxes. Over the last eight years that she has been on the council we have not changed the mil rate; it may not be well correlated. She welcomed Marvin.

ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:02 p.m. The next Regular Meeting is Monday, January 26, 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.

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 15-008

TO: HOMER CITY COUNCIL
FROM: MARY E. WYTHE, MAYOR
DATE: JANUARY 20, 2015
SUBJECT: APPOINTMENTS OF DANIEL STANISLAW AND DAVID FRIEDLANDER TO THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION, AND REAPPOINTMENT OF GLEN CARROLL TO THE PORT AND HARBOR ADVISORY COMMISSION

Daniel Stanislaw is appointed to the Economic Development Advisory Commission to replace outgoing member Lindianne Sarno. His term will expire April 1, 2017.

David Friedlander is appointed to the Economic Development Advisory Commission to replace outgoing member Nantia Krisintu for a term to expire April 1, 2018.

Glen Carroll is reappointed to the Port and Harbor Advisory Commission. His term will expire February 1, 2018.

RECOMMENDATION:

Confirm the appointments of Daniel Stanislaw and David Friedlander to the Economic Development Advisory Commission, and reappointment of Glen Carroll to the Port and Harbor Advisory Commission.

Fiscal Note: N/A



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

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

Received by the Clerk's Office

The information below provides some basic background for the Mayor and Council
 This information is public and will be included in the Council Information packet

Name: Daniel Stanislaw Date: _____
 Physical Address: 3800 Sterling Hwy Homer AK 99603
 Mailing Address: 3800 Sterling Hwy Homer AK 99603
 Phone Number: (907) 235-7140 Cell #: (907) 299-7018 Work #: _____
 Email Address: danny@alaskahardy.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
X	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
	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 3 yrs 6 mos. I have been a resident of the area for 4 yrs mos.

I am presently employed at Alaska Hardy LLC

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

I have 12 years of management experience.
I have owned Dutch Boy Landscaping & Christmas Decor
since 2009 and Fritz Creek Gardens now
Alaska Hardy since 2012

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

The last time I served on anything was
Student Council in high school

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

I believe I can help bring great ideas to the
table.

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

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? _____

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:

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!

15



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

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

Received by the Clerk's Office

The information below provides some basic background for the Mayor and Council
This information is public and will be included in the Council Information packet

Name: David Friedlander Date: 01/19/15

Physical Address: 164B Mountain View Drive Homer, AK 99603

Mailing Address: PO BOX 2894 Homer, AK 99603

Phone Number: (907)299-7969 Cell #: (907)299-7969 Work #: (907)235-8612

Email Address: davidf@reddenmarine.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

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

I have been a resident of the city for 06 yrs 9 mos. I have been a resident of the area for 07 yrs ___ mos.

I am presently employed at Kachemak Gear Shed

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

Overall economic management within multiple organizations from the US Army to Apple Inc and now Kachemak Gear Shed. My experience has enabled me to run each organization in the most profitable manner available.

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

Currently sitting on 2 HMTA sub-committees.

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

Mike B asked me to join and I feel that I have a lot to offer the committee.

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

I am the Assistant Branch Manager at Kachemak Gear Shed.

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? N/A

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:

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

Jo Johnson

From: Melissa Jacobsen
Sent: Wednesday, January 14, 2015 9:43 AM
To: Jo Johnson
Subject: FW: Port Commission Term Expiration

From: Jeanne and Glen Carroll [<mailto:jeanneandglen@gmail.com>]
Sent: Wednesday, January 14, 2015 9:42 AM
To: Melissa Jacobsen
Subject: Re: Port Commission Term Expiration

Hi Melissa. Yes, I would like to request reappointment for another 3 years. Thanks. Glen

On Dec 29, 2014, at 8:57 AM, Melissa Jacobsen wrote:

Glen,

Your appointment to the Port & Harbor Advisory Commission expires on February 1, 2015.

Please let me know whether or not you want to request reappointment for a three year term no later than Tuesday, January 20th.

Thank you, Melissa

*Melissa Jacobsen, CMC
Deputy City Clerk
City of Homer, Alaska
907-435-3107*

City of Homer City Clerk's Office

PUBLIC RECORDS LAW DISCLOSURE: Most e-mails from or to this address will be available for public inspection under Alaska public records law.



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 15-009

TO: MAYOR WYTHE AND HOMER CITY COUNCIL
FROM: MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK
DATE: JANUARY 20, 2015
SUBJECT: NEW LIQUOR LICENSE FOR LA BALEINE CAFE

We have been notified by the ABC Board of an application for a new liquor license in the City of Homer for the following:

Type: Restaurant/Eating Place Public Convenience
Lic #: 5368
DBA Name: La Baleine Cafe
Licensee/Applicant: Within the Wild Adventure Company
Premise Address: 4460 Homer Spit Road, Homer, AK 99603
Mailing Address: PO Box 91419, Anchorage, AK 99509

RECOMMENDATION: Voice non objection and approval for the liquor license renewals and new liquor license application.

Fiscal Note: Revenues.



THE STATE
of ALASKA

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

January 14, 2015

City of Homer
Attn: City Clerk
VIA Email: clerk@cityofhomer-ak.gov
Cc: jjohnson@ci.homer.ak.us
joanne@borough.kenai.ak.us
jblankenship@borough.kenai.ak.us
kring@borough.kenai.ak.us

**Within The Wild Adventure Company – Restaurant/Eating Place Public Convenience License
#5368 DBA La Baleine Cafe**

- New Application Transfer of Ownership Transfer of Location
- Restaurant Designation Permit DBA Name Change

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

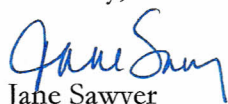
Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 3 AAC 304.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.

Sincerely,



Jane Sawyer

Business Registration Examiner

Jane.sawyer@alaska.gov

907-269-0359

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: January 14, 2015

Application Type: **NEW**

TRANSFER
 Ownership
 Location
 Name Change

Governing Body: **City of Homer**
 Community Councils: None

License #: 5368
 License Type: Restaurant/Eating Place Public Convenience
 D.B.A.: La Baleine Cafe
 Licensee/Applicant: Within The Wild Adventure Company
 Physical Location: 4460 Homer Spit Road, Homer, AK 99603
 Mail Address: PO Box 91419, Anchorage, AK 99509
 Telephone #: 907-274-2710
 EIN: 92-0166829

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
Carl Dixon	Po Box 91419 Anchorage, AK 99509	907-274-2710	02/22/1999	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Shares (%)
Carl L. Dixon Director, President, Shareholder	08/03/1950	2626 Galewood Street Anchorage, AK 99508	907-274-2710	50%
Kirsten Dixon Director, Shareholder, Secretary , Treasurer	07/23/1956	2626 Galewood Street Anchorage, AK 99508	907-274-2710	50%

If **transfer** application, current license information:

Current D.B.A.:
 Current Licensee:
 Current Location:

Additional comments: **Restaurant Designation Permit Application attached.**

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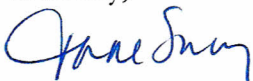
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If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 3 AAC 304.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.

Sincerely,



Jane Sawyer

Business Registration Examiner

Jane.sawyer@alaska.gov

907-269-0359

New Liquor License

License is: Full Year OR Seasonal List Dates of Operation: May 1 - Sept. 30

SECTION A - LICENSE INFORMATION			FEES
Office Use: License Year: <u>2015/2016</u>	License Type: <u>Restaurant/Eating Place</u> <u>Public Convenience</u>	Statute Reference: Sec. 04.11. <u>400(g)</u>	License Fee: <u>300</u> \$ _____
Office Use: License #: <u>5308</u>			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) <u>Homer, Alaska 99603</u>		Community Council Name(s) & Mailing Address:	Rest. Desig. Permit Fee: \$ <u>50</u>
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership) <u>Within the Wild Adventure Co.</u>		Doing Business As (Business Name): <u>La Balaine Cafe</u>	Fingerprint: \$ (<u>\$51.50 per person</u>)
Mailing Address: <u>Box 91419</u>		Street Address or Location of Premises: <u>4460 Homer Spd Rd</u> <u>Homer, Alaska 99603</u>	TOTAL <u>450.</u>
City, State, Zip: <u>Anchorage AK 99509</u>			Business Telephone Number: <u>907 274 2710</u>
			Fax Number: <u>907 277 6256</u>
			Email Address: <u>carl@withinthewild.com</u>
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: <u>5 1/2 miles</u>	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Not applicable	
Distance to closest church: <u>5 miles</u>	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____		
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building			

New Liquor License

SECTION C – LICENSEE INFORMATION

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

Yes No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State
CARL DIXON	TUTKA BAY LODGE	Lodge	TUTKA BAY	ALASKA
Kirsten Dixon	TUTKA BAY LODGE	Lodge	"	"
CARL	Winterlake Lodge		Winterlake	Alaska
Kirsten	Winterlake Lodge		"	Alaska

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

Yes No If Yes, attach written explanation.

SECTION D – OWNERSHIP INFORMATION - CORPORATION

JAN 12 '15 PM 4:14

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): Within the Wild Adventure Co.		Telephone Number: 907 274 2710	Fax Number: 277 6256
Corporate Mailing Address: Box 91419	City: Anch.	State: AK	Zip Code: 99509
Name, Mailing Address and Telephone Number of Registered Agent: CARL DIXON Box 91419 Anch. Ak 99509		Date of Incorporation OR Certification with DCED: 1999	State of Incorporation: Alaska
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.			

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
CARL DIXON	Pres.	50	2626 Galwood St	274 2710	8/3/50
Kirsten Dixon	Secy/Treas	50	2626 Galwood St	274 2710	7/23/58

NOTE: If you need additional space, please attach a separate sheet.

New Liquor License

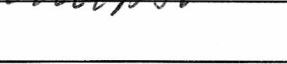
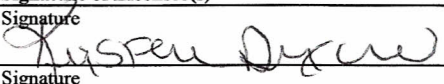
SECTION E – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Licensee(s) Signature:  Signature:  Name & Title (Please Print): KIP STEBBINS, President Subscribed and sworn to before me this <u>10th</u> day of <u>November</u> , 2014 Notary Public in and for the State of <u>Alaska</u>  My commission expires: <u>03-21-17</u>	Signature of Licensee(s) Signature:  Signature:  Name & Title (Please Print): Kyrsten Dixon, Secretary/Treasurer Subscribed and sworn to before me this <u>10th</u> day of <u>November</u> , 2014 Notary Public in and for the State of <u>Alaska</u>  My commission expires: <u>03-21-17</u>
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**STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
APPLICATION FOR RESTAURANT DESIGNATION PERMIT
AS 04.16.049 & 3 AAC 304.715 - 794**

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons between the ages of 16 - 20 for employment. If for employment, please indicate in detail what the employment duties will be in question #3.

License Number: 04.11.400(g) Type: Restaurant / Eating Place Public Convenience

This application is for designation of premises where: (Please check the appropriate items below)

- 1. Bona fide restaurant pursuant to 3 AAC 304.305 & 3 AAC 304.715-794.
- 2. Persons 16 - 20 years of age may dine unaccompanied.
- 3. Persons under 16 may dine accompanied by a person 21 years of age or older.
- 4. Persons between 16 - 20 years of age may be employed. *(See note below)

Licensee's Name: Within the Wild Adventure Co.
 Name of Business: LA Balaine cafe
 Business Address: 4460 Hornu Spit Rd City: Homer 99603
 1. Hours of operation 5 AM to 4 PM Telephone Number: 907 299-6672

2. Have police been called to your premises for any reason? [] Yes No
 (If you answered yes, please explain below).

3. * Duties of employment: DISHWASHER, BUSBOY
4. Are video games available to the public on your premises? [] Yes No
5. Do you provide live entertainment, such as live music, pool tables, karaoke, dancing, sports or pin-ball?
 [] Yes No
6. How is food served? Table Service [] Buffett Service [] Counter Service [] Other _____
7. Is an owner, manager or supervisor 21 years of age or older always present during business hours? Yes [] No

*** A MENU AND DETAILED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION ***

*Employees 16 and 17 years of age must have a valid work permit and a letter maintained in your files from a parent or guardian authorizing employment at your establishment.

**Please attach additional sheets of paper if more space is needed to describe food service, entertainment, etc.

[Signature]
 Licensee Signature

 Local Governing Body Approval

Subscribed and sworn to before me this 16th day of Nov-14

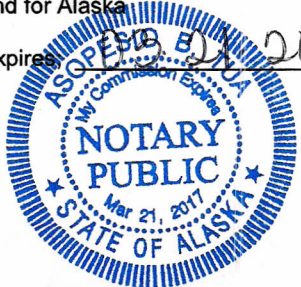
 Date

[Signature]
 Notary Public in and for Alaska

My Commission expires 2017

 Director, ABC Board

 Date



STATE OF ALASKA
ALCOHOL BEVERAGE CONTROL BOARD
Licensed Premises Diagram

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: LABALLINE CAFE

PREMISES LOCATION: 4460 Homer Spit Rd Homer 99603

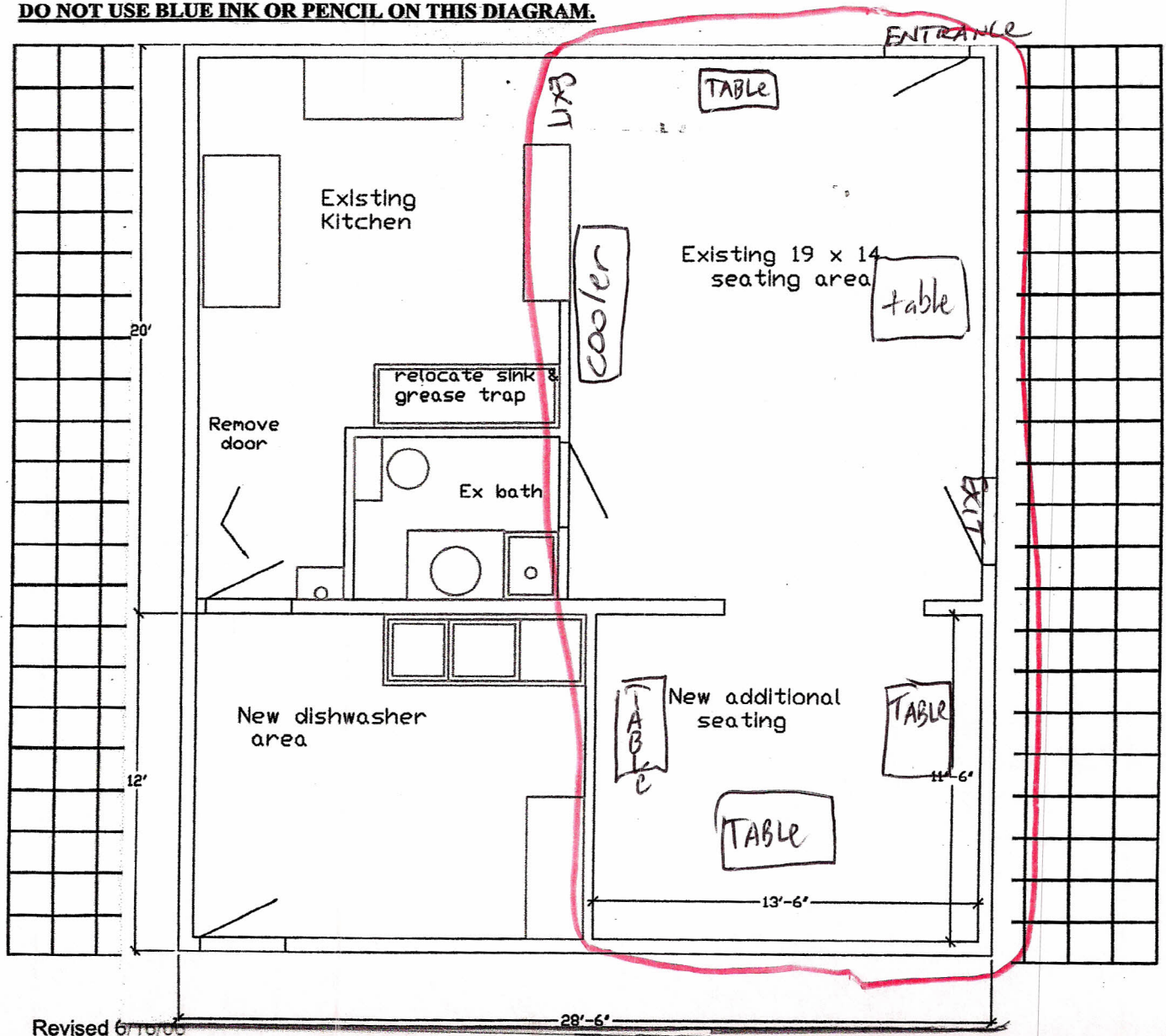
Indicate scale by x after appropriate statement or show length and width of premises.

SCALE A: _____ 1 SQ. = 4 FT. SCALE B: _____ 1 SQ. = 1 FT.

Length and width of premises in feet:

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.

DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.





breakfast

OUR BAKED BEANS AND GREENS

House-baked pinto beans served with 2 fried eggs, bacon, grilled tomato and mushrooms on sourdough. **13.00**

MUSHER MEAL

We serve this dish every year to Iditarod mushers at Mile 198 along the trail at our Winterlake Lodge.

Cumin-scented corn tortillas with black beans, brown rice, reindeer sausage, 2 eggs, Manchego, fresh salsa, and pickled red onion. **12.00**

OMELETTE OF THE DAY

We love the Homer Farmers Market and we celebrate local gardens each week crafting our omelettes.

Made with fresh farmers market veggies, Alaska grown potatoes, thick-cut bacon, and hearty greens. **13.00**

STEEL CUT OATS

*A deep and hearty bowl of nutty chewy slow-cooked oats with plenty of good things to add. Served with fireweed honey, walnuts, dried cherries and brown sugar, sourdough toast and jam. **6.00***

BREAKFAST SANDWICH

Hot and hand-held. Delicious "on the go" or served in the café.

Toasted ciabatta, greens, seasoned tomato, and a fried egg with sharp Cheddar cheese, your choice thick-cut bacon or vegetarian. **6.00**

BALEINE BREAKFAST SKILLET

We corn our own briskets with coriander, cardamom, and other spices.

la baleine (U)
Café
Corned beef hash, potatoes, farmer's market veggies with 2 scrambled cage-free eggs, herbs, and caramelized onions, sourdough toast. **13.00**

FISHERMAN'S SPECIAL

By popular demand we offer a traditional American breakfast.

2 eggs any style, buttermilk blueberry pancakes, bacon and Alaska potatoes. **13.00**

GRANOLA WITH FRESH FRUIT

Our honey roasted oat, nut and dried fruit granola with organic yogurt and seasonal fruit. **6.00**

TO-GO BOXED BREAKFAST

Breakfast sandwich, fresh fruit, baked good and orange juice. **12.00**

lunch

OUR DELI SANDWICH

Herb-roasted turkey with fromage blanc, rhubarb chutney, red onion, and mixed greens. **8.00**

Add curry fries, salad or soup. **2.00**

HOT SANDWICHES

Served with your choice of soup, salad or curry fries.

SALMON BURGER

Seasoned and seared Alaska salmon patty on a toasted bun with Havarti or Cheddar. **13.00**

VEGGIE GRAIN BURGER

Organic brown rice burger served with seared mushrooms and caramelized onions on a toasted bun with Havarti or Cheddar. **10.00**

ROYALE WITH CHEESE

A hearty beef burger served with Cheddar cheese, caramelized onions, roasted tomato and seared mushrooms. **10.00**

ALASKA CRAB MELT

Cheddar, caramelized onion, braised leeks with Dijon aioli on a toasted garlic roll. **14.00**

SALMON BOWL

Our deep, friendly lunch bowl filled with local wonders.

Brown rice, roasted root vegetables, seasonal greens, and grilled salmon served with a miso ginger dressing. **12.00**

RAMEN BOWL

Making homemade ramen is a favorite class at our cooking school across the bay.

Fresh ramen noodles with homemade broth, local vegetables, and seasonal fish. **12.00**

SOUP OF THE DAY

See our board for today's selection. Comes with French bread.

Cup **3.50** Bowl **5.50**

TO-GO BOXED LUNCH

Deli Sandwich with Alaska chips, baked good, and bottled water. **12.00**

to-go boxed breakfast or lunch

BREAKFAST SANDWICH

Toasted ciabatta, greens, seasoned tomato, and a fried egg with sharp Cheddar cheese, your choice thick-cut bacon or vegetarian.

With fresh fruit, baked good and orange juice. **12.00**

ORDINANCE REFERENCE SHEET
2015 ORDINANCE
ORDINANCE 15-02

An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Grant From The Homer Foundation in the Amount of \$930 for the Public Library Fireplace Natural Gas Conversion.

Sponsor: City Manager

1. City Council Regular Meeting January 26, 2015 Introduction
 - a. Grant application
 - b. Letter of thanks from Mayor Wythe

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 15-02

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
ACCEPTING AND APPROPRIATING A GRANT FROM THE HOMER
FOUNDATION IN THE AMOUNT OF \$930.00 FOR THE PUBLIC
LIBRARY FIREPLACE NATURAL GAS CONVERSION.

WHEREAS, The City submitted an application to The Homer Foundation for Natural Gas Conversion of the Library Fireplace; and

WHEREAS, The Homer Foundation awarded the grant to the City of Homer in the amount of \$930.00 to support conversion of the Library fireplace to natural gas as part of the City’s Climate Action Plan.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby accepts and appropriates a grant from The Homer Foundation in the amount of \$930.00 for natural gas conversion of the Library fireplace as follows:

Revenue:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
	Natural Gas Conversion of the Library Fireplace Grant	\$930.00

Section 2. The City Manager is authorized to execute the appropriate documents.

Section 3. This is a budget amendment ordinance, is temporary in nature, and shall not be codified.

ENACTED BY THE HOMER CITY COUNCIL this _____ day of February, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

43 ATTEST:

44

45

46 _____

47 JO JOHNSON, MMC, CITY CLERK

48

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50 YES:

51 NO:

52 ABSENT:

53 ABSTAIN:

54

55

56

57 First Reading:

58 Public Hearing:

59 Second reading:

60 Effective Date:

61

62

63

64 Reviewed and approved as to form:

65

66 _____

67 Marvin Yoder, City Manager

68

69 Date:_____

70

71

Thomas F. Klinkner, City Attorney

Date:_____

FOR OFFICE USE ONLY:

Grant # _____

Date Rec'd _____

Exempt Status confirmed by staff _____

**THE HOMER FOUNDATION
GRANT APPLICATION
FY15 Grants Cycle
(July 1, 2014 – June 30, 2015)**

APPLICANT: City of Homer

Please Check: 501(c)(3) Non-Profit Organization EIN#: 92-0030963

IRS Letter of Determination attached.

IRS Letter of Determination on file at the HF, and there have been no changes.

Society/Group* Individual*

*Expenditure responsibility provided for funds awarded to non-exempt entities.

APPLICANT ADDRESS: 491 E. Pioneer Ave. Homer, Alaska 99603

CONTACT PERSON: Katie Koester TITLE: Community and Economic Development Coordinator

PHONE #: 907.435.3101 EMAIL: kkoester@ci.homer.ak.us

PROJECT TITLE: Homer Public Library Fireplace Natural Gas Conversion

PROJECT START/END DATES: 9-29-14 to 10-30-14

TOTAL PROJECT COST: \$2,475

AMOUNT REQUESTED FROM THE HOMER FOUNDATION: \$ 930

Have you ever received a grant from the Homer Foundation? YES NO

If yes, provide the grant number for the most recent award: Grant # _____

- 2010-2012 Community Schools (Alaska State Legislature)

- 2014 – Karen Hornaday Park Fire Pit (Kachemak Bay-Homer Rotary)

Are you compliant with the final reporting requirements? YES NO

If not, please provide an update for your project.

I certify that the information contained in this application, including all attachments and supporting material, is true and correct. (Signer must be an authorized fiduciary for the organization, or the building principal for a school.)

SIGNATURE: _____



PRINTED NAME: Jo Johnson TITLE: Acting City Manager

DATE: 1-5-2014

**THE HOMER FOUNDATION
GRANT APPLICATION
FY15 Grants Cycle**

I. Grant Narrative: Attach another sheet if you need more room. Please use a separate sheet for budget spreadsheet and budget narrative.

1. Provide a brief description of your organization, society, group, entity, summarizing your mission, goals and objectives.

The mission of the Homer Public Library is to support the information needs of the community by providing access to quality resources in a welcoming atmosphere by a knowledgeable and caring staff.

We take seriously our responsibility to serve as a place for children to discover the joy of reading and the value of libraries. We pledge to promote literacy, learning, and enrichment for people of all ages, thereby enhancing the economic, social, and cultural vitality of our community.

2. Describe the project for which you are requesting funding. Include a project timeline and an explanation of how the project will benefit the community. If you are partnering with another organization/s please provide a letter/s showing their support of this project.

The Homer Public Library fireplace provides a cozy and comfortable place for the public to read and relax. It also is a warm and inviting spot where many community events are hosted.

This project converts the gas fireplace in the Homer Public Library from propane to natural gas. Propane is a very expensive fuel source and the Library budget is expected to save 60% after this conversion.

The Homer Public Library fire place was converted to natural gas during the fall of 2014 (project completion date October 31, 2014).

The Homer Foundation FY15 Grant Cycle

II. Budget:

ORGANIZATION NAME: City of Homer

PROJECT TITLE: Homer Public Library Fireplace Natural Gas Conversion

PROJECT BUDGET: Please provide complete budget detail for this project (fill in only the blanks that pertain to this project). Include a budget narrative. Use the narrative to explain how Homer Foundation funds would be used, to prioritize your funding needs, and to indicate which revenue sources have been realized and which are pending. Explain any discrepancies.

PROJECT REVENUES:			
	CASH	IN-KIND	TOTAL
<u>Earned Income (list detail):</u>			
Fundraisers			
Fees for Services			
Sales of Goods/Merchandise			
Memberships			
Other (Specify)			
<u>Private Gifts, Grants & Contributions: (list detail)</u>			
Individual Contributions (do not list names)			
Corporations (list names and amounts)			
<u>Homer Foundation Request Amount</u>	930		930
Other Foundations (list names and amounts)			
Other (Specify)			
<u>Government: (list detail):</u>			
Federal			
State			
City of Homer	1545		1545
Other (Specify)			
<u>Other Income: (list details)</u>			



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

January 19, 2015

Homer Foundation
3733 Ben Walters Lane
Homer, AK 99603

Dear Ms. Steward,

On behalf of the City of Homer, I would like to express my gratitude to the Homer Foundation and its donors for the grant to connect the fireplace at the Homer Public Library to natural gas. The fireplace is a cozy and inviting space for the public to read, relax and gather. Using natural gas instead of propane to fuel the fireplace reduces carbon emissions by 30% and is one step in the City of Homer's implementation of the Climate Action Plan. At a cost savings of almost 60%, natural gas also frees up funds for other opportunities at the Library.

Thank you for your commitment to a sustainable future for our town and our world.

Sincerely,


Mayor Wythe

**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

RESOLUTION 15-008

A RESOLUTION OF THE HOMER CITY COUNCIL AWARDING THE CONTRACT FOR THE PURCHASE OF A 2015 FORD F-550 TRUCK FOR PUBLIC WORKS TO THE FIRM OF WORTHINGTON FORD OF ANCHORAGE, ALASKA, IN THE AMOUNT OF \$36,367 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, In accordance with the Procurement Policy, quotes were solicited from the three Ford dealers in Alaska; and

WHEREAS, Quotes were due on January 8, 2015 and three were received (see Memorandum # 15-010); and

WHEREAS, Quotes were compared and the firm of Worthington Ford was determined to be the low responsive bidder and was found to be qualified to supply the vehicle; and

WHEREAS, This award is not final until written notification is received by Worthington Ford of Anchorage, Alaska, from the City of Homer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves the contract award for the purchase of a 2015 Ford F-550 truck for Public Works to the firm of Worthington Ford of Anchorage, Alaska, in the amount of \$36,367 and authorizes the City Manager to execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 26th day of January, 2015.

CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: 152-0383-5902



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

Memorandum 15-010

TO: Marvin Yoder - City Manager
THRU: Carey Meyer – Public Works Director
FROM: Dan Gardner – PW Superintendent
DATE: January 9, 2015
SUBJECT: **Award Purchase of 2015 Ford F-550 Truck**

Discussion

The 2015 Public Works Capital Budget contains \$50,000 for the purchase of a new 2015 Ford F-550 plow/sand truck, and plow blade. The plow blade will be purchased separately from this bid.

Bid packets for this purchase were sent to (3) area Ford Dealers. Bids were due to Public Works by January 8th and three dealers responded with bids. The Flat Bed accessory was bid as an Additive Alternate. The results of these submitted bids are.

Dealer Name	Location	F-550 Truck	Flat Bed	Total Bid
Stanley Ford	Kenai, AK	\$ 38,879.00	\$ 4,702.00	\$ 43,581.00
Kendall Ford	Wasilla, AK	\$ 38,980.00	\$ 3,818.00	\$ 42,798.00
Worthington Ford	Anchorage, AK	\$ 36,367.00	\$ 6,189.00	\$ 42,556.00

Recommendation

City Council pass a resolution awarding the purchase of this work truck without flatbed to Worthington Ford, 431 Unga Street, Anchorage, AK 99501, in the total amount of \$ 36,367.00.

Fiscal Note

This purchase is budgeted in the Public Works Fleet Fund Account 152-0383-5902.

The remaining approved balance shall be used for the purchase and installation of a snow plow, and the purchase of a flatbed for the new truck.

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 15-009

A RESOLUTION OF THE HOMER CITY COUNCIL AMENDING THE U.S. COAST GUARD LEASE ON GOVERNMENT LOT 20 TO ADD AN ADDITIONAL 20 YEARS OF ONE-YEAR RENEWALS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The United States Coast Guard is currently in a long-term lease with the City for Government Lot 20; and

WHEREAS, The Coast Guard has secured funding for the design and construction of a cutter support building on Government Lot 20 to be completed by December 31, 2016; and

WHEREAS, By federal law the Coast Guard is required to protect the federal government's interest in the building by ensuring exclusive use of the building for a sufficient period of time; and

WHEREAS, The current lease for Government Lot 20 is set to expire on September 30, 2023 and the Coast Guard desires to amend the lease to add twenty more renewal options; and

WHEREAS, The amendment to the Coast Guard lease of Government Lot 20 would allow them to use the building for 27 to 28 years and to meet the requirements of federal law and policy.

WHEREAS, Both the Lease Committee and the Port and Harbor Advisory Commission reviewed the lease and recommended adding the additional twenty one-year renewals.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby amends the U.S. Coast Guard lease on Government Lot 20 to add an additional 20 years of one-year renewals and authorizes the City Manager to execute the appropriate documents.

38 PASSED AND ADOPTED by the Homer City Council this 26th day of January, 2015.

39

40

CITY OF HOMER

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MARY E. WYTHE, MAYOR

45 ATTEST:

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49 JO JOHNSON, MMC, CITY CLERK

50

51 Fiscal Note: Current rent is \$13,113.94 annually. Rent is based on the Consumer Price Index.



City of Homer

www.cityofhomer-ak.gov

Port and Harbor

4350 Homer Spit Road
Homer, AK 99603

port@cityofhomer-ak.gov

(p) 907-235-3160

(f) 907-235-3152

Memorandum 15-011

TO: MAYOR BETH WYTHE & HOMER CITY COUNCIL
FROM: PORT & HARBOR ADVISORY COMMISSION
DATE: JANUARY 6, 2015
SUBJECT: RECOMMENDATIONS FOR SPIT LEASE PROPOSALS

Per the City of Homer's Property Management Policies, after the Lease Committee has reviewed and made recommendations on Spit lease proposals, the Port and Harbor Advisory Commission shall supply their recommendations, along with the Lease Committee's, to City Council. At their meeting on December 17, 2014, the commission reviewed three lease proposals. Below are their recommendations:

U.S Coast Guard Lease Renewal for Lot 20: MOVED TO GRANT THE COAST GUARD 20, ONE YEAR LEASE RENEWALS

Pacific Star Seafoods New Lease Proposal for Lot 10A: MOVED THAT THE PORT AND HARBOR COMMISSION DOES NOT RECOMMEND PACIFIC STAR SEAFOODS PROPOSAL FOR A LEASE BUT THAT THEY ALLOW THEM TO RENT MONTH TO MONTH UNTIL THERE IS A BETTER USE FOR THE PROPERTY.

Petro Marine Lease Extension for their Coal Pt. and 30 Acre Leases: MOVED TO SUPPORT THE RECOMMENATIONS OF THE LEASE COMMITTEE.

Recommendation

For informational purposes

U.S. Department of
Homeland Security

United States
Coast Guard



Commanding Officer
United States Coast Guard
Civil Engineering Unit Oakland

Chief, Planning and Real Property
1401 Clay Street, Suite 700N
Oakland, CA 94612-5203
Staff Symbol: (amp/tp)
Fax: (510) 637-5729

Ser No. 816
11011

DEC 1 6 2014

City of Homer
491 East Pioneer Avenue
Anchorage, AK 99603

NOTICE OF EXERCISE OF OPTION TO RENEW LEASE

Dear Sir/madam:

The U. S. Coast Guard hereby gives notice of its right to exercise the option to renew the following lease:

- Lease No: DTCG89-03-L-J-DL-025
- Lease name: AK Homer CST Land Parcel 20
- Fiscal Year 2015: October 1, 2014 – September 30, 2015
- Annual rent: \$ 13,113.94; Monthly payment \$1,092.83
- Expiration date is 9/30/2016

My point of contact is Teresa Pangelina at (510) 637-5562, or Teresa.L.Pangelina@uscg.mil.

Sincerely,


K. L. BROWN Lcdr

K. L. BROWN
Lieutenant Commander, U. S. Coast Guard
Chief, Planning and Real Property
Civil Engineering Unit Oakland
By direction


Copy: Commander, Seventeen Coast Guard District (dm)
Commanding Officer, Civil Engineering Unit Juneau
Commanding Officer, Air Station Sitka
Commanding Officer, Coast Guard Finance Center (c/o Leases)


2/J/501/117/30/0/DL/71117/2323

Calculation CPI Increase DTCG89-03-L-J-DL-025 Homer Lot 20 Facility		
Using the Data for the US City Average given		
2nd Half 2013	\$233.55	
2nd Half 2012	\$230.34	
Difference	3.21	
Divided by	230.34	
Equals	0.013936042	
Multiplied by	100.000	
Equals	1.394	
FY14 Rent	12,933.70	
Multiplied by	1.013936041817	
Equals	\$13,113.94	
Plus rent not subject to CPI		
Equals	\$13,113.94	Rounded
Divided by	12	
Equals	\$1,092.83	
Multiplied by	12	
Equals	\$13,113.94	


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Data extracted on: December 4, 2014 (8:58:49 PM)

Consumer Price Index - All Urban Consumers

Series Id: CUUR0000SA0
 Not Seasonally Adjusted
Area: U.S. city average
Item: All items
Base Period: 1982-84=100

Download: [xlsx](#)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2004	185.2	186.2	187.4	188.0	189.1	189.7	189.4	189.5	189.9	190.9	191.0	190.3	188.9	187.6	190.2
2005	190.7	191.8	193.3	194.6	194.4	194.5	195.4	196.4	198.8	199.2	197.6	196.8	195.3	193.2	197.4
2006	198.3	198.7	199.8	201.5	202.5	202.9	203.5	203.9	202.9	201.8	201.5	201.8	201.6	200.6	202.6
2007	202.416	203.499	205.352	206.686	207.949	208.352	208.299	207.917	208.490	208.936	210.177	210.036	207.342	205.709	208.976
2008	211.080	211.693	213.528	214.823	216.632	218.815	219.964	219.086	218.783	216.573	212.425	210.228	215.303	214.429	216.177
2009	211.143	212.193	212.709	213.240	213.856	215.693	215.351	215.834	215.969	216.177	216.330	215.949	214.537	213.139	215.935
2010	216.687	216.741	217.631	218.009	218.178	217.965	218.011	218.312	218.439	218.711	218.803	219.179	218.056	217.535	218.576
2011	220.223	221.309	223.467	224.906	225.964	225.722	225.922	226.545	226.889	226.421	226.230	225.672	224.939	223.598	226.280
2012	226.665	227.663	229.392	230.085	229.815	229.478	229.104	230.379	231.407	231.317	230.221	229.601	229.594	228.850	230.338
2013	230.280	232.166	232.773	232.531	232.945	233.504	233.596	233.877	234.149	233.546	233.069	233.049	232.957	232.366	233.548
2014	233.916	234.781	236.293	237.072	237.900	238.343	238.250	237.852	238.031	237.433				236.384	

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www.bls.gov | Telephone: 1-202-691-5200 | TDD: 1-800-877-8339 | [Contact Us](#)

U.S. Department of
Homeland Security

**United States
Coast Guard**



Commanding Officer
United States Coast Guard
Civil Engineering Unit Juneau

PO Box 25517
Juneau, AK 99802
ph: 907.463.2400
fax 907.463.2404

11011
13 Jan 2015

City of Homer
Attn: Mr. Marvin Yoder, Interim City Manager
491 East Pioneer Avenue
Homer, AK 99603-7624

Dear Mr. Yoder:

I am pleased to inform the City of Homer that the Coast Guard has secured funding for the design and construction of a cutter support building on Government Lot 20 in Homer, Alaska. As you can imagine, this is welcome news from our perspective, as we have actively sought these funds for more than a decade.

The timeline for this project will extend over a period of two years. Currently, our engineers and architect are preparing specifications, a conceptual design, and a solicitation package, which will be advertised in late-January or early-February. We will award the design-construction contract in April and will expect the contractor to begin construction in summer 2015. The project will be completed no later than December 31, 2016.

At this point, the Coast Guard does not have a firm site plan or building design. Conceptually, the building will be a pre-engineered structure with two garage bays, a unisex restroom, workshop space, and a mezzanine for storage space. The enclosed design and site plan are conceptual only and are subject to change. Of course, your Planning and Zoning Department will be updated on our design, since our contractor will be required to obtain all necessary permits for the project.

Whenever a federal agency constructs buildings on leased property, federal appropriations law and guidance from the Comptroller General of the United States require the agency to adequately protect the federal government's interest in the building. One way for an agency to comply with this requirement is to ensure that the federal government will have exclusive use of the improvement for a sufficient period of time. The lease for Government Lot 20 (Coast Guard lease number DTCG89-03-L-J-DL-025) is set to expire on September 30, 2023, providing us with a seven- to eight-year period to use the cutter support building. Given the building's projected cost and estimated useful life, the Coast Guard desires to amend the lease to add twenty more renewal options. This amendment would allow us to use the building for 27 to 28 years and to meet the requirements of federal law and policy.

Enclosed is a supplemental lease agreement, which adds twenty renewal options to article 5.a. of the lease and amends article 16.b.1) to indicate that the Coast Guard will complete construction of the cutter support building by December 31, 2016. We request that you seek concurrence and approval of the supplemental lease agreement from the City of Homer's Lease Committee and City Council. If they are in agreement with the terms of the enclosed amendment, please sign both copies and return one to our office at the address shown in the letterhead and retain the other copy for your records.

We look forward to breaking ground on our project and to working with your Planning and Zoning Department as we move forward.

If you have any questions regarding the proposed lease amendment, please contact our realty specialist, Mr. Jim McMahon, at (907) 463-2441 or James.D.McMahon@uscg.mil.

Sincerely,

**MASSON.ROGER.
M.1240759663**

Digitally signed by MASSON.ROGER.M.1240759663
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,
ou=USCG, cn=MASSON.ROGER.M.1240759663
Date: 2015.01.12 12:50:07 -0900

R. M. MASSON
Lieutenant Commander
Chief, Asset Line Management Branch
U. S. Coast Guard
By direction

Enclosures

Copy: Commander, Seventeenth Coast Guard District (dm)
Commander, Shore Infrastructure Logistics Center (esd-rp) (Oakland Detachment)
Commanding Officer, USCGC HICKORY (WLB 212)

SUPPLEMENTAL LEASE AGREEMENT

SUPPLEMENTAL AGREEMENT

DATE

NO. 0010

12/18/2014

TO LEASE NO. DTCG89-03-L-J-DL-025

PREMISES: HOMER LOT 20 CST FACILITY

THIS AGREEMENT, made and entered into this date by and between

City of Homer

Whose address is 491 East Pioneer Avenue
Homer, Alaska 99603-7624

Hereinafter called the Lessor, and the UNITED STATES OF AMERICA, hereinafter called the Government:

WHEREAS, the parties hereto desire to amend the above Lease.

NOW THEREFORE, these parties for the considerations hereinafter mentioned covenant and agree that the said Lease is amended, effective 1 January 2015 as follows:

Delete paragraph 5.a., except for subparagraphs 1) through 4), and replace with:

"a. Government shall, subject to the availability of Congressional appropriations, have the right to renew this Lease for forty (40) additional, consecutive one (1) year periods (October 1 – September 30) ("Renewal Terms"), provided that Government:"

Delete paragraph 16.b.1) in its entirety and replace with:

"1) Government shall at Government's sole expense complete construction of the cutter support building by December 31, 2016. Government shall at all times during the Term and any Renewal Term keep and maintain the Required Improvements, or their equal, as the minimum development on the Property."

Accounting Data: 2/J/501/117/30/0/DL/71117/2321

**All other terms and conditions of the lease shall remain in force and effect.
IN WITNESS WHEREOF, the parties subscribed their names as of the above date.**

LESSOR City of Homer

BY _____
(Signature)

(Title)

IN PRESENCE OF

(Signature)

(Title)

UNITED STATES OF AMERICA

BY 
Real Estate Contracting Officer
U.S. Coast Guard

Digitally signed by
BRUMLEY.DAVID.E.1174104758
DN: c=US, o=U.S. Government, ou=DoD,
ou=PKI, ou=USCG,
cn=BRUMLEY.DAVID.E.1174104758
Reason: I am approving this document
Date: 2014.12.18 10:09:11 -08'00'

David E. Brumley
Real Estate Contracting Officer
United States Coast Guard

(Official Title)

SUPPLEMENTAL LEASE AGREEMENT

SUPPLEMENTAL AGREEMENT

DATE

NO. 0010

12/18/2014

TO LEASE NO. DTCG89-03-L-J-DL-025

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City of Homer

Whose address is 491 East Pioneer Avenue
Homer, Alaska 99603-7624

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Delete paragraph 16.b.1) in its entirety and replace with:

"1) Government shall at Government's sole expense complete construction of the cutter support building by December 31, 2016. Government shall at all times during the Term and any Renewal Term keep and maintain the Required Improvements, or their equal, as the minimum development on the Property."

Accounting Data: 2/JJ/501/117/30/0/DL/71117/2321

All other terms and conditions of the lease shall remain in force and effect.
IN WITNESS WHEREOF, the parties subscribed their names as of the above date.

LESSOR City of Homer

BY _____
(Signature)

(Title)

IN PRESENCE OF

(Signature)

(Title)

UNITED STATES OF AMERICA

BY 
Real Estate Contracting Officer
U.S. Coast Guard

Digitally signed by
BRUMLEY,DAVID.E.1174104758
DN: c=US, o=U.S. Government, ou=DoD,
ou=PKI, ou=USCG,
cn=BRUMLEY DAVID E 1174104758
Reason: I am approving this document
Date: 20 14.12.18 10:09:11 -08'00'

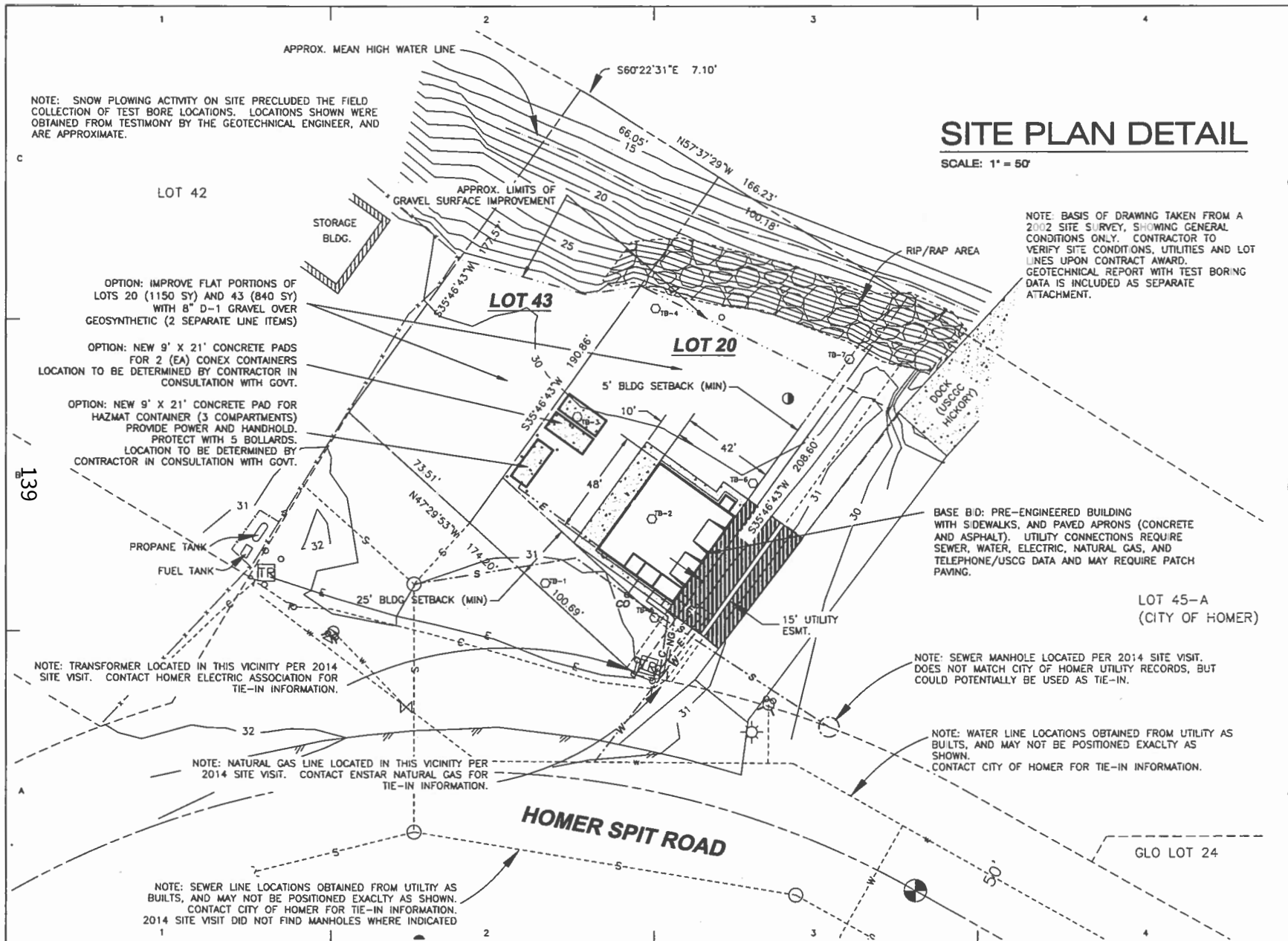
David E. Brumley
Real Estate Contracting Officer
United States Coast Guard

(Official Title)

NOTE: SNOW PLOWING ACTIVITY ON SITE PRECLUDED THE FIELD COLLECTION OF TEST BORE LOCATIONS. LOCATIONS SHOWN WERE OBTAINED FROM TESTIMONY BY THE GEOTECHNICAL ENGINEER, AND ARE APPROXIMATE.

SITE PLAN DETAIL

SCALE: 1" = 50'



NOTE: BASIS OF DRAWING TAKEN FROM A 2002 SITE SURVEY, SHOWING GENERAL CONDITIONS ONLY. CONTRACTOR TO VERIFY SITE CONDITIONS, UTILITIES AND LOT LINES UPON CONTRACT AWARD. GEOTECHNICAL REPORT WITH TEST BORING DATA IS INCLUDED AS SEPARATE ATTACHMENT.

OPTION: IMPROVE FLAT PORTIONS OF LOTS 20 (1150 SY) AND 43 (840 SY) WITH 8" D-1 GRAVEL OVER GEOSYNTHETIC (2 SEPARATE LINE ITEMS)

OPTION: NEW 9' X 21' CONCRETE PADS FOR 2 (EA) CONEX CONTAINERS LOCATION TO BE DETERMINED BY CONTRACTOR IN CONSULTATION WITH GOVT.

OPTION: NEW 9' X 21' CONCRETE PAD FOR HAZMAT CONTAINER (3 COMPARTMENTS) PROVIDE POWER AND HANDHOLD. PROTECT WITH 5 BOLLARDS. LOCATION TO BE DETERMINED BY CONTRACTOR IN CONSULTATION WITH GOVT.

BASE B/D: PRE-ENGINEERED BUILDING WITH SIDEWALKS, AND PAVED APRONS (CONCRETE AND ASPHALT). UTILITY CONNECTIONS REQUIRE SEWER, WATER, ELECTRIC, NATURAL GAS, AND TELEPHONE/USCG DATA AND MAY REQUIRE PATCH PAVING.


NOTE: SEWER MANHOLE LOCATED PER 2014 SITE VISIT. DOES NOT MATCH CITY OF HOMER UTILITY RECORDS, BUT COULD POTENTIALLY BE USED AS TIE-IN.

NOTE: WATER LINE LOCATIONS OBTAINED FROM UTILITY AS BUILTS, AND MAY NOT BE POSITIONED EXACTLY AS SHOWN. CONTACT CITY OF HOMER FOR TIE-IN INFORMATION.

NOTE: TRANSFORMER LOCATED IN THIS VICINITY PER 2014 SITE VISIT. CONTACT HOMER ELECTRIC ASSOCIATION FOR TIE-IN INFORMATION.

NOTE: NATURAL GAS LINE LOCATED IN THIS VICINITY PER 2014 SITE VISIT. CONTACT ENSTAR NATURAL GAS FOR TIE-IN INFORMATION.

NOTE: SEWER LINE LOCATIONS OBTAINED FROM UTILITY AS BUILTS, AND MAY NOT BE POSITIONED EXACTLY AS SHOWN. CONTACT CITY OF HOMER FOR TIE-IN INFORMATION. 2014 SITE VISIT DID NOT FIND MANHOLES WHERE INDICATED

CONSULTANTS	
U. S. COAST GUARD CIVIL ENGINEERING UNIT JUNEAU	
	
USCG, CEU JUNEAU 709 WEST 9TH STREET, ROOM 817 JUNEAU, ALASKA 99801	
ISSUE	
MARK	DATE DESCRIPTION
A/E PROJECT NO.	CAD FILE NAME
DESIGNED BY: LINK	DRAWN BY: LINK
EDITED BY:	CHECKED BY:
SCALE:	PLOT SCALE:
SHEET TITLE	
CONSTRUCT CUTTER SUPPORT BUILDING USCGC HICKORY	
HOMER ALASKA CUTTER SUPPORT BUILDING CIVIL	
SITE PLAN DETAIL	
REVIEWED BY:	REVIEWED BY:
LINK DAL	LINK
PROJECT ENGR. BRANCH CHIEF	TECH. DIRECTOR
JOHN F. BARRRES, CAPT	DATE
APPROVING OFFICER	
PROJECT NUMBER	DRAWING NUMBER
17-S03002	S-3872
DISCIPLINE/SHT NO	SHEET 2 OF X
S2	

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

3 City Manager/
4 Public Works Director

5 **RESOLUTION 15-010**

6
7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AUTHORIZING THE CITY MANAGER TO APPLY FOR AN ALASKA
9 DRINKING WATER FUND (ADWF) LOAN FOR PHASE I OF THE
10 HOMER WATER DISTRIBUTION/STORAGE IMPROVEMENT
11 PROJECT IN THE AMOUNT OF \$594,076.
12

13 WHEREAS, Public Works has completed the design of various water distribution
14 system and water storage improvements utilizing Environmental Protection Agency Special
15 Act Appropriations Project (EPA SAAP) funds specifically appropriated for water system
16 improvement design, as authorized by the City Council; and
17

18 WHEREAS, The first phase of this project was the subject of an Alaska Department of
19 Conservation (ADEC) municipal grant application; and
20

21 WHEREAS, The grant application scored second statewide and is currently one of four
22 projects in the State FY16 budget funded through the ADEC Municipal Grants Program; and
23

24 WHEREAS, The grant will provide for 70% of the cost of the construction of these
25 improvements; 30% is a City match; and
26

27 WHEREAS, Public Works proposes to finance this match (as done previously on similar
28 projects) utilizing a low interest (1.5%) ADWF loan; loan payments to be made from the
29 Homer Accelerated Water/Sewer Program (HAWSP) over a 10-20 year period.
30

31 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby authorizes the
32 City Manager to apply for an Alaska Drinking Water Fund low interest loan to finance the
33 City's ADEC Municipal Grant Program match for the Homer Water Distribution/Storage
34 Improvement (Phase I) project in the amount of \$594,076 and authorizes the City Manager to
35 submit the appropriate documents.
36

37 BE IT FURTHER RESOLVED that approval to execute loan documents will require
38 additional action by the Council.
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40 PASSED AND ADOPTED by the Homer City Council this 26th day of January, 2015.
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CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

Memorandum 15-014

TO: Marvin Yoder - City Manager
THRU: Carey Meyer – Public Works Director
DATE: January 19, 2015
SUBJECT: **Request Authorization to Secure Loan
Matching Grant Financing
Homer Water Storage/Distribution Improvements**

The Homer City Council authorized the design of various water storage and water distribution system improvements utilizing an EPA SAAP grant. The Council's legislative capital project priority list designated this project as our #1 priority.

These water system improvements improve reliability and water quality; especially to the Spit and the hospital/medical complex.

Public Works has completed the coordination of the design of these water system improvements. Public Works has made application for a Municipal Matching Grant from the ADEC for the construction of the first phase of this project (70% state/30% local match). The application resulted in the first phase of this project being ranked second in the State and the current State budget contains funding for the project.

In the past, The City has secured a low interest loan (1.5%) through the Alaska Drinking Water Fund to finance the City's portion of the grant. This spread the cost of the City's match over 10-20 years and protected the cash balance of the HAWSP fund. The fund also earned more interest than the cost of borrowing money.

The health of the HAWSP fund, and the economic conditions we find ourselves in, need to be evaluated by the council before committing to the grant match, but applications for the low interest loans are due in early February. Applying for the loan does not commit the City to accepting the loan. Further Council action is required, after a matching funds identification strategy has been developed.

Recommendation: The City Council authorize submitting an application for an Alaska Drinking Water Fund low-interest loan to finance the City match for the Homer Water Storage/Distribution Improvements grant.

VISITORS

ANNOUNCEMENTS
PRESENTATIONS
BOROUGH REPORT
COMMISSION REPORTS

Session 15-01, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on January 7, 2015 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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

ABSENT: VENUTI

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK JACOBSEN

Approval of Agenda

Chair Stead called for a motion to approve the agenda.

HIGHLAND/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).

None

Reconsideration

None

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 December 3, 2014

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

BOS/STROOZAS SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

None

Reports

- A. Staff Report PL 15-01, City Planner's Report

City Planner Abboud reviewed the staff report.

The group talked generally about the new marijuana legislation and what other communities have done, and also the State Transportation Improvement Program (STIP) list amendments.

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.

None

Plat Consideration

None

Pending Business

- A. Staff Report PL 15-02, Towers

City Planner Abboud reviewed the staff report.

Commissioner Erickson was excused at 7:00 p.m.

The Commission discussed the effect of towers on the view shed, federal government laws that govern towers, and fall zones. They also addressed information in the Mat-Su ordinance compared to the Kenai ordinance. City Planner Abboud thinks the Mat-Su ordinance contains the most modern information he has found and suggested they review and work through the ordinance. The Commission agreed to go through it at their next worksession and also address fall zones, and then bring it back at their February meeting.

New Business

- A. Staff Report PL 15-04, Storm Water

City Planner Abboud reviewed the staff report.

There was discussion that the city's current storm water system is engineered and that is an open ditch system with a lot of drainage into wetlands. It would be good to know what state the current system is in. Given the amount of money it will take to try to make a perfect scenario, maybe the place to start is to take a good look at what we have and make it operate properly. Maybe through that process other possibilities for the system can be addressed.

Chair Stead asked that the Storm Water Master Plan be added to their February 4th worksession.

In relation to the current plan, it was suggested they consider revising numbers and calibration in response to the increased rain over the last few years. Including the state and local agencies like NRSC in discussions to garner their expertise was also suggested. Doing nothing can cost a lot of money down the line.

Informational Materials

- A. City Manager's Report for December 8, 2014 City Council Meeting
- B. Kenai Peninsula Borough Planning Commission preliminary plat 1-year time extension request
 - Bay View Sub 2013 Replat

Comments of the Audience

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

None

Comments of Staff

None

Comments of the Commission

Commissioner Highland commented that she doesn't want to give up on the storm water, she thinks it is a worthwhile endeavor.

Commissioner Bradley agreed with Ms. Highland.

Commissioner Bos commented that a while back there was discussion of doing clearing of brush, trails, and so forth. He has been seeing some clearing of properties around Pioneer Avenue that look really nice. We are having a no snow year but the ground is frozen, so this would be a fantastic time to do some of that on the Town Center land.

Chair Stead said he appreciates work they are doing; these are great projects and needed projects to work on. He looks forward to the next meeting.

Adjourn

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
JANUARY 7, 2015

There being no further business to come before the Commission, the meeting adjourned at 7:45 p.m. The next regular meeting is scheduled for January 21, 2015 at 6:30 p.m. in the City Hall Cowles Council Chambers. A worksession will be held at 5:30 p.m.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____



City of Homer

www.cityofhomer-ak.gov

Economic Development

491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-435-3101

(f) 907-235-3148

Memorandum 15-013

TO: Mayor Wythe and Homer City Council
FROM: Advisory Economic Development Commission
THROUGH: Marvin Yoder, City Manger
DATE: January 20, 2015
SUBJECT: Affordable housing tax incentive

The purpose of this memo is to update the Council and request input on the Homer Economic Development Advisory Commission's work to date on affordable housing, one of the directives Council established for the EDC in Resolution 12-041.

The Commission plans to propose a tax incentive to Council as an option to promote housing in Homer. The proposed incentive would consist of a tax exemption for 3-5 years for new construction in the categories of single family homes, multiple owner occupied residences (such as four-plexus), apartment buildings, and commercial buildings. Additional development in these categories will further goals of the City: water and sewer infill and a larger long-term property tax base. As a reference point, the total value of all construction in 2014 was \$15,545,822, however some of that included projects that do not produce tax revenue (city and nonprofit construction, for example). There were 45 new housing units constructed last year with an estimated value of \$9,858,200. The average new single family home in 2014 would generate approximately \$1,000 in city of Homer property taxes. The goal of the Commission is to increase the amount of new construction in Homer with an emphasis on affordable residential construction.

The Commission will continue to work with housing professionals and city staff to refine this proposed tax incentive. However, before proceeding the Commission would like to gauge the Council's appetite for a tax incentive on new construction and welcomes suggestions as the proposal moves forward.

The Economic Development Advisory Commission thanks you in advance for your participation and feedback.

HOMER FOUNDATION
Quarterly Report to Fund Holders
July - Sept 2014

Fund Holder City of Homer
Fund **City of Homer Fund**

Fund Type: Field of Interest
Fund Code: 1305

PORTFOLIO SHARE (Corpus)

Beginning Balance	261,720.37
Contributions	-
Withdrawals	-
Portfolio Market Change	(25,835.87)
Ending Balance	235,884.50

AVAILABLE FOR DISTRIBUTION (Earnings)

Beginning Balance	16,134.04
Earnings Allocation	1,627.74
Grants Awarded: None	
Grants Total	-
Transfers	-
Ending Balance	17,761.78

PUBLIC HEARING(S)

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

Ordinances 14-56(A) and 15-01

A **public hearing** is scheduled for **Monday, January 26, 2015** 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 14-56(A) and 15-01 internet address:
<http://www.cityofhomer-ak.gov/ordinances>

Ordinance 14-56(A), 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.

Ordinance 15-01, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.040(M) Regarding Compensation for the Mayor and Council. City Council.



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.

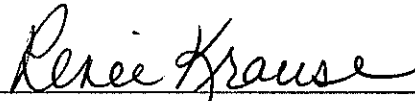
Jo Johnson, MMC, City Clerk
Publish: Homer News: January 22, 2015

A handwritten signature in black ink, appearing to read "Jo Johnson".

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 14-56**, 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, and **Ordinance 15-01**, Amending Homer City Code 2.08.040(M) Regarding Compensation for the Mayor and Council was distributed to the City of Homer kiosks located at City Clerk's Office, Captain's Coffee Roasting Co., Harbormaster's Office and Redden Marine on Friday, January 15, 2015 and that the City Clerk posted same on City of Homer Homepage on Wednesday, January 14, 2015.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 15th day of January, 2015.



Renee Krause, CMC, Deputy City Clerk I

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
2. City Council Regular Meeting January 12, 2015 Public Hearing and Second Reading
 - a. Memorandum 14-177 from City Planner as backup
3. City Council Regular Meeting January 26, 2015 Public Hearing and Second Reading
 - a. Ordinance 14-56(A) as amended by Council on January 12
 - b. Memorandum 14-177 from City Planner as backup
 - c. Written public comments

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**CITY OF HOMER
ORDINANCE 14-56(A)**

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:

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91 Reviewed and approved as to form:

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94 _____
95 Marvin Yoder, City Manager

96
97

Date: _____

Thomas F. Klinkner, City Attorney

Date: _____



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

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

Memorandum 14-177

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

Planning

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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:

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.

[**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

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

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

Memorandum

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

ORDINANCE REFERENCE SHEET
2015 ORDINANCE
ORDINANCE 15-01

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.040(M) regarding Compensation for the Mayor and Council.

Sponsor: City Council

1. City Council Regular Meeting January 12, 2015 Introduction
2. City Council Regular Meeting January 26, 2015 Public Hearing and Second Reading

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

3 City Council

4 **ORDINANCE 15-01**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING HOMER CITY CODE 2.08.040(M) REGARDING
8 COMPENSATION FOR THE MAYOR AND COUNCIL.
9

10 WHEREAS, The functioning of a vital, just, resilient and truly representative democracy
11 requires that all citizens have equitable and economically viable avenues to participate in
12 government and to hold elected office, if duly elected; and
13

14 WHEREAS, The median income of the current Mayor and Council Members probably is
15 markedly higher than the median income of their constituents; and
16

17 WHEREAS, The office of Mayor or Council Member is not attainable or tenable for a
18 person of limited or even moderate economic means without minimum levels of
19 compensation; and
20

21 WHEREAS, The Laws of the State of Alaska and the United States of America require
22 minimum levels of pay and compensation be paid for work or services performed; and
23

24 WHEREAS, Reasonable and thoughtful execution of the duties of the office of Mayor or
25 Council Member requires at least 6 to 9 hours of work per meeting in the form of participating
26 at City Council meetings, reading 250 to 600+ pages of City Council packets and other related
27 documents on a monthly or per meeting basis, being available to the public and City staff to
28 answer questions and listen to concerns, crafting legislation, reviewing legal briefs, serving
29 from time to time as a member of the Board of Adjustment, and all of the other duties and
30 obligations associated with the office of Mayor or Council Member; and
31

32 WHEREAS, Current levels of Mayor and Council Member compensation are 200% lower
33 than levels 8 years ago, and those levels were reduced in a time of severe economic recession
34 and dire budgetary constraints; and
35

36 WHEREAS, Compensation for the work performed by the Mayor and Council Members
37 ideally should be correlated with measurable time and personal resources invested in
38 executing the duties of office; and
39

40 WHEREAS, Socio-economic and political circumstances in which we live and govern
41 demand a continually increasing amount of time, energy, professional knowledge, and

42 expertise in order to effectively represent and safeguard the concerns and interests of the
43 Citizens of Homer; and

44
45 WHEREAS, AS 29.20.620 authorizes the Council by ordinance to provide a method of
46 determining the salaries of elected officials, provided that the salary **stipend** of the Mayor
47 may not be reduced during the term of office of the Mayor.

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

50
51 Section 1. Homer City Code 2.08.040(m) is amended to read as follows:

52
53 m. Salaries of Elected Officials.

54 1. The Mayor and each Council Member shall be paid a salary stipend of
55 \$75 for each council-meeting-day in which the person participates in person, or \$50
56 per council-meeting-day in which a majority of the person's participation time is
57 telephonic. A council-meeting-day is any calendar day in which the person
58 participates in any one or more of the following:

59 a. A scheduled and publically noticed meeting of the City Council,
60 including without limitation a regular meeting, special meeting, committee of
61 the whole meeting and meeting in executive session.

62 b. A scheduled and publically noticed meeting of the Board of
63 Adjustment, Board of Ethics, or other board or commission that is composed of
64 the Mayor and Council Members.

65 c. Training or continuing education programs, and work sessions,
66 that are required by law or commonly recognized best practice to perform the
67 duties of Mayor or Council Member.

68 ~~The Council may fix by ordinance the salaries of elected officials. The Council members will~~
69 ~~receive a \$50.00 nonwage stipend per month during their term of office as a reimbursement~~
70 ~~for expenses and the Mayor at \$75.00 per month. The City shall not spend any funds for~~
71 ~~elected officials' membership in the Public Employees Retirement System. An elected official~~
72 ~~may not receive any other compensation for service to the City municipality unless~~
73 ~~specifically authorized to do so by ordinance. Per diem payments or reimbursements for~~
74 ~~expenses are not compensation under this section.~~

75
76 Section 2. The compensation provided in Section 1 above applies to service as Mayor
77 or Council Member commencing the first day of the first calendar month following the
78 calendar month in which this ordinance is enacted, and as of that date replaces all forms of
79 compensation previously payable for service as Mayor or Council Member, other than
80 reimbursement for expenses incurred in performing official duties.

81
82 Section 3. Section 1 of this Ordinance is of a permanent and general character and
83 shall be included in the City Code.

84 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this _____ day of
85 January, 2015.

86

87

CITY OF HOMER

88

89

90

91

MARY E. WYTHE, MAYOR

92

93 ATTEST:

94

95

96

97 JO JOHNSON, MMC, CITY CLERK

98

99

100 AYES:

101 NOES:

102 ABSTAIN:

103 ABSENT:

104

105

106 First Reading:

107 Public Reading:

108 Second Reading:

109 Effective Date:

110

111 Reviewed and approved as to form:

112

113

114

115 Marvin Yoder, City Manager

116

117 Date: _____

Thomas F. Klinkner, City Attorney

Date: _____

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

January 26, 2015

To: The Mayor and Council

From: Marvin L Yoder

Date: January 21, 2015

Natural Gas as-built

I spoke with Julie Engebretsen and Dan Gardner about the as-built drawings. Both believed that these drawings were proprietary Enstar property. Staff has attempted to provide adequate information to the council for each amendment to the assessment roll. If there is concern about specific parcels we will research those issues for you.

Travel

I serve on the ABC Board for the State. There are 5 meetings per year. The next meeting is in Juneau and I will be there February 10 - 12. I have contacted the Homer City Lobbyist to set up some meetings with our legislators while I am there. I will be available by phone. Jo Johnson will be acting manager in my absence.

STIP

The State of Alaska has provided the latest Transportation priorities. Those of interest to Homer are as follows:

- | | | |
|---|------------|--------------|
| • Pioneer Ave Rehabilitation | FY 2015 | \$ 336,590 |
| • MP 157 - 169 (Anchor Point to Baycrest) | FY 2015 | \$55,265,000 |
| | After 2015 | \$72,700,000 |
| • MP 114 - 135 Pavement Preservation | After 2015 | \$20,000,000 |

Land Purchase

Several years ago Walt had discussions with a land owner regarding the parcel of land next to the sewer treatment plant. The parcel sold but is now for sale again. I received an email that there was an offer on the property but that the city could have the first chance to purchase.

This parcel would give public works a buffer around the public works complex and offer opportunity for future expansion. Is there a consensus to begin discussions with the owner? If a tentative agreement was reached, it would be brought to the council on a future agenda.

Library Grant

The library received notification that they have been awarded a continuing education grant. The city will be reimbursed up to \$1000.00 for expenses incurred by a library staff member attending the AKLA Conference in Juneau.

FYI

The City received information about the Rasmuson Foundation funding an annual award program for Alaskan artists. The 2015 Individual Artist Award Program application period is now open.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

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

December 16, 2014

State of Alaska Department of Transportation & Public Facilities
Division of Program Development, ATTN: STIP
PO BOX 1125000
Juneau, AK 99811-2500

RE: STIP Amendment 12 comments

The City of Homer would like to express its support for several projects in Amendment 12:

Need ID: 23176, Pioneer Avenue Rehabilitation

This project is in the heart of downtown Homer. Pioneer Avenue road supports commercial development in the Central Business District and serves as a gateway to Homer's residential districts and those beyond on East End Road. It is important that the project proceeds and any unused funds are appropriated for the future.

Need ID: 2670, MP 157-169 Rehabilitation – Anchor Point to Baycrest Hill

Need ID: 29734, Sterling Highway: MP 114 to MP 135 Pavement Preservation

The Sterling Highway is the only land connection Homer has to the Alaska Highway System. This road is imperative to the livelihood of the City of Homer. The consistent serious and fatal crashes along the highway necessitate improvements. The proposed improvements should not only improve safety but will allow for some relief of congestion that is only predicted to worsen in years to come. Additional funds allocated to these projects demonstrate assurance that route will remain viable well into the future.

Need ID: 18844, Safe Routes to Schools

The City of Homer is an applicant for funds distributed from this program. We find the safety of our school children and the encouragement of healthy habits and activities vital to the success of the next generations served by this program.

Sincerely,

Rick Abboud
Homer Alaska City Planner
rabboud@ci.homer.ak.us

2012-2015 STIP Amendment 12
Proposed Project Funding Summary

Project							Approved Amd 11				Pending Amd 12			
Need ID:	Name:						Fh	Fund	FFY15	After 2015	Fh	Fund	FFY15	After 2015
Need ID: 16030	Name: Downtown Streets Reconstruction & Rehab						3	SM	0		3	SM	144,480	
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s	3	STP	0	3	STP	1,455,520		
CIP	C	37	Dillingham		Reconstruction		Totals:		0	8,225,000	Totals:		1,600,000	7,400,000
Description: Realign, reconstruct and rehabilitate approximately 0.61 miles of major collector that includes three streets forming a loop in the downtown area of Dillingham Main Street from City Hall to the intersection with "D" Street; "D" Street north to 2nd Street back to City Hall.														
Need ID: 16057	Name: Portage Glacier Road Embankment Stabilization						4	FLAP	0		2	SM	13,545	
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s	7	FLAP	0	2	STP	136,455		
AHS	C	28	Anchorage		Reconstruction		Totals:		0	0	4	FLAP	0	
Description: Project will stabilize the Portage Creek stream bank at three locations along Portage Glacier Road.														
											4	SM	81,270	
											4	STP	818,730	
											7	FLAP	0	
											7	SM	452	
											7	STP	4,544	
											Totals:		1,055,011	0
Need ID: 18924	Name: Pavement and Bridge Rehabilitation						9	AC	7,000,000		9	AC	27,291,011	
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s	9	ACC	-7,000,000	9	ACC	-7,000,011		
REQD	C	92	Central Region		System Preservation		9	NHFP	27,291,000	9	NHFP	7,000,011		
Description: Crack sealing, surface treatment drainage, signage, guardrail, illumination and other refurbishments to prolong the life of road pavement and bridges and their safety related structures. Project includes NHS Lane Delineators, Destination & Distance Signing, Pavement Markings and Signalization, Abandoned Vehicle Program, Road Surfacing and Transfer and Road Surface Treatments.														
							9	SM	3,612,000	9	SM	3,612,011		
							9	STP	9,097,000	9	STP	9,097,011		
							Totals:		40,000,000	0	Totals:		40,000,011	40,000,000
Need ID: 19226	Name: Central Kenai Peninsula Transportation (CARTS)						9	3PF	0		9	3PF	210,294	
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s	9	5309BU	0	9	5309BU	841,136		
CIP	C		Kenai		Transit		Totals:		0	0	Totals:		1,051,421	0
Description: Bus and Bus Facility Allocations, FTA Section 5309 Earmark ID E2005-BUSP-007 Carryover from FFY05 Purchase of vehicles and vehicle maintenance														
Need ID: 23120	Name: Funny River Road Improvements						3	SM	2,537		3	SM	2,537	
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s	3	STP	25,563	3	STP	25,511		
CIP	C	30	Soldotna		System Preservation		Totals:		28,100	2,900,000	Totals:		28,111	2,300,000
Description: Rehabilitate Funny River Road from the Sterling Highway to the Soldotna Municipal Airport, about 6,500 ft. This project may include realigning sections of the road - due to minor shifting of the road bed - within the ROW.														
Need ID: 23178	Name: Pioneer Avenue Rehabilitation						2	SM	0		2	SM	33,410	
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s	2	STP	0	2	STP	336,590		
CIP	C	31	Homer		Reconstruction		Totals:		0	4,300,000	Totals:		370,000	4,300,000
Description: Resurface approximately 1 mile of Pioneer Avenue from the Sterling Highway to the intersection of Lake Street and East End Road. Project may include bike lanes, drainage, lighting, curb and gutter and sidewalk construction and landscaping. All work is intended to be limited to that which can be accommodated within the existing ROW.														

195



↑
moved from FFY14

**2013-2015 Alaska Statewide Transportation Improvement Program
Amendment 11 Incorporated; approved September 16, 2014**

Need ID: 23178
Title: Pioneer Avenue Rehabilitation
Region: Central
Place Name: Homer
Highway:



Project Description:
 Resurface approximately 1 mile of Pioneer Avenue from the Sterling Highway to the intersection of Lake Street and East End Road. Project may include bike lanes, drainage, lighting, curb and gutter and sidewalk construction and landscaping. All work is intended to be limited to that which can be accommodated within the existing ROW.

Phase	Funding	FFY14	FFY15	After 2015
Design	SM	33,410	0	
Design	STP	336,590	0	
Totals:		370,000	0	4,300,000

Program: Community Transportation Program	Sponsor: City of Homer
Primary Work: Reconstruction	PEB Score:
2013 Election District: 31 Homer/South Kenai	Criteria:
Borough/Census Area: Kenai Peninsula Borough	Functional Class:
Municipal Planning Org. (MPO): not identified	



2012-2015 STIP Amendment 12
Proposed Project Funding Summary

Project							Approved Amd 11				Pending Amd 12			
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s	Ph	Fund	FFY15	After 2015	Ph	Fund	FFY15	After 2015
Need ID: 2503 Name: Wasilla Fishhook Road / Main Street							2	NHFP	0		2	NHFP	0	
NHS	C	7	Wasilla		Reconstruction	4033	2	SM	0		2	SM	0	
Description: Develop a one-way couplet in downtown Wasilla bounded by Bogard Road, Knik-Goose Bay Road/Main Street, Yenlo/Talkeetna Street and the Palmer-Wasilla Highway. This project is needed to mitigate traffic congestion in downtown Wasilla, and is the initial effort to begin addressing the capacity and safety needs of the Knik-Goose Bay corridor. Knik-Goose Bay Road is a designated Safety Corridor.							3	NHFP	5,185,290		3	ILLU	5,185,290	
							3	SM	514,710		3	SM	514,710	
							Totals:		5,700,000	11,300,000	Totals:		5,700,000	11,300,000
Need ID: 2617 Name: MP17-22.5 Rehabilitation - Snow River to Lawing							3	NHFP	454,850		3	NHFP	454,850	
NHS	C	29	Central Region	Seward Highway	Bridge Rehabilitation	603, 605, 607, 608, 609, 610, 2071, 2072, 4001	3	SM	45,150		3	SM	45,150	
Description: Project has been developed in phases. This remaining final phase from MP17 to 22.5 will replace the bridge at Victor Creek (bridge no. 0607), rehabilitate both bridges over Snow River (bridge nos. 0605 & 0603), rehabilitate the roadway and may include widening shoulders and the construction of passing lanes where feasible.							Totals:		500,000	31,000,000	Totals:		500,000	50,700,000
Need ID: 2620 Name: MP25-36 Rehabilitation - Moose Pass to Sterling Wye							2	NHFP	909,700		2	NHFP	909,700	
NHS	C	29	Central Region	Seward Highway	System Preservation		2	SM	90,300		2	SM	90,300	
Description: Rehabilitate roadway and or upgrade as needed. Project to include passing lanes.							Totals:		1,000,000	25,250,000	Totals:		1,000,000	20,850,000
Need ID: 2670 Name: MP157-169 Rehabilitation - Anchor Point to Baycrest Hill							2	NHFP	0		2	NHFP	0	
NHS	C	31	Central Region	Sterling Highway	Reconstruction	666, 4020	2	SM	0		2	SM	0	
Description: Provide passing lanes, widening and realignment as needed to address safety and passing opportunities, and resurface pavement between Anchor Point (MP 157) and the top of Homer Hill (MP169). Also includes the replacement of bridge #666 and bridge #4020. Project will be delivered in multiple phases of construction.							Totals:		0	55,265,000	Totals:		0	72,700,000
Need ID: 2673 Name: Sterling Hwy MP 45-60 - Sunrise Inn to Skidak Lake Road Construction							2	AC	20,013,400		Totals:		0	259,000,000
NHS	C	29	Central Region	Sterling Highway	New Construction		2	SM	1,986,600		Totals:		0	259,000,000
Description: Construct a new two-lane highway with 12-foot driving lanes, paved shoulders and passing and climbing lanes where necessary from MP 45 to MP60.							Totals:		22,000,000	237,000,000	Totals:		0	259,000,000

197

**2013-2015 Alaska Statewide Transportation Improvement Program
Amendment 11 Incorporated; approved September 16, 2014**

Need ID: 2670
Title: MP 157-169 Rehabilitation - Anchor Point to Baycrest Hill
Region: Central
Place Name: Central Region
Highway: Sterling Highway



Project Description:
 Provide passing lanes, widening and realignment as needed to address safety and passing opportunities, and resurface pavement between Anchor Point (MP 157) and the top of Homer Hill (MP 169). Also includes the replacement of bridge #666 and bridge #4020. Project will be delivered in multiple phases of construction.

Phase	Funding	FFY14	FFY15	After 2015
Design	NHPP	1,364,550	0	
Design	SM	135,450	0	
Totals:		1,500,000	0	55,265,000

Program: National Highway System	Sponsor: DOT&PF
Primary Work: Reconstruction	PEB Score:
2013 Election District: 31 Homer/South Kenai	Criteria: Urban and Rural
Borough/Census Area: Kenai Peninsula Borough	Functional Class: Rural Other Principal Arterial
Municipal Planning Org. (MPO): non-MPO	



2012-2015 STIP Amendment 12
Proposed Project Funding Summary

Project							Approved Amd 11				Pending Amd 12				
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s	Ph	Fund	FFY15	After 2015	Ph	Fund	FFY15	After 2015	
Need ID: 29731 Name: Seward Highway: O'Malley Road to Dimond Boulevard Reconstruction									0	0			5,770,171		
NHS	C	50	Anchorage	Seward Highway	Reconstruction		Totals:				2	AC	5,770,171		
Description: The first phase of this project will construct an additional southbound lane on the Seward Highway from Dimond Boulevard to O'Malley Road including highway ramps and a new 92nd Avenue connection to the Old Seward Highway. The second phase of this project reconstructs the Seward Highway from Dimond Boulevard to O'Malley Road and includes an underpass to connect 92nd Avenue (west of the Seward Highway) with Academy Drive (east of the Seward Highway).												2	SM	572,767	
												3	AC	4,549	
												3	SM	451	
												4	AC	4,093,650	
												4	OSF	12,750,000	
												4	SM	406,350	
												7	AC	4,549	
												7	SM	451	
												Totals:		23,602,938	100,000,000
Need ID: 29732 Name: Glenn Highway: hiland Road to Eklutna Pavement Preservation									0	0				4,670	
NHS	C	50	Various	Glenn Highway	System Preservation		Totals:				3	AC	4,670		
Description: Resurface the Glenn Highway from Artillery Road to Eklutna and the and the southbound lanes from Hiland Road to Artillery Road. (Northbound lanes between Hiland Road and Artillery Road are being reconstructed as part of the state funded Glenn Highway Capacity Improvements project.)												3	SM	330	
												4	AC	9,340,000	
												4	SM	660,000	
												7	AC	9,340	
												7	SM	660	
												Totals:		10,015,000	0
Need ID: 29733 Name: Glenn Highway: Airport Heights to Hiland Road Pavement Preservation									0	0				0	10,060,000
NHS	C	50	Various	Glenn Highway	System Preservation		Totals:						0	10,060,000	
Description: Resurface the Glenn Highway from Airport Heights to Hiland Road.															
Need ID: 29734 Name: Sterling Highway: MP 114 to MP 135 Pavement Preservation									0	0				0	20,020,000
NHS	C	31	Various	Sterling Highway	System Preservation		Totals:						0	20,020,000	
Description: Resurface the Sterling Highway from MP 114 to MP 135.															

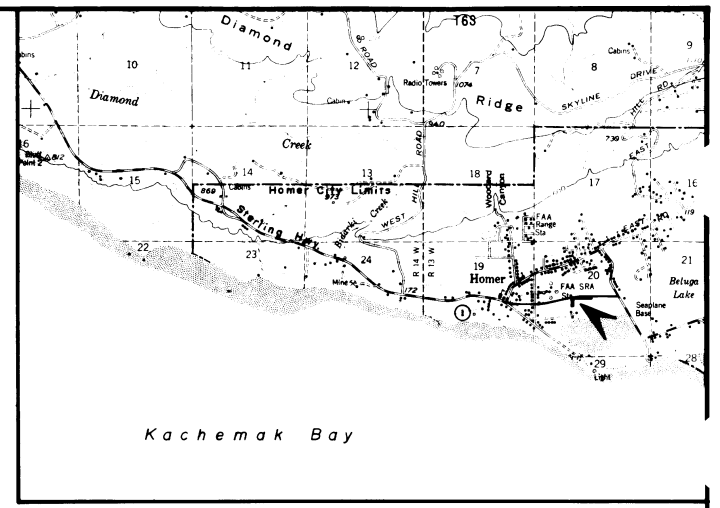
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2012-2015 STIP Amendment 12
Proposed Project Funding Summary

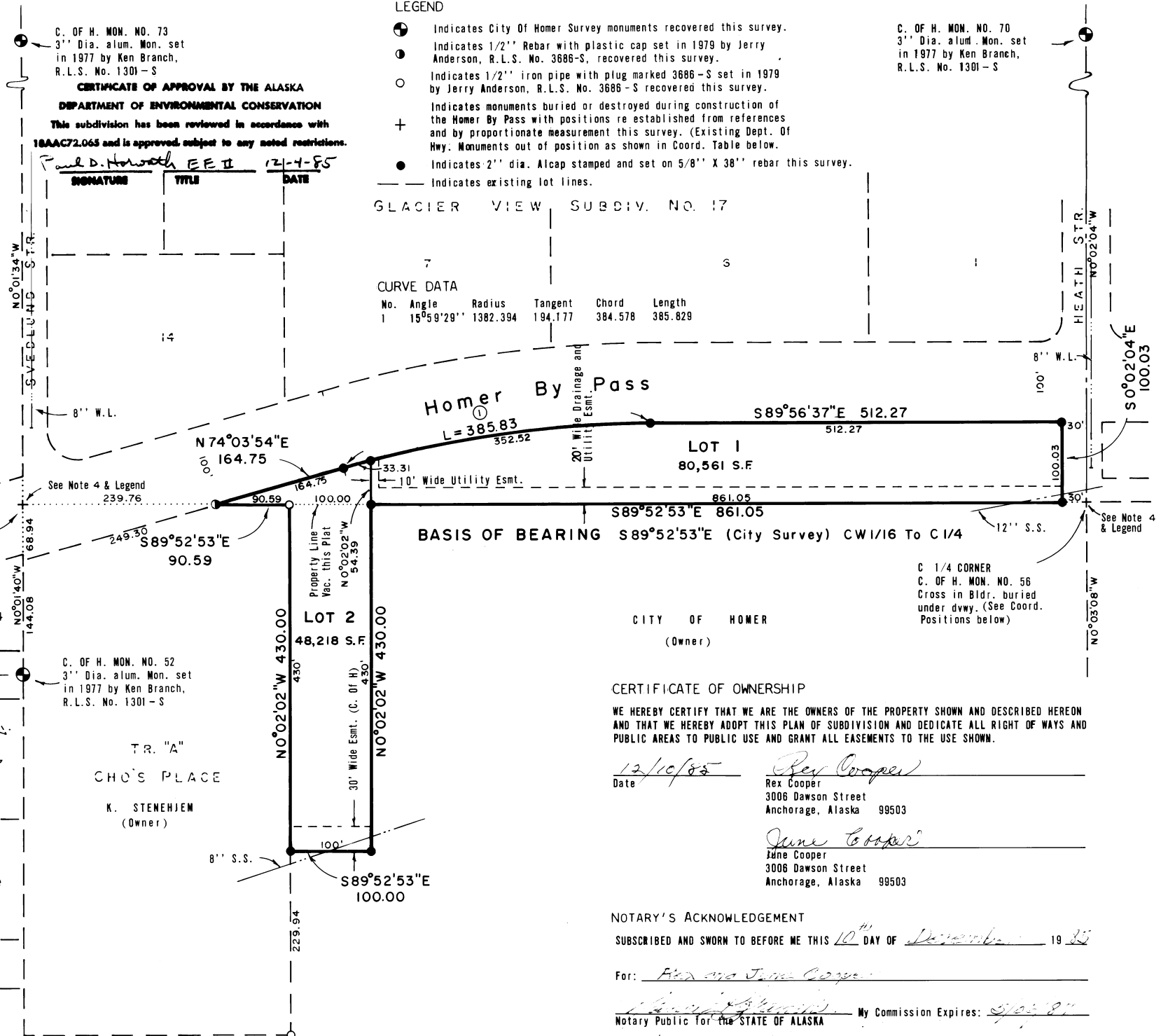
Project							Approved Amd 11				Pending Amd 12			
Headquarters							Ph	Fund	FFY15	After 2015	Ph	Fund	FFY15	After 2015
Need ID: 6449 Name: Statewide: Highway Safety Improvement Program/Safety Management							8	S148	640,000		8	S148		
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s								
REQD	H	99	Statewide		Planning					8	SA	477,000		
Description: HSIP Management, studies, responses, and policy making on safety-related issues.											8	SM	53,000	
											Totals:	530,000	1,060,000	
Need ID: 6454 Name: Bridge Management System							2	NHPP	129,632		2	NHPP	227,425	
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s				2	SM	45,150		
REQD	H	99	Statewide		System Preservation					2	STP	227,425		
Description: Development and continued maintenance of a management system for addressing bridge deficiencies on public roads.											Totals:	500,000	500,000	
Need ID: 7219 Name: Bicycle/Pedestrian Facilities Rehab and Improvements							9	SM	45,150		9	SM	90,300	
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s				9	STP	909,700		
TRAAK	H	99	Statewide		Transportation Enhancements					Totals:	1,000,000	500,000		
Description: Bicycle and pedestrian facility preventative maintenance, rehabilitation and improvements statewide.														
Need ID: 18330 Name: Strategic Highway Safety Plan							8	S148	400,000		8	S148	100,000	
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s								
REQD	H	99	Statewide		Safety					Totals:	400,000	400,000		
Description: Ongoing support of the Strategic Highway Safety Plan (SHSP). The goal of the plan is to reduce fatalities and major injuries by one third over the next 10 years. The scope includes revisions as needed to comply with MAP 21 and other Department priorities, membership and leadership meetings to assess strategies, evaluation methods to track performance and collaboration with Highway Safety Improvement Plan (HSIP) staff to align projects with goals of SHSP.														
Need ID: 18844 Name: Safe Routes to Schools											8	SRTS	1,500,000	
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s								
REQD	H	99	Statewide		Safety					Totals:	1,500,000	0		
Description: Fund a full-time Safe Routes to Schools Coordinator for Alaska per SAFETEA-LU, Section 1404. The coordinator will prepare a plan to focus program funds for school educational programs to promote safety and encourage students walking or bicycling to school, and identify construction projects that will facilitate pedestrian or bicycle traffic from neighborhoods to schools. The plan will include coordination with school systems, police agencies, parent groups and other groups interested in promoting school children walking and bicycling to school. The grant program will be used to select infrastructure and non-infrastructure projects that will substantially improve the ability of students to walk and bicycle to school.														
Need ID: 19217 Name: Highway Safety Improvement Program (HSIP)							9	RHE	1,100,000		9	RHE	1,100,000	
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s				9	S148	17,300,000		
REQD	H	99	Statewide		Safety					9	SA	29,109,993		
Description: Evaluation, design, and construction of projects to address safety concerns statewide.											9	SA40	7,400,000	
											9	SM	3,600,000	
											Totals:	60,520,000	53,030,000	
											Totals:	58,509,993	106,760,000	

→
200

HM 85-128



Vicinity Map
1" = 1 Mile



CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 This subdivision has been reviewed in accordance with 18AAC72.065 and is approved, subject to any noted restrictions.

Paul D. Horvath **EE II** 12-4-85
 SIGNATURE TITLE DATE

LEGEND

- Indicates City Of Homer Survey monuments recovered this survey.
- Indicates 1/2" Rebar with plastic cap set in 1979 by Jerry Anderson, R.L.S. No. 3686-S, recovered this survey.
- Indicates 1/2" iron pipe with plug marked 3686-S set in 1979 by Jerry Anderson, R.L.S. No. 3686-S recovered this survey.
- Indicates monuments buried or destroyed during construction of the Homer By Pass with positions re established from references and by proportionate measurement this survey. (Existing Dept. of Hwy. Monuments out of position as shown in Coord. Table below.
- Indicates 2" dia. Alcap stamped and set on 5/8" X 38" rebar this survey.
- Indicates existing lot lines.

GLACIER VIEW SUBDIV. NO. 17

CURVE DATA

No.	Angle	Radius	Tangent	Chord	Length
1	15°59'29"	1382.394	194.177	384.578	385.829

NOTES

- All wastewater treatment and disposal systems shall comply with existing law at time of construction.
- Direct Access to the HOMER BY PASS is hereby restricted to a common entrance between Lots 1 and 2 of this subdivision.
- No direct access to the HOMER BY PASS will be permitted for any of the lots shown hereon, unless approved by the State Of Alaska, Dept. of Transportation.
- Existing Dept. of Highways CW 1/16 and C 1/4 monuments for Sec. 20 were not re established in the true position of original corners as determined from references and by proportionate measurement this survey.
- Lots within this subdiv. must be served by City sewer utility.

COORDINATE POSITIONS OF ORIGINAL AND EXISTING CW 1/16 AND C 1/4 MON.'S. BASED ON CITY OF HOMER COORD. SYSTEM

	N	E
EXISTING CW 1/16 MON. (Dept. Of Hwy's)	47,356.15	51,320.30
ORIGINAL " " (City Survey)	47,356.38	51,320.83
EXISTING C 1/4 MON. (Dept. Of Hwy's)	47,353.62	52,641.68
ORIGINAL " " (City Survey)	47,353.64	52,642.23

CITY OF HOMER
(Owner)

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE ALL RIGHT OF WAYS AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

12/10/85
 Date *Rex Cooper*
 Rex Cooper
 3006 Dawson Street
 Anchorage, Alaska 99503

Jane Cooper
 Jane Cooper
 3006 Dawson Street
 Anchorage, Alaska 99503

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 10th DAY OF December 19 85

For: Rex and Jane Cooper

Hazel P. Heath
 Notary Public for the STATE OF ALASKA My Commission Expires: 5/05/87

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 16th DAY OF December 19 85

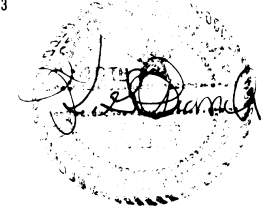
For: Hazel P. Heath

Hazel P. Heath
 Notary Public for the STATE OF ALASKA My Commission Expires: 05/05/87

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AS DESCRIBED AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT TO THE BEST OF MY KNOWLEDGE.

12/2/85
 Date *Ken Branch*
 Ken Branch, B.L.S. No. 1301-S
 Box 1295
 Homer, Alaska 99603



PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF November 4, 1985
 Kenai Peninsula Borough

By: *Richard O. Tunge*
 Authorized Official

GLACIER VIEW SUBDIV. NO. 18

Located Within The City Of Homer

A REPLAT OF THAT PORTION OF THE SE 1/4 NW 1/4 OF SEC. 20, T6S, R13W, S.M., SITUATED ON THE SOUTH SIDE OF THE HOMER BY PASS TOGETHER WITH THE WEST 100 FEET OF THE NORTH 430 FEET OF THE E 1/2 NW 1/4 NE 1/4 SW 1/4 OF SAID SEC. 20 INTO LOTS 1 & 2 OF GLACIER VIEW SUBDIV. NO. 18, HOMER RECORDING DISTRICT, ALASKA.

CONTAINING 2.956 ACRES

Prepared For **REX COOPER**
 3006 DAWSON ST.
 ANCHORAGE, ALASKA 99503

Prepared By **KEN BRANCH, R.L.S.**
 BOX 1295
 HOMER, ALASKA 99603

Date: 09/28/85 Scale: 1"=100' K.R.B. File No. 85-386



Vicinity Map

HAZEL AVE.

POOPDECK S

WADDELL WAY

ORTH AVE.

BENSON AVE.

STERLING HWY.

(FORMERLY HOMER BYPASS RD.)

Subject Property

X



0 150 300 600 Feet

Photo taken spring 2013. Property lines not exact; use with care.



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Education &
Early Development

Division of Libraries, Archives & Museums

344 West Third Avenue STE 125
Anchorage, Alaska 99501-2338
Main: 907.269-6570
Fax: 907.269-6580

January 16, 2015

David Bernard
Homer Public Library
500 Hazel Street
Homer, AK 99603

Dear David,

Congratulations! The State Library has reviewed your FY2015 continuing education application and has awarded **Federal** funds in the amount of **up to \$1,000.00** for you to attend the 2015 AKLA Conference to be held in Juneau, AK. We are delighted that your library will receive this grant.

The State Library uses federal funds received from the Institute of Museum and Library Services (IMLS) to pay for continuing education grants. Please read the second page in this packet carefully. In order to use IMLS funds to reimburse your continuing education costs, you must attend at least one training session that falls under the topics listed on that form.

Once you have completed your continuing education, you must submit the grant reimbursement form, any required receipts, and your final report about the training you attended. These forms are available at <http://library.state.ak.us/dev/grants.html> You must submit a final report form in order to be reimbursed.

If you have questions or need more information, please call me at 907-465-2458. Once again, congratulations and good luck with your continuing education.

Sincerely,

Julie Niederhauser
Continuing Education Coordinator

JN/paf

SPECIAL NOTICE FOR

CONTINUING EDUCATION GRANT RECIPIENT

Please be aware that you should attend training on **AT LEAST ONE of the topics listed below**. If you attended a conference using this grant, you will also be asked to **supply a list of every training workshop or session that you attended**. This form is included in the grant final report and reimbursement packet you will submit as the final step in this CE grant process. You can take this form with you and use it as a checklist during the conference.

1. Did you receive any TRAINING on the following topics? Check ALL that apply.

Library Technology, Connectivity, and Services

- Automating library catalogs
- Community information centers
- Computer hardware or software
- Digitizing library collections
- GIS (geographic information systems)
- Interlibrary loan
- Internet skills
- Negotiating licenses for commercial databases
- Networking computers
- Retrospective conversion of library catalogs
- Technical training in library computers programs
- Videoconferencing equipment and connections
- Other library technology topics: _____

Services for Lifelong Learning

- 24-7 Online reference services
- After school programs
- Babies and books programs
- Computer literacy training
- English as a second language
- Homework help services
- Information literacy training
- Library program development techniques
- Literacy for children, adults, and families
- Online and distance education
- Summer reading programs
- Other lifelong learning topics: _____

Services to People Who Have Difficulty Using Libraries

- Assistive technologies and devices
- Bookmobiles
- Computer van services
- Outreach services
- Prison and jail library services
- Services for migrant workers or non-English speakers
- Services to nursing homes and other institutions
- Services to people with physical or learning disabilities
- Talking book services
- Other topics on serving special populations of patrons: _____



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: JANUARY 20, 2015
SUBJECT: BID REPORT

ITB JANUARY 2015 SURPLUS EQUIPMENT SALE - Sealed bids will be received on surplus City equipment until 3:00 p.m. Wednesday, January 28, 2015 at the City Clerk's Office, City of Homer, 491 E. Pioneer Drive, Homer, AK 99603. Sealed bids must be on the proper bid form provided by the City, one item per form. Plan holder registration form, surplus equipment list, minimum bid requirements, and bid form are available on line at <http://www.cityofhomer-ak.gov/rfps>

CITY ATTORNEY REPORT

COMMITTEE REPORTS

PENDING BUSINESS

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

3 Mayor

4 **RESOLUTION 15-004**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 REQUESTING THAT THE ALASKA LEGISLATURE RE-APPROPRIATE
8 THE \$1,405,000 THAT THE CITY RECEIVED FOR THE WADDELL
9 WAY ROAD IMPROVEMENT TO A NEW PUBLIC SAFETY BUILDING.

10
11 WHEREAS, The City has received a Legislative Grant in the amount of \$1,405,000 for
12 improvements to Waddell Way Road (being that it was the #1 transportation project priority
13 at the time the grant was requested); and

14
15 WHEREAS, Currently, the #1 City project priority is the replacement of the functionally
16 obsolete police and fire department buildings that provides basic essential services to the
17 community; and

18
19 WHEREAS, In this time of capital project budget constraints, it is reasonable to
20 sacrifice progress on past priority projects so that a current higher priority City project (that
21 provides for an essential community service) can continue to make progress; and

22
23 WHEREAS, The Public Safety Building is included in the City's current Capital
24 Improvement Plan Priority List.

25
26 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby respectfully
27 requests that the Alaska Legislature re-appropriate the \$1,405,000 grant for the design and
28 construction of the Waddell Way Road Improvements (15-DC-062) to design and construction
29 of the New Public Safety Building.

30
31 BE IT FURTHER RESOLVED that the City Manager and the City lobbyist are authorized
32 to take the appropriate and necessary measures to assist our Legislators in making this
33 request a reality.

34
35 PASSED AND ADOPTED by the Homer City Council this 12th day of January, 2015.
36
37

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CITY OF HOMER

MARY E. WYTHE, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

Fiscal Note: Transfer of \$1,405,000 Legislative Grant to the Public Safety Building project.



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

P.O. Box 110809
Juneau, Alaska 99811-0809
Main: 907-465-4731
TDD: 907-465-5437
Fax: 907-465-5867

July 31, 2014

Jo Earls
City of Homer
491 East Pioneer Avenue
Homer, AK 99603

COPY

RE: 2015 Designated Legislative Grant Agreements

Dear Ms. Earls:

Enclosed you will find 3 of agreements enclosed] grant agreements between City of Homer and the Department of Commerce, Community and Economic Development. Listed below are the projects and award amounts:

Grant Number	Project Name	Award Amount
15-DC-061	Fire Department Equipment Upgrades	\$350,000.00
15-DC-062	Waddell Way Road Improvements	\$1,405,000.00
15-DC-060	Harbor Sheet Pile Loading Dock	\$350,000.00

In order to receive grant funds, a grant agreement must be executed for each award. Please carefully review the agreements, sign, date and return. Faxed or emailed copies will not be accepted. Upon receipt and approval, fully executed copies will be sent to you for your files.

If you have any additional questions, please contact me via phone at (907)465-4731 or email robin.park@alaska.gov.

Sincerely,

Robin Park
Grants Administrator II

Enclosures



DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

Designated Legislative Grant Program
Grant Agreement

Grant Agreement Number 15 DC 062	Vendor Number CIH84724	Amount of State Funds \$1,405,000.00	
Encumbrance Number/AR/Lapse Date /9959/06/30/2019		Project Title Waddell Way Road Improvement	
Grantee		Department Contact Person	
Name City of Homer		Name Robin Park	
Street/PO Box 491 E. Pioneer Ave.		Title Grant Administrator II	
City/State/Zip Homer, AK 99603		Street/PO Box P.O. Box 110809	
Contact Person Jo Earls		City/State/Zip Juneau, AK 99811-0809	
Phone 907-435-3110	Fax 907-235-3140	Phone (907) 465-4731	Fax (907) 465-5867
Email jearls@ci.homer.ak.us		Email robin.park@alaska.gov	

AGREEMENT

The Alaska Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs (hereinafter 'Department') and City of Homer (hereinafter 'Grantee') agree as set forth herein.

Section I. The Department shall pay the Grantee for the performance of the project work under the terms outlined in this Agreement. The amount of the payment is based upon project expenses incurred, which are authorized under this Agreement. In no event shall the payment exceed \$1,405,000.00.

Section II. The Grantee shall perform all of the work required by this Agreement.

Section III. The work to be performed under this Agreement begins 7/1/2014 and shall be completed no later than 6/30/2019.

Section IV. The Agreement consists of this page and the following:

ATTACHMENTS

Attachment A: Scope of Work

1. Project Description
2. Project Budget
3. Project Management
4. Reporting

Attachment B: Payment Method

Attachment C: Standard Provisions

AMENDMENTS

Any fully executed amendments to this Agreement

APPENDIX

Appendix A: State Laws and Regulations

Grantee	Department
Signature	Signature
Printed Name and Title Walt Wrede, City Manager	Printed Name and Title Jolene Julian, Grants Administrator III
Date	Date

Attachment A Scope of Work

1. Project Description

The purpose of this FY 2015 Designated Legislative Grant in the amount of \$1,405,000.00 [pursuant to the provisions of AS 37.05.315, Grants to Municipalities, SLA 2014, SB 119, Chapter 18, Section 1, Page 10, and Line 33] is to provide funding to City of Homer for use towards Waddell Way Road Improvement. The objective of this project is to construct a road on the existing Waddell right-of-way, providing an alternate route for traffic and resolving drainage issues.

This project may include, but is not limited to:

- Planning;
- Land acquisition;
- Preliminary design;
- Final design;
- Permitting;
- Public involvement;
- Bidding, and;
- Construction.

COPY

No more than five percent (5%) of the total grant award may be reimbursed for Administrative expenses for projects involving equipment purchase or repairs and no more than ten percent (10%) of the total grant award may be reimbursed for Administrative expenses for all other projects. To be reimbursed for eligible administrative costs, expenses must be reported on the Designated Legislative Grant Financial/Progress Report form.

2. Project Budget

Cost Category	Total Project Costs
Project Funds	\$1,405,000.00
Administration	\$0.00
Total Grant Funds	\$1,405,000.00

3. Project Management

This project will be managed by the Grantee.

Signatory authority for execution of the Grant Agreement and subsequent amendments is granted to the chief administrator. For grants appropriated to a municipality, the mayor is the chief administrator unless the municipality operates a managerial form of government; then the city manager/administrator acts as the chief administrator. For named recipients and unincorporated communities, the executive director or highest ranking official will act as chief administrator.

The chief administrator may delegate authority for executing the Grant Agreement and amendments to others within the Grantee's organization via the Signatory Authority Form. The chief administrator also designates financial and performance progress reporting authority via the Signatory Authority Form. Such delegation is limited to others within the Grantee's organization unless otherwise approved by the Department.

The Grantee must establish and maintain separate accounting for the use of this Grant. The use of Grant funds in any manner contrary to the terms and conditions of this Grant Agreement may result in the subsequent revocation of the Grant and any balance of funds under the Grant. It may also result in the Grantee being required to return such amounts to the State.

If applicable under state law, grantees must be registered and in good standing with the Department of Commerce, Community and Economic Development's Division of Corporations, Business and Professional Licensing.

4. Reporting

The Grantee shall submit a Designated Legislative Grant Financial/Progress Report Form provided by the Department each month, or quarterly, with the concurrence of the Department, during the life of the Grant Agreement. Grant Financial/Progress Report Forms are due thirty (30) days after the end of the month or quarter being reported. The report period is the first of the month through the last day of the month. If quarterly reporting is approved, the report period is the first day of the first month through the last day of the third month of the quarter. The final Financial/Progress Reports must be submitted within thirty (30) days following completion of the project.

Attachment B Payment Method

1. Reimbursement Payment

Upon receiving and approving a Grantee's Financial/Progress Report, the Department will reimburse the Grantee for expenditures paid during the reporting period, in accordance with this Grant Agreement. The Department will not reimburse without approved Financial/Progress Reports, prepared and submitted by the Grantee on the form provided by the Department. Before approving the financial/progress report for payment, the Department may require the Grantee to submit documentation of the costs reported (e.g., copies of vendor billings/invoices and proof of payment, general ledger expenditure report).

2. Advance Payment

In most instances, the Department will make payment to a Grantee on a cost reimbursable basis. If cost reimbursement significantly inhibits the Grantee's ability to implement the project, the Department may advance to the Grantee an amount not to exceed a projected thirty (30) day cash need, or twenty percent (20%) of the amount in Section I, whichever is less.

Before the Department will issue an advance, the Grantee must submit a "Request for Advance Payment" form along with documentation of costs associated with the advance. The "Request for Advance Payment" form can be obtained from the Department electronically or in hard copy.

All advances will be recovered with the Grantee's next Financial/Progress Report form. Should earned payments during the terms of this Grant Agreement be insufficient to recover the full amount of the advance, the Grantee will repay the unrecovered amount to the Department when requested to do so by the Department, or at termination of the Grant Agreement.

3. Withholding of Ten Percent (10%)

The Department may withhold ten percent (10%) of the amount in Section I until the Department determines that the Grantee has satisfactorily completed the terms of this Grant Agreement, including all required reporting of the project.

Attachment C Standard Provisions

Article 1. Definition

“Department” refers to the Department of Commerce, Community, and Economic Development with the State of Alaska.

Article 2. Indemnification

It is understood and agreed that this Grant Agreement is solely for the benefit of the parties to the Grant Agreement and gives no right to any other party. No joint venture or partnership is formed as a result of the Grant Agreement.

The Grantee, its successors and assigns, will protect, save, and hold harmless the Department and the State of Alaska and their authorized agents and employees, from all claims, actions, costs, damages, or expenses of any nature whatsoever by reason of the acts or omissions of the Grantee, its subcontractors, assigns, agents, contractors, licenses, invitees, employees, or any person whomever arising out of or in connection with any acts or activities authorized by this Grant Agreement. The Grantee further agrees to defend the Department and the State of Alaska and their authorized agents and employees in any litigation, including payment of any costs or attorney’s fees for any claims or actions commenced thereon arising out of or in connection with acts or activities authorized by this Grant Agreement. This obligation shall not include such claims, costs, damages, or expenses which may be caused by the sole negligence of the Department of the State of Alaska or their authorized agents or employees, provided, that if the claims or damages are caused by or result from the concurrent negligence of (a) the Department and the State of Alaska and their agents or employees, and (b) the Grantee, its agents or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Grantee, or Grantee’s agents or employees.

Article 3. Legal Authority

The Grantee certifies that it possesses legal authority to accept grant funds under the State of Alaska and to execute the project described in this Grant Agreement by signing the Grant Agreement document. The Grantee’s relation to the Department and the State of Alaska shall be at all times as an independent Grantee.

Article 4. Waivers

No conditions or provisions of this Grant Agreement can be waived unless approved by the Department in writing. The Department’s failure to insist upon strict performance of any provision of the Grant Agreement, or to exercise any right based upon a breach thereof, or the acceptance of any performance during such a breach, shall not constitute a waiver of any right under this Grant Agreement.

Article 5. Access to Records

The Department and duly authorized officials of the State of Alaska shall have full access and the right to examine, excerpt, or transcribe any pertinent documents, papers, records, and books of the Grantee, and of persons or organizations with which the Grantee may contract, involving transactions related to the project and this Grant Agreement.

Article 6. Reports

The Grantee, at such times and in such forms as the Department may require, shall furnish the Department with such periodic reports as it may request pertaining to the activities undertaken pursuant to this Grant Agreement, including the final close-out report, the costs and obligations incurred in connection therewith, and any other matters covered by this Grant Agreement.

Article 7. Retention of Records

The Grantee shall retain financial and other records relating to the performance of this Grant Agreement for a period of six years from the date when the final financial status report is submitted to the Department, or until final resolution of any audit findings, claims, or litigation related to the grant.

Article 8. Assignability

The Grantee shall not assign any interest in this Grant Agreement and shall not transfer any interest in the same (whether by assignment or novation).

Article 9. Financial Management and Accounting

The Grantee shall establish and maintain a financial management and accounting system that conforms to generally accepted accounting principles.

Article 10. Program Income

Program income earned during the award period shall be retained by the Grantee and added to the funds committed to the award and used for the purpose and under the conditions applicable to the use of award funds.

Article 11. Amendments and Modifications

The Grantee or the Department may request an amendment or modification of this Grant Agreement. However, such amendment or modification shall not take effect until approved, in writing, by the Department and the Grantee.

Article 12. Recordkeeping

The Grantee agrees to keep such records as the Department may require. Such records will include information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays and income. They will also include information pertaining to project performance and efforts to comply with the provisions of the Grant Agreement.

Article 13. Obligations Regarding Third-Party Relationships

None of the Work specified in this Grant Agreement shall be contracted by the Grantee without prior approval of the Department. No permission for subcontracting shall create, between the Department or the State of Alaska and the subcontractor, any contract or any relationship.

The Grantee shall remain fully obligated under the provisions of this Grant Agreement notwithstanding its designation of any third party or parties of the undertaking of all or any part of the project described herein. Any subcontractor that is not the Grantee shall be required by the Grantee to comply with all the provisions of this Grant Agreement.

The Grantee shall bind all subcontractors to each and every applicable Grant Agreement provision. Each subcontract for work to be performed with funds granted under this Grant Agreement shall specifically include a provision that the Department and the State of Alaska are not liable for damages or claims from damages arising from any subcontractor's performance or activities under the terms of the subcontracts.

Article 14. Conflict of Interest

No officer or employee of the Department; no member, officer, or employee of the Grantee or its designees or agents; no member of the governing body of the jurisdiction in which the project is undertaken or located; and no other official of such locality or localities who exercises any functions or responsibilities with respect to the project during his or her tenure, shall have any personal or pecuniary gain or interest, direct or indirect, in any contract, subcontract, or the proceeds thereof, for work to be performed in connection with the project assisted under this Grant Agreement.

The Grantee shall incorporate, or cause to incorporate, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this provision.

Article 15. Political Activity

No portion of the funds provided hereinunder shall be used for any partisan political activity or to further the election or defeat of any candidate for public office or influence the approval or defeat of any ballot issue.

Article 16. Notices

The Grantee shall comply with all public notices or notices to individuals required by applicable state and federal laws and shall maintain a record of this compliance.

Article 17. Prohibition Against Payment of Bonus or Commission

The assistance provided under this Grant Agreement shall not be used in payment of any bonus or commission for the purpose of obtaining approval or concurrence under this contract provided, however, that reasonable fees of bona fide technical consultant, managerial, or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as project costs.

Article 18. Termination by Mutual Agreement

This Grant Agreement may be terminated, in whole or in part, prior to the completion of contract project activities when both parties agree that continuation is not feasible or would not produce beneficial results commensurate with the further expenditure of funds. The Department will determine whether an environmental review of the cancellation is required under State and/or Federal law. The parties must agree on the termination conditions, including effective date and the portion to be terminated. The Grantee shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. The Department shall make funds available to the Grantee to pay for allowable expenses incurred before the effective date of termination.

Article 19. Termination for Cause

If the Grantee fails to comply with the terms of this Grant Agreement, or fails to use the grant for only those purposes set forth herein, the Department may take the following actions:

- A. Suspension – After notice in writing by certified mail to the Grantee, suspend the grant and withhold any further payment or prohibit the Grantee from incurring additional obligations of grant funds, pending corrective action by the Grantee or a decision to terminate. Response must be received within fifteen (15) days of receipt of the written notice.
- B. Termination – Terminate the grant in whole or in part, at any time before the final grant payment is made. The Department shall promptly notify the Grantee in writing of its determination to terminate, the reason for such termination, and the effective date of the termination. Payments made to the Grantee or recoveries by the Department shall be in accordance with the legal rights and liabilities of the parties.

Article 20. Withdrawal of Funds

In the event funding from the state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this Grant Agreement and prior to normal completion, the Department may terminate the agreement, reduce funding, or re-negotiate subject to those new funding limitations and conditions. A termination under this article shall be implemented under the same conditions as a termination under Article 19 of this Attachment.

Article 21. Recovery of Funds

In the event of a default or violation of the terms of the Grant Agreement by the Grantee, the Department may institute actions to recover all or part of the project funds paid to the Grantee. Repayment by the Grantee of grant funds under this recovery provision shall occur within thirty (30) days of demand.

All remedies conferred on the Department by this agreement or any other instrument or agreement are cumulative, not exclusive, and may be exercised concurrently or consecutively at the Department's option.

Article 22. Disputes

Except as otherwise provided in this agreement, any dispute concerning a question of fact arising under this agreement that is not disposed of by mutual agreement shall be decided by the Department, which shall reduce its decision to writing and mail, or otherwise furnish a copy thereof, to the Grantee. The decision of the Department shall be final and conclusive.

This "Disputes" clause does not preclude the consideration of questions of law in connection with the decision provided for in the preceding paragraph provided that nothing in the Grant Agreement shall be construed as making final the decisions of any administrative official, representative, or board on a question of law.

Article 23. Jurisdiction

This Grant Agreement shall be governed by the laws and statutes of the State of Alaska. The venue of any suit hereunder may be in the Superior Court for the First Judicial District, Juneau, Alaska.

Article 24. Ownership of Project/Capital Facilities

The Department makes no claim to any capital facilities or real property improved or constructed with funds under this Grant Agreement and, by this grant of funds, does not and will not acquire any ownership interest or title to such property of the Grantee. The Grantee shall assume all liabilities arising from the ownership and operation of the project and agrees to hold the Department and the State of Alaska harmless from any and all causes of action arising from the ownership and operation of the project.

Article 25. Site Control

If the grant project involves the occupancy and use of real property, the Grantee assures that it has the legal right to occupy and use such real property for the purposes of the grant, and further that there is legal access to such property.

As a minimum requirement, the Grantee should obtain a "sufficient interest" that allows the Grantee the right to use and occupy the site for the expected useful life of the building, structure or other improvement. Generally, the interest obtained should be for at least 20 years. A sufficient interest depends upon the nature of the project and the land status of the site.

Article 26. Insurance

The Grantee is responsible for obtaining any necessary liability insurance and maintain in force at all times during the performance of this Grant Agreement the insurance policies identified below. All insurance policies shall comply with, and be issued by insurers licensed to transact the business of insurance under Alaska Statute AS 21. The Grantee shall require any contractor hired to work on the project be licensed, bonded and insured for at least the amount of the project and if appropriate provide and maintain Professional Liability Insurance.

- A. Workers' Compensation Insurance for all employees engaged in work under this Grant Agreement, coverage as required by AS 23.30.045, and; where applicable, any other statutory obligations including but not limited to Federal U.S.L. & H. and Jones Act requirements.
- B. Commercial General Liability Insurance covering all business premises and operations used by the Grantee in the performance of this project and Grant Agreement with coverage limits not less than \$300,000 combined single limit per occurrence and annual aggregates where applicable.
- C. Comprehensive Automobile Liability Insurance covering all vehicles used by the Grantee in the performance of this project and Grant Agreement with coverage limits not less than \$100,000 per person/\$300,000 per occurrence bodily injury and \$50,000.00 property damage.

D. Professional Liability Insurance covering all errors, omissions or negligent acts of the contractor, subcontractor or anyone directly or indirectly employed by them, made in the performance of this contract which result in financial loss to the State. Limits required are per the following schedule:

Contract Amount	Minimum Required Limits
Under \$100,000	\$100,000 per occurrence/annual aggregate

Article 27. Subcontracts for Engineering Services

In the event that the Grantee subcontracts for engineering services, the Grantee will require that the engineering firm certify that it is authorized to do business in the State of Alaska. In the event that the engineering firm is also the project administrator, the Grantee shall require that the bond or insurance shall be for not less than the amount of the entire project.

Article 28. Governing law

This Grant Agreement is governed by the laws of the State of Alaska. The Grantee shall perform all aspects of this project in compliance with the appropriate laws and regulations. It is the responsibility of the Grantee to ensure that all permits required for the construction and operation of this project by the Federal, State, or Local governments have been obtained.

Article 29. Budget Flexibility

Notwithstanding the provisions of Article 11, Attachment C, the Grantee may revise the project budget in Attachment A without a formal amendment to this agreement. Such revisions are limited within each line item to a maximum of ten percent (10%) of the line item or \$10,000, whichever is less, over the entire term of this agreement. Such budget revisions shall be limited to changes to existing budget line items. Budget revisions may not be used to increase any budget item for project administrative expenses. Changes to the budget beyond the limits authorized by this provision may only be made by a formal amendment to this agreement.

Article 30. Equal Employment Opportunity (EEO)

The Grantee may not discriminate against any employee or applicant for employment because of race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood. The Grantee shall post in a conspicuous place, available to employees and applicants for employment, a notice setting out the provisions of this paragraph.

The Grantee shall state, in all solicitations or advertisements for employees to work on state funded projects, that it is an equal opportunity employer (EEO) and that all qualified applicants will receive consideration for employment without regard to race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood.

The Grantee shall include the provisions of this EEO article in every contract relating to this Grant Agreement and shall require the inclusion of these provisions in every agreement entered into by any of its contractors, so that those provisions will be binding upon each contractor or subcontractor.

Article 31. Public Purposes

The Grantee agrees that the project to which this Grant Agreement relates shall be dedicated to public purposes for its useful life. The benefits of the project shall be made available without regard to race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood.

If the Grantee is a non-municipal entity and if monies appropriated under this grant constitute the sole or principal funding source for the acquisition of equipment or facilities, the Grantee agrees that in the event a municipal corporation is formed which possesses the power and jurisdiction to provide for such equipment or facilities, the Grantee shall offer, without compensation, to transfer ownership of such equipment or facilities to the municipal corporation.

If the Grantee is a non-profit corporation that dissolves, the assets and liabilities from the grant project are to be distributed according to statutory law, AS 10.20.290-10.20.452.

Article 32. Operation and Maintenance

Throughout the life of the project, the Grantee shall be responsible for the operation and maintenance of any facility, equipment, or other items acquired under this grant.

Article 33. Assurance

The Grantee shall spend monies awarded under this grant only for the purposes specified in this Grant Agreement.

Article 34. Current Prevailing Rates of Wage

Certain grant projects are constrained by the provisions of AS 36. PUBLIC CONTRACTS. To the extent that such provisions apply to the project which is the subject of this Grant Agreement, the Grantee shall pay the current prevailing rates of wage to employees as required by AS 36.05.010. The Grantee also shall require any contractor to pay the current prevailing rates of wage as required by AS 36.05.010.

Article 35. Severability

If any provision under this Grant Agreement or its application to any person or circumstance is held invalid by any court of rightful jurisdiction, this invalidity does not affect other provisions of the contract agreement which can be given effect without the invalid provision.

Article 36. Performance

The Department's failure to insist upon the strict performance of any provision of the Grant Agreement or to exercise any right based upon breach thereof or the acceptance of any performance during such breach shall not constitute a waiver of any rights under this Grant Agreement.

Article 37. Sovereign Immunity

If the Grantee is an entity which possesses sovereign immunity, it is a requirement of this grant that the Grantee irrevocably waive its sovereign immunity with respect to state enforcement of this Grant Agreement. The waiver of sovereign immunity, effected by resolution of the entity's governing body, is herein incorporated into this Grant Agreement.

Article 38. Audit Requirements

The grantee must comply with the audit requirements of the Alaska Administrative Code set forth in **2AAC45.010. AUDIT REQUIREMENTS**. An entity that expends a cumulative or total, equal to the state single audit threshold during the fiscal year is required to have a state single audit. A copy of the most current **2AAC45.010** adopted regulations is available at the Alaska Department of Administration's State Single Audit website: <http://doa.alaska.gov/dof/ssa/index.html>.

Current audit compliance supplements and guides specific to programs under AS 37.05.315 Grants to Municipalities, AS 37.05.316 Grants to Named Recipients, and AS 37.05.317 Grants to Unincorporated Communities can be found at <http://doa.alaska.gov/dof/ssa/2014auditsuppl.html#dept08>

Article 39. Close-Out

The Department will advise the Grantee to initiate close-out procedures when the Department determines, in consultation with the Grantee, that there are no impediments to close-out and that the following criteria have been met or soon will be met:

- A. All costs to be paid with grant funds have been incurred with the exception of close-out costs and any unsettled third-party claims against the Grantee. Costs are incurred when goods and services are received or contract work is performed.

- B. The last required performance report has been submitted. The Grantee's failure to submit a report will not preclude the Department from effecting close-out if it is deemed to be in the State's interest. Any excess grant amount that may be in the Grantee's possession shall be returned by the Grantee in the event of the Grantee's failure to finish or update the report.
- C. Other responsibilities of the Grantee under this Grant Agreement and any close-out agreement and applicable laws and regulations appear to have been carried out satisfactorily or there is no further State interest in keeping the grant open for the purpose of securing performance.

Article 40. Americans with Disabilities Act

The Americans with Disabilities Act (ADA) prohibits discrimination against persons with disabilities. Title I of the ADA prohibits discrimination against persons with disabilities in employment and provides that a reasonable accommodation be provided for applicants and employees. Title II of the Act prohibits public agencies from discriminating against individuals with disabilities in the provision of services, programs, or activities. Reasonable accommodation must be made to ensure or allow access to all services, programs, or activities. This section of the Act includes physical access to public facilities and requires that public entities must, if necessary, make modifications to their facilities to remove physical barriers to ensure access by persons with disabilities. All new construction must also be accessible to persons with disabilities. A public entity's subgrantees or contractors must also comply with the ADA provisions. Grantees are responsible for assuring their compliance with the ADA.

Appendix A State Laws and Regulations and Permits

Grantees are responsible for all applicable state laws, regulations and permits; including but not limited to the following list which most commonly affects Grantees.

Municipality Public Facility Operations and Maintenance—AS 37.05.315(c)

In accepting a grant under AS 37.05.315 for construction of a public facility, a municipality covenants with the State that it will operate and maintain the facility for the practical life of the facility and that the municipality will not look to the State to operate or maintain the facility or pay for its operation or maintenance. This requirement does not apply to a grant for repair or improvement of an existing facility operated or maintained by the State at the time the grant is accepted if the repair or improvement for which the grant is made will not substantially increase the operating or maintenance costs to the State.

Restriction on Use—AS 37.05.321

A grant or earnings from a grant under AS 37.05.315 - 37.05.317 may not be used for the purpose of influencing legislative action. In this section “influencing legislative action” means promoting, advocating, supporting, modifying, opposing, or delaying or seeking to do the same with respect to any legislative action but does not include the provision or use of information, statistics, studies, or analyses in written or oral form or format. A grant or earnings from a grant made under AS 37.05.315 - 37.05.317 may not be used for purposes of travel in connection with influencing legislative action unless pursuant to a specific request from a legislator or legislative committee.

Hiring Preferences—AS 36.10

This chapter of the Alaska Statutes applies to grants for public works projects and requires compliance with the hiring preferences under AS 36.10.150 – 36.10.175 for employment generated by the grant.

Historic Preservation Act—AS 41.35

This chapter of the Alaska Statutes applies to public construction of any nature undertaken by the State, or by a governmental agency of the State, or by a private person under contract with or licensed by the State or a governmental agency of the State. The Department of Natural Resources must be notified if the construction is planned for an archaeological site. The Department of Natural Resources may stop the construction to determine the extent of the historic, prehistoric, or archaeological values.

Fire Protection—AS 18.70

This chapter of the Alaska Statutes requires the Alaska Department of Public Safety (the State Fire Marshal) to adopt regulations (currently in the form of Uniform Fire Code, as amended) establishing minimum standards for:

1. Fire detection and suppression equipment;
2. Fire and life safety criteria in commercial, industrial, business, institutional, or other public buildings used for residential purposes containing four or more dwelling units;
3. Any activity in which combustible or explosive materials are stored or handled in commercial quantities;
4. Conditions or activities carried on outside a building described in (2) or (3) likely to cause injury to persons or property.

Procurement Preference for State Agricultural and Fisheries Products—AS 29.71.040

This chapter of the Alaska Statutes applies to municipalities that use state funds to purchase agricultural and fisheries products. The law requires:

1. When agricultural products are purchased, only such products harvested in the state shall be purchased whenever priced no more than seven percent above products harvested outside the state, and of like quality compared with agricultural products harvested outside the state.
2. When fisheries products are purchased, only fisheries products harvested or processed within the jurisdiction of the state shall be purchased whenever priced no more than seven percent above products harvested or processed outside

the jurisdiction of the state, available, and of like quality compared with fisheries products harvested or processed outside the jurisdiction of the state.

Alaska Product Preferences—AS 36.15

This chapter of the Alaska Statutes applies to projects financed by state money in which the use of timber, lumber, and manufactured lumber products is required, only timber, lumber and manufactured lumber projects originating in this state from local forests shall be used wherever practicable. The law requires the insertion of this clause in calls for bids and in all contracts awarded.

Permits and Environmental Procedures

The Alaska Department of Environmental Conservation (ADEC) regulates all activities in Alaska that might pollute the air, water or soil. There are dozens of ADEC permits related to constructing and operating public buildings. The law requires the following permits, including others designated by the commissioner. The following list is not intended to be all-inclusive.

- Air Emissions Permit
- Anadromous Fish Protection Permit
- Authorization for Tidelands Transportation
- Brine or Other Salt Water Waste Disposal Permit
- Burning Permit during Fire Season
- Coal Development Permit
- Critical Habitat Area Permit
- Dam Construction Permit
- Driveway Permit
- Encroachment Permit
- Miscellaneous State Land Use Permit
- Mineral and Geothermal Prospecting Permits
- Occupied Tide and Submerged Land
- Open Burning Permit
- Permit for Use of Timber or Materials
- Permit to Appropriate Water
- Pesticides Permit
- Preferred Use Permit
- Right-of-Way and Easement Permits
- Solid Waste Disposal
- Special Land Use Permit
- State Game Refuge Land Permit
- State Park Incompatible Use Permit
- Surface Oiling Permit
- Surface Use Permit
- Tide and Submerged Lands Prospecting Permit
- Tidelands Permit
- Tidelands Right-of-Way or Easement Permit
- Utility Permit
- Waste Water Disposal Permit
- Water Well Permit

NEW BUSINESS



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

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Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 15-012

TO: MAYOR WYTHE AND CITY COUNCIL

FROM: JO JOHNSON, MMC, CITY CLERK

DATE: JANUARY 20, 2015

SUBJECT: REQUEST FOR EXECUTIVE SESSION PURSUANT TO AS 44.62.310 (A-C)(1 & 5) MATTERS, THE IMMEDIATE KNOWLEDGE OF WHICH WOULD CLEARLY HAVE AN ADVERSE EFFECT UPON THE FINANCES OF THE GOVERNMENT UNIT AND ATTORNEY/CLIENT PRIVILEGE (PENDING LITIGATION).

Pursuant to Council's Operating Manual – "Any Councilmember, the Mayor or City Manager may place consideration of an executive session on the agenda..."

City Manager Yoder has requested an Executive Session regarding "Pending Litigation" for the Regular Meeting of January 26, 2015. This has been publicly and internally noticed since that time.

RECOMMENDATION:

Approve the request for Executive Session and conduct immediately in the Conference Room.

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

